

EDITORIAL

The Roaring 20s: Facing an Uncertain Future while Waging the Wars of the Past

In 2022, the flow of daily news concerning a variety of disparate events, one more disengaged from the other, seems to be the new normal. Humanity seems to advance towards a more civilized, gentler post-pandemic world, while at the same time witnessing the brutality of an invasion on a scale we thought no longer possible. Leaders are meeting, negotiations are concluded, wars are started, and acts of terror are committed, all while the scholarly world tries to make sense of this information.

Dale Brashers developed the uncertainty management theory to explain processes of communication and manage uncertainty. He states that “uncertainty exists when details of situations are ambiguous, complex, unpredictable, or probabilistic; when information is unavailable or inconsistent; and when people feel insecure in their own state of knowledge or the state of knowledge in general” (Brashers 2001). According to this definition, it can be affirmed that we live in a constant state of uncertainty, continuously battling market and technological advances, while dealing with hundred-year-old problems like global pandemics and the rise of right-wing authoritarianism in Europe.

This issue highlights the uncertainty of the modern world through three main topics of study: Firstly, we focus the attention on Ukraine and the rising geopolitical tensions brought by the Russian invasion of a sovereign nation, waging a war that nobody thought possible since the end of World War II. The articles presented on this issue discuss both the increasing repercussions of a sustained armed conflict, as well as the struggle at the interior of Ukraine to understand the eruption that has taken place. The paper “Ukraine in the Russian Geostrategic Chessboard: An Analysis from Geopolitical Codes (1991-2022)” utilizes the concept of geopolitical codes to trace the timeline of the invasion and concludes that Putin’s authoritarian style, summed to the monopolization of the media by the State has created a

pro-Russia consensus within the country. The article “War in Ukraine: Triumph of Capitalism?” argues that Russia’s lack of influence in the former Eastern bloc and Ukraine’s desire to become a western nation was a direct result of “being seduced” by capitalism, and that Russia, seeing itself without any other options, chose to invade as a way to reestablish itself as a world superpower. The articles “Elaboration of a Method for the Strategic Analysis of the Development of the Armed Forces” and “A Person, their Security as a Value in the Spectrum of Public Power: Legal Problems of Recognition through a Civilizational Perspective” present the need for increased strategic planning for the development of the Ukrainian Armed Forces, as well as a historical analysis of the concept of legal personality.

The second area of study is the development of novel legal theories that advance knowledge beyond the fringes where they have been relegated thus far. This section aims to show that modern legal knowledge is always evolving and searching for deeper meaning within the humanities, as evidenced by “The Judicial Precedent In Colombia Faced with the Theory Exposed by Michele Taruffo”, which shows the development of case law in Colombia, from a mere discretion by the legal professional, to what Taruffo calls *binding-must, except*. On a similar line, the article “Perspectives of Critical Epistemology” contributes to this evolutionary legal development by addressing critical conceptions that the emerging epistemology reveals about knowledge, while revealing a much more complex vision of reality. Meanwhile, “Colombia: Nature as Subject of Rights. Between Activism and Contention” analyzes the sources of law employed by the Colombian judiciary when awarding human rights to natural resources and exposes that not every original development in the socio legal universe has a solid basis; and even in the face of good intentions, judges can err by issuing case law that has no legal or constitutional foundation, and therefore has little chance of being enforced. The remaining articles in this section deal with the intersectionality of human rights, as they concern children, farmers, and public employees.

Finally, the third thematic section of this issue approaches today’s changing sociolegal atmosphere in the face of market forces. From the effects of getting an American LL.M. degree as a Colombian legal professional featured in “Legal Education Abroad: Colombian Legal Graduates and the Social Effects of LL.M. Degrees”, which concludes that universities may, through their selection criteria, discriminate against Colombian attorneys of lower socio economic strata; to the very current considerations on how to carry on your memory post mortem through the preservation of social media assets presented in the article “Inheritance of Digital

Assets: Analyzing the Concept of Digital Inheritance on Social Media Platforms”, these articles contain questions that aim to motivate the discussion on how to reduce the asymmetry and handle the crises that occur when parts of the world are focused on the future while still waging the wars of the past.

Global problems demand the construction of dialogues within those with scientific knowledge to offer deeper and pertinent answers that combat the need to impose a hermetic worldview with the potential to create more of a schism than offer pertinent solutions. In this context, *Novum Jus* aims to lead the academic discussion in interdisciplinary topics that contribute to the creation of new knowledge, this time focusing on emerging nations’ understanding and handling of an ever-changing world.

References

Brashers, Dale E. “Communication and Uncertainty Management.” *Journal of Communication* 51, No. 3 (2001): 477-497. <https://doi.org/10.1111/j.1460-2466.2001.tb02892.x>