



# Determinación Judicial de la Pena (Spanish Edition)

*Flor de María Poma Valdivieso*

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## **Determinación Judicial de la Pena (Spanish Edition)** Flor de María Poma Valdivieso

La consecuencia jurídico-penal es el establecimiento de la pena que debe imponerse al agente delictivo. Se trata de una situación de relevancia ineludible dentro del marco de una sociedad de crecimiento económico.

¿Es adecuada la visión que tiene nuestro ordenamiento jurídico sobre la individualización judicial de la pena? Las consecuencias jurídicas y penales previstas por el marco normativo son la pena y las medidas de seguridad, dualidad que dificulta la especialización para los órganos administradores de justicia y para quienes la ejecutan. A partir del análisis de las instituciones fundamentales para la administración de justicia –como son el debido proceso, los modelos de Estado y las teorías de la pena -, se plantea la precisión en la individualización de la consecuencia jurídico-penal, propuesta más que enriquecedora para el debate académico de la doctrina pena, pues estas instituciones responden a hechos de distinta naturaleza jurídica.

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