

# PRESENTATION\*

SUMMA IURIS VOL. 4 / N°. 2

**Summa Iuris** journal, since its 4th volume, number 2, July–December 2016, will exhibit a series of changes, on the occasion of the new guidelines implemented by Colciencias last August 11, through Resolution 790 of 2016, By means of which the National Policy is adopted to improve the impact of the national scientific publications and the model of classification of national Publindex journals. “This new model is based substantially on the citation that is made of articles in the same indexed or approved journals, an aspect that is ostensibly restricted, since it ends up being focused purely on academic impact and leaves aside the social one as a real impact, given that this would result from the generation of knowledge, the empowerment of the community, emergence of instances of participation, mobilization of the state apparatus based on social and legal mechanisms, among others.

It is our desire in this issue and in the subsequent ones to include in **Summa Iuris** Journal photographic records of diverse natures as a component of diffusion mechanism of artistic, cultural and aesthetic elements of the publication, therefore, in is this number, you will find illustrations of the Symphonic Orchestra of Caldas.

We are joined in this edition by Ricardo Correa, who in his editorial entitled “In the Kingdom of Absurdistan”, presents a serious and profound analysis of the electoral results on the peace agreement. He is also a guest editorial writer and expert on issues of political science, security and defense of peace, thus, he places this piece in a blocked peace agreement, and then shows the readers three possible scenarios, two of them for the rearrangement of the agreement.

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\* Traduction by: Claudia Marcela Suescún Giraldo

The articles section opens with the theme “Administration in the Field of Law. A Brief Conceptual Approach”; Its author shows how administrative science has enriched the law, the main point of the administrative axis is approached from Chiavenato, who postulates an institutionalized society, thus developing the perspective that the state, as a bureaucratic model, is a more organized, endowed with human, physical and financial resources, and functions that the Bill of Rights itself calls essential purposes.

On the other hand, this article approaches the perspective of public administration, referring to the state as a “public network” due to its administrative activity, for this second purpose the expert Alfonso is quoted. The central point of the article is to show how administration has been the basis of the structural construction of the states and concludes by asserting that in order to guarantee an effective public administration, the organs of the state must know not only of law, but of administration as well.

The second article compares five administrative sanctioning procedures, these are the disciplinary procedure, the administrative procedure regarding contractors, the procedure of the ethical courts, the environmental procedure and the general administrative procedure, in terms of types of lacking elements, types of sanctions, procedural stages, second instances and principles that govern it, this last point, based on the hermeneutics that the Constitutional Court makes on these.

The article deepens into the principles of type, reservation of law and guilt, and warns of the applicability, due to its constitutional rank of the principles of equality, adequate process, good faith, morality, efficiency, economy, celerity, impartiality and public nature. The letter contains an important criticism of the high constitutional court, as when the court does not know that the procedures studied here (administrative sanctions) contemplate equal or more severe punishments than in criminal matters.

The third article entitled “The Contract Conservation Principle in the Convention on the International Sale of Goods” contains the definition and characterization of the principle of contract preservation and then examines the rules referred to in the mentioned convention.

The most important conclusion of the author is that, not any non-compliance enables the punctual contractor to give a solution to the contract, including an analysis that the reader will find extensively in the body of the article.

Then there is the article entitled “Influence of Psychosocial Context Factors on the Delinquency Behavior of Juvenile Offenders at the Patios Juvenile Correctional Center”, in Norte de Santander, the article describes the family, school and environment of minors linked to the Criminal Responsibility System.

The research used as qualitative data collection tools, a focus group, in-depth interviews and non-participant observation. For the analysis, the author started from the social cognitive theories, that of social learning, differential association and self-control, all applied to the conduct of the juvenile offender.

Results showed that in the chosen factors of family, school and social environment, there are influential variables in the rule-breaking behavior of children, namely: the socioeconomic condition of low economic resources, unsatisfied basic needs, school violence, little interest in their academic development, the consumption of addictive drugs and the perception of power or authority that they acquire, all accompanied by a protective system of criminal responsibility and its pedagogical rather than sanctioning character, in the measures adopted by the state.

The fifth and final article “Prohibitions as a Regulation of the Sustainable Use of the Hydro biological Resources of Freshwater, Estuarine and Marine Waters in Colombia” begins with a summary of the norms that regulate fishing activity, to continue with a reference with three points on the subject: gear and methods of capture, minimum sizes of the catch and the closures of marine and continental fisheries.

The article raises a very interesting critical position on the commercial, but not scientific, aims that underlie the normative system against prohibition.

This number, same as the previous ones, serves as a reflect of the commitment of the University Luis Amigó -Funlam- with the diffusion of scientific knowledge.

Finally, the editor of this Journal is especially grateful to the group of assessors and the members of the scientific and editorial committees, who with their wisdom and criticism accompanied this publication.

Manizales (Colombia), July of 2016.

Mónica Aristizábal Botero  
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