

# PRESENTATION

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The *Summa Iuris Journal* is a bi-annual digital academic publication belonging to the Faculty of Law and Political Science at Luis Amigó University Foundation, which promotes the diffusion of scientific knowledge linked to Law and related juridical, political, economic, and philosophical themes, among others.

This issue is aimed at highlighting the incidence of language on citizenship building in Colombia, in which citizenship is understood as the ethical, democratic and value-related training of all the inhabitants of the country. In this sense, language has a direct incidence on citizenship building as it becomes a pedagogical and social tool, necessary to promote spaces for dialogue among community members. Similarly, the proper use of language has an incidence in the construction of values such as respect and tolerance.

In this sense, the proper use of language makes it easier to communicate with other people, since it allows the engagement in dialogue in which agreements may be reached, differences sorted out, and different thought respected. Thereupon dialogue is conceived as a dynamics of reflection in which linguistic competences develop, so that this new kind of citizenship may understand, analyze and propose clear solutions to the problems faced by society.

Therefore, this new publication intends to contribute to the construction of inclusive and respectful forms of citizenship, able to engage in dialogues by using arguments derived from the reading of high quality texts.

This new issue is the result of the commitment of many members of both the national and international academic communities; without whose interest and rigor, our goal of introducing different high-level scientific papers would not have been possible.

In this sense, the *Summa Iuris* Journal aims at consolidating, through its publications, a scientific community in which critique, reflection, debate, knowledge generation and synthesis become activities that allow the pursuit of academic excellence.

Each paper has gone through a process of specialized assessment by arbitrators with excellent academic and professional levels; for this reason, the content of the journal is an adequate asset for professors, students, researchers and specialists in socio-juridical studies. Many of the Journal's arbitrators hold Master and PhD degrees.

In this second issue, corresponding to the third volume of the Journal, besides Dr. Juan Carlos Yepes Ocampo's editorial, seven papers with high research value within the scope of Law and Political Science are introduced, dealing with themes such as the current peace talks in Havana, the proscription of torture, conventionality control, constitutional law, the penal liability system for teenagers, the concept of justice, and "multi-active" cooperatives in the city of Manizales.

As a simple presentation, this issue will consist of the following texts.

First of all, Dr. Juan Carlos Yepes Ocampo's Editorial entitled "Open letter to the members of *Sistema Universitario Estatal* – SUE (State University System) and to the members of *Asociación Colombiana de Universidades* – ASCUN (Colombian Association of Universities)" introduces his reflections on the current situation of higher education in Colombia, based on his valuable experience as ex-member of the *Consejo Nacional para la Educación Superior* – CESU (National Council for Higher Education) during the 2010-2015 term, on behalf of the Colombian university professors. Therefore, the editorial asks *Sistema Universitario Estatal* SUE, and the *Asociación Colombiana de Universidades* –ASCUN members a series of inquiries related to university autonomy.

In terms of papers, 7 rigorous papers resulting from research will be found in this issue, and they correspond to a theme axis called Juridical and/or Political Studies.

To begin with, the first paper is entitled "*El proceso de paz de la Habana y las posturas editoriales de la prensa colombiana*" (The peace process in Havana and the editorial positions of Colombian press) and was written by professor Germán Ayala Osorio. The author is professor and researcher at the *Autónoma de Occidente University*, in Santiago de Cali. In the paper, he analyzes the editorial positions taken by the 3 Colombian newspapers with highest circulation: El País, El Tiempo and El Espectador, in relation both to the start and the development of the peace talks in Havana, Cuba. As the text develops, clear differences between the editorial lines of the three papers are made evident, which stem from the ideological positions followed by them from the years of their establishment.

Then, a thorough research by professor and researcher Milton César Jiménez Ramírez entitled "*La tortura en el marco del derecho internacional humanitario*" (Torture under International Humanitarian Law) is introduced. Its author has a Master's degree in Public Law from Externado de Colombia University, and is a doctoral student from Carlos III University in Madrid. His meticulous text examines the concept of torture and its scope in the light of international instruments, and emphasizes the fact that torture is not only an action performed by State agents or by outlaw groups, but it includes private individuals with the capability to submit and control other person with the purpose of inflicting suffering. Along these lines, the elements that characterize torture as a crime subject to penal law in an international context are identified and explained.

After this, professor Andrés González Arango introduces a paper entitled "*El control de convencionalidad: medio de legitimación del control material de reformas a la Constitución*" (Conventionality control: a means to legitimate material control over reforms on the Constitution). This paper presents the partial results of an ongoing research project the author is currently undertaking, as part of his studies in the Master's degree program in Administrative Law from the Libre University, at its Pereira branch, entitled "*Estudio sobre la Internacionalización de la Constitución*" (Research on the internationalization of the Colombian Constitution). This interesting text deals with the possibility that Colombia's Constitutional Court exerts constitutional control on the contents of constitutional reforms, by using conventionality control as a means to gain legitimacy.

The fourth paper is entitled *“El concepto de Constitución en la Carta Política de 1991”* (The concept of Constitution in 1991’s Political Chart), written by professor and researcher Jesús David Londoño Bedoya, who has a Master’s degree in Administrative Law from Externado de Colombia University. This interesting text copes with the unstable character of the concept of Constitution, and reveals its most relevant aspects through the analysis of jurisprudence set by Colombia’s Constitutional Court.

In fifth place, the exhaustive research entitled *“La resocialización y la reincidencia de adolescents en conductas delictivas en el Departamento de Caldas, Colombia”* (Teenage re-socialization and recidivism in criminal conduct in the department of Caldas, Colombia) is introduced, written by lawyer and specialist Jorge Omar Arias. The paper claims the administrative and corrective measures implemented by the Penal Liability System for Teenagers not to be appropriate to counter the magnitude of teenage delinquency in the department of Caldas; which leads to re-thinking the comprehensive teenage protection system through applying real and effective pedagogical specific and differential penalties.

Next, Diego Javier Mesa Rada, professor of the Law program at Cooperativa de Colombia University, explains in his paper entitled *“La resignificación de la Justicia como elemento de legitimación para la reconfiguración y supranacionalización de los derechos humanos en el contexto de la interacción cultural oriente-occidente”* (Re-signification of Justice as a legitimating element in the re-configuration and supranationalization of Human Rights in the context of East/West cultural interaction) that, from the perspective of western modernity, the concept of universality of human rights has been used by eastern culture to justify its re-enhancement of dignity of human beings as individuals and, hence, support democratization of ancient social forms.

Finally, Liliana Marcela Herrera Ruiz, Business Administrator and professor researcher, introduces part of her research results (which are more extensive) in a paper entitled *“Roles y estilos gerenciales en la cooperativas multiactivas de la ciudad de Manizales”* (Managerial roles and styles in multi-active cooperatives in the city of Manizales), in which the author claims that the increase of the participation of economic forms

based on cooperation and solidarity in the national economy in recent years, has generated the need of a new approach on the meaning of administrative and managerial processes in this kinds of companies.

As can be seen, this issue represents a very valuable academic asset for professors, students, researchers and specialists in Law and related topics in the scope of socio-juridical, political, economic and philosophical themes, among others.

We are grateful with those participating in the construction of this issue, a commitment whose accomplishment brings material actuality to the institutional values of the Luis Amigó University Foundation.

Paulo Bernardo Arboleda Ramírez  
**Director Editor *Summa Iuris* Journal**