

PRESENTATION

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Summa Iuris journal is a biannual digital academic publication, attached to the Faculty of Law and Political Sciences of the Fundación Universitaria Luis Amigó, which promotes the diffusion of scientific knowledge related to issues of law, and related socio-legal topics such as political, economic, and philosophical among others.

This new publication is the result of the effort and commitment from many members of the national and international academic community; without their interest and thoroughness, it would have not been possible to materialize this special work to present the readers articles of a high scientific level. Furthermore, it should be noted, that this publication constitutes an important academic link and a contribution to reflection and scientific activity.

In this sense, Summa Iuris Journal, throughout its publications, intends to consolidate a scientific community in which criticism, reflection, discussion, knowledge generation, and synthesis are activities that aim for academic excellence. Thus, it is necessary to build an Academic perspective from reading and debating, which may take place based on new publications and proposals that generate the interaction of different law schools and other studies.

Each of the articles has gone through a specialized evaluation process by arbitrators with an excellent academic and professional career, so that the content of the journal is a suitable input for teachers, students, researchers and specialists in socio-legal studies.

This first issue from the third volume of the Journal involves different interesting topics. Among them, the reader can find the Editorial by Andrés Botero Bernal, a renowned academic and researcher, in which he makes an interesting and deep reflection on university autonomy in Colombia. Also, there are seven articles of great research value about diverse topics in the field of Law and Political Science related to the right to property, the

Doctrine of National Security in Colombia, the civil service, the Statute of the International Criminal Court, the system of criminal responsibility for adolescents, political parties and environmental law.

As an abstract, in this edition we have the following writings.

First, the Editorial entitled: "Reflections on university autonomy" by Dr. Andres Botero Bernal, who points out that this topic of utmost importance for the development of a country, has been characterized by a lack of papers from the law academic community. In this sense, the researcher Andres Botero notes that university autonomy is in a state of crisis, as there is a "widespread feeling that many universities have abused this right." Consequently, in the Editorial various aspects are proposed for an academic discussion, for instance, the creation of a statutory Law for university autonomy, understood as a fundamental right-duty responsibility.

In terms of articles, there are two (2) sides: One, legal or relating to the theory of law; and the second, on socio-legal studies.

In this order, the first component consists of the article by Professor Ivan Lázaro Sánchez, entitled "Property in times of oil." The author is Professor-Researcher at the Universidad Juarez Autónoma in Tabasco, Mexico. He presents in a remarkable way, the productive and extractive factors involving oil in Mexico, and its legal and economic implications against the fundamental right to property; the procedural phenomena around the declaration of servitude of hydrocarbons on a private state, and its main criticism from the Mexican constitutional system and from the American Convention on Human Rights.

Hernán Alejandro Olano García presents an article entitled "News of the Doctrine of National Security," as a result of the work that the author develops in his research on the history of institutions. In this regard, the paper reviews relevant aspects of the Doctrine of National Security in Colombia emphasizing that in the context of the current peace talks, it is necessary to apply the terms contained in the 2001 Law 684 for the

regulation of the demobilization and post-conflict state of the illegal armed groups. Such law was declared unconstitutional by the Constitutional Court.

Then, an in-depth study is presented: “Civil Service Career in Colombia: Prospects and results of Professionalization of Public Administration”, prepared by Professor and Researcher Julián Raúl Flórez López, Master in Political Science from the University of Salamanca (Spain). In his paper, Flórez López provides an analysis of civil service in Colombia, from a study on the historical context of the origin and development of the civil service in this country. The core research area of this project is the analysis of results obtained by Law 909 of 2004 which regulated: public employment, civil service, and public management.

The fourth article is called: “Incorporation of the Statute of the International Criminal Court in Colombia. Special reference to crimes against humanity “, authored by Professor-Researcher Eduardo Julián Ramírez Uribe, Master in Criminal Law from The University of Salamanca. In this thoughtful reflection, the author contextualizes the background to the incorporation of the Statute of the International Criminal Court in Colombia, identifying, as well, the political and legal issues that arose at the time of the incorporation of the Statute, stressing on the drawbacks that emerge from crimes against humanity and their common elements (criminal attack, generality or systematic, politicians and civilians), within the legal system of Colombia because they are not established in the same manner as they are contemplated in the Statute of the International Criminal Court.

As a final article for this section there is a detailed study called “System of criminal responsibility for adolescents in the context of restorative justice, since 2006 in Colombia” written by Lawyer and Specialist in Procedural Law Santiago Caro Cuartas. In his article, the author infers that restorative justice is a constitutional and procedural body since it relies on the system of criminal responsibility for adolescents as stated in Law 1098 of 2006, and the Criminal Procedure Law 906 of 2004. Likewise, Caro’s framework allows a depiction of how restorative justice

validates a model on guaranteed criminal responsibility of youth, aimed at the comprehensive protection of adolescents by applying pedagogical, specific and differentiated punishments.

Moving into the second section of the journal, the reflection is focused on socio-legal studies portraying the instances below:

Professor and Director of the Law Undergraduate Program at Luis Amigó University Foundation in Manizales, Ángela María Lora Echavarría, presents her thesis on the study called: “Public corporations and democratic institutions (political parties and movements). Their scope and boundaries for good governance and quality of democracy in Manizales and Caldas “ in which she identifies three political practices – clientelism, patronage, and nepotism – that have affected democracy and therefore, the consolidation of a comprehensive system of political parties in the field of local and regional areas of Caldas. Likewise, the author makes an analysis on how the political ruling class has established its dominance in public areas of the City of Manizales and the Department of Caldas, through empowerment of political chiefs who largely define the composition and functioning of public organizations and political authorities.

Finally, Mónica Aristizábal Botero, lawyer and professor-researcher, outlines the results from essential research work through a study known as “Manizales Creek, environmentally broke by legality and illegality of dumping”. In her research, the author identifies the Colombian legal standard of protection for a healthy environment, revealing that this legal regulation contrasts with the reality of Manizales Creek. According to the study, Manizales Creek exceeds its capacity for domestic and industrial dumping, which is both legally and illegally practiced. Therefore, Aristizábal puts forth the use of the interview as an instrument to obtain detailed information on the perception that the local community has about pollution of the Manizales Creek.

Thus, in this issue of our journal we bring together a selection of the most valuable academic input for instructors, students, researchers, and specialists in the field of law and related legal subjects of society, politics, economics, philosophy, among other spheres of knowledge.

Finally, we thank all those who participated in the creation of this issue; such a commitment materializes the institutional values of Fundación Universitaria Luis Amigó University.

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Editor-in-Chief Summa Iuris Journal