

PRESENTATION

The Mackenzie Law Review (*Revista Direito Mackenzie* - RDM) begins the year of 2024 with its first issue of volume 18, bringing together excellent papers in the journal's three editorial lines. RDM has established itself as an important journal in the field, evidenced by a significant increase in submissions, the expansion of its *ad hoc* reviewers, and advancements in internationalizing its activities - reinforcing its commitment to publishing bilingual editions.

This edition pays tribute to Professor Mario André Machado Cabral, who taught at the Mackenzie Presbyterian University's Law School from 2016 to 2020 and made significant contributions to the line of "Economic Power and its Legal Limits". The jurist, who passed away at the end of 2023, leaves an important legacy in the fields of Competition Law, Innovation Law, and Legal History with works such as "The Construction of Antitrust in Brazil" (*A Construção do Antitruste no Brasil* - Editora Singular, 2020) and "Underdevelopment and the State of Exception" (*Subdesenvolvimento e Estado de Exceção* - Lumen Juris, 2018).

The opening paper, "Public procurement for innovation in sub-national entities," co-authored by Professor Mario André and Professor Débora Coutinho, reflects his significance in the field. This work analyzes the importance of technological orders as catalysts for economic and technological development at all levels of the Federation. Through a case study, the focus is on municipal experiences of orders, highlighting their role in promoting the growth of local markets. This publication represents not just a valuable contribution to the literature but also serves as inspiration for future research, perpetuating the quality and seriousness that marked Professor Mario André's career.

The theme of economic development is also explored in the article "Between poverty and wealth: citizenship income as a policy of investment and development," focusing on the social function played by citizenship income. In "Regulatory models and compliance: the influence of the commission's regulation actions for the development of a culture of compliance," the authors discuss the role of responsive regulation and its interplay with corporate governance, capable of promoting a culture of integrity.

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In the “Citizenship Shaping the State” section, a highlight is the quantitative research presented in the text “Brazilian Judicial System: historical and comparative data during the Covid-19 pandemic,” analyzing changes in the Brazilian judicial system during the pandemic. This research addresses how the global health crisis reconfigured judicial practices and procedures. Furthermore, the right to health is examined from the perspective of digital services in the manuscript “Digital transition and the right to health: current and future challenges.” The study explores how the State is using new technologies to improve access and effectiveness of social rights, focusing on how these innovations impact the delivery of health services.

In the final section, focusing on “Historicism of Law, Legal Rationality and Social Systems,” special attention is given to teaching and the right to education. The article “In practice, there is another theory: reflexivity regarding the criminal legal teaching and Marc Galanter’s inputs” explores the challenges of legal education. Based on the ideas of American jurist Marc Galanter, it discusses how law can perpetuate inequalities. This illustrates the need for greater reflection on the selectivity of criminal justice in the context of penal law education. In parallel, the text “Right to education and its double dimension in the context of personality rights” highlights the fundamental importance of the right to education in personality formation. The authors argue that this right is a prerequisite for the full exercise of various civil liberties, self-determination, and citizenship.

We wish everyone an excellent read in this first edition of 2024.

São Paulo, March 2024.

Academic Editor

Professor Doctor Felipe Chiarello de Souza Pinto

Executive Editor

Professor Doctor Marco Antonio Loschiavo Leme de Barros



SUMMARY

Economic Power and its legal limits

1. Public procurement for innovation in sub-national entities: legal foundations and brief case study (Lagoa do Piratininga, Niterói – RJ)
2. Between poverty and wealth: citizenship income as an investment and development policy
3. Regulatory models and compliance: the influence of the commission's regulation actions for the development of a culture of compliance

Citizenship shaping the State

4. Custody hearings by videoconference: first impressions from the judges of West of São Paulo
5. Autonomy of Regulatory Agencies in Brazil: an examination of ADI 1949/RS and its implications
6. Brazilian Judicial System: history and comparative data during the Covid-19 pandemic
7. Digital transition and the right to health: current and future challenges
8. The environment and the participatory approach to the self-determination of indigenous peoples

Historicism of Law, Legal Rationality and Social Systems

9. In practice, there is another theory: reflexivity regarding the criminal legal teaching and Marc Galanter's inputs
10. Right to education and its double dimension in the context of personality rights
11. New constitutional perspectives: dialogues between Alberto Febbrajo's Sociology of Constitutions and Luigi Ferrajoli's Earth Constitution
12. Artificial intelligence as a support instrument for rationality in the legislative process