SUBMISSION INSTRUCTIONS

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- 1. Text format requirements Paper size: A4
 Text length: between 15 and 25 pages
 long, with average of 2,100 characters
 per page including footnotes and bibliographical referencesMargins: top and
 lower 2,0 cm; left and right 3,0cm
 Justified alignment Font: Times New Roman, regular. Size 12 for title, text, quotations and summary; and size 10 for footnotes (please do not use endnotes) Line
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Contrato e racionalidade

Marcos Cáprio Fonseca Soares Mestre em Sociologia pela UFRGS. Advogado.

ÁREA DO DIREITO: Civil; Processual; Consumidor

Resumo: O presente artigo é fruto de pesquisa empírica levada a cabo junto aos acórdãos do TJRS, especificamente em matéria contratual. Aqui, trago as conclusões obtidas no âmbito dos contratos abrangidos pelo Sistema Financeiro de Habitação. Delimitei a racionalidade jurídica nutrida pelos desembargadores de referido Tribunal ao procederem às tomadas de decisões neste tema. Após precisar o conceito central deste trabalho (racionalidade), exponho e analiso os dados obtidos junto aos acórdãos coletados, promovendo uma classificação dos atores jurídicos consentâneo o teor argumentativo invocado na fundamentação dos votos, ocasião em que a nova teoria dos contratos passa a ser contextualizada em meio a um processo de transformações pelas quais vem passando o direito privado como um todo.

PALAVRAS-CHAVE: Cláusulas gerais - Juros - Revisão contratual - Racionalidade - Rematerialização.

ABSTRACT: The present article is a result of empiric research mode next to judgements of Tribunal de TJRS, specifically in contractual subject. Here, I bring the conclusions got among the contracts embroced by the "Sistema Financeiro de Habitação". I delimited the juridical racionality sustained by magistrates of the abovementioned Tribunal when they took decisions on this matter. After precising the main concept of this work (racionality), I expose and analyse data got next to judgements collected, promoting a classification of the juridical actors according to the armentative contents evoked in the fundamentation of votes, occasion where the next theory of contracts starts to be contextualized in a process of transformations by which i va e la v is passing as a whole.

KEYWORDS: General clauses – Interest – Contract VI r view - Vacionality – Rematerialization.

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Introdução

6. Bibliografia (exemplos)

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