

## EDITORIAL

For nearly two centuries, legal education and research emphasized the study of legal doctrine; the research done was characterized by mostly being descriptive manuals, based on the study of legal norms that included a number of rules to read the law, such as jurisprudence, doctrine, general principles of law, and custom.

In this scenario, legal sociology has made an original and significant contribution to the theoretical knowledge of the legal field for several reasons, including its effort to problematize law beyond traditional studies of analyzing the law, as well as its critical reflection from social theory about law studies. This situation has emerged due to factors that have influenced the need for a change in the dominant paradigm of law, for example, academic degrees of teachers, neo-constitutionalism, and transformations occurred with globalization.

Until the last decade of the 20<sup>th</sup> century, in Latin America, socio-legal studies were scarce and there was a predominance of abundant theoretical production that were derived from legal doctrine, distanced from social sciences and social reality. This condition resulted from the fact that, due to their own episteme, the existing social theory and law were divorced. Today we face a different reality, because since the first decade of the 21<sup>st</sup> century, studies of legal sociology have gained prominence as a result of numerous factors of varied nature.

As we have noted elsewhere, this reality affects both Latin America in general and Colombia in particular; it resulted from different situations: first, the leading role of legal sociology is due to a significant increase in intellectual production in books or journal articles; second, to the incorporation of empirical research techniques; third, to the formation of a qualified academic community; fourth, to the use of the discourse of law, the discourse of human rights in particular, as a model for social action that, thanks to the evolution of contemporary constitutionalism, has allowed for new social movements represented by environmental groups, consumers,

indigenous people, young adults, artists, environmentalists, and women to incorporate other perspectives into the relationship between law and society;<sup>1</sup> finally, to the stimulus given by contemporary constitutionalism to a new way of seeing and investigating legality at different faculties of law, a turn that offered new post legal positivist frames of interpretation,<sup>2</sup> thanks to which legal sociology has found less resistance among orthodox lawyers.

All these elements have inspired various theoretical currents that shaped the so-called post legal positivism and weakened the positions of legal dogmatism.<sup>3</sup>

Thus the possibility opened up for law schools to present various theoretical currents in accordance with the above mentioned changes, such as studies of critical theory, popular constitutionalism, human rights, cultural studies of law, and legal pluralism.

This context stimulated many research fields that give prominence to legal sociology in Latin America. Therefore, the Editorial Committee of *Jus Novum* has decided that the journal will have a new approach which is aimed at the dissemination of scientific works with socio-legal profile.

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## References

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<sup>1</sup> María del Pilar Suárez and Camilo Castellanos, *Estado, democracia, ciudadanía, acción política y DESC* (Bogotá: Plataforma interamericana de derechos humanos, democracia y desarrollo, 2002).

<sup>2</sup> Luis Roberto Barroso, "El neoconstitucionalismo y la constitucionalización del Derecho" in *Neoconstitucionalismo y equilibrio reflexivo*, dir. Carlos Hernández and Santiago Ortega (Bogotá: Universidad Libre, 2014), 280.

<sup>3</sup> Carlos María Cárcova, *Las teorías jurídicas post positivistas* (Buenos Aires: AbeledoPerrot, 2009), 112.