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Editorial

Freedom of Research as a Right that Implies a Social Obligation in Latin America

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In the editorial number 6 of the journal *Memorias Forenses*, the importance of research in law and forensic sciences in Latin America was discussed, since, as stated by the United Nations Educational, Scientific and Cultural Organization (Unesco, n. d.), “governments should base their policies -health, agricultural, etc. - on quality scientific information, and parliamentarians who legislate on social issues on the latest social issues should base their policies -health, agricultural, etc. - on quality scientific information. - on quality scientific information, and parliamentarians who legislate on social issues should be aware of the latest research on the subject” (para. 3). In this way, research is essential

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for States to make better decisions, more in line with their realities and needs (Torres Galindo, 2022). However, as shown, unfortunately, political authorities in Latin America do not usually consult the latest research done in their States or in the region to inform their decisions or, when they do, they only favor, in the words of Jana Bacevic, “the type of science that aligns with the preferences they already have” (As cited in Serrano, 2021, para. 7).

However, while it is true that there is a shortcoming in the region’s rulers, who do not take into account research that would allow them to better understand the realities they regulate in order to improve them, we must ask ourselves whether in Latin American countries there is a shortcoming on the part of researchers, when they decide to focus on topics that are not current in their States, that do not respond to the most important problems and that do not question, criticize or propose other options better than those proposed by the political, judicial or prosecutorial authorities. This could be the reason why in Colombia, for example, more research is being published in recent years, but, even so, its impact is decreasing, because it is less and less cited (Galvis and Mejía, 2021).

Freedom of research must be guaranteed in all States, since it must be the researchers themselves and the centers to which they belong who must decide freely, without the intervention of the public authorities, the topics on which they will conduct research, in order to avoid that only topics of interest to the authorities are investigated, that knowledge is manipulated, that political or legal decisions cannot be challenged, and that society is indoctrinated by exposing only one point of view, without scientific arguments.

It is precisely in development of this idea that, for example, the Political Constitution of Colombia recognizes, in its article 27, the freedom of research as a fundamental right, and in its article 69 commits the State to promote it. However, although freedom of research is a fundamental right of researchers, it should be understood as a right that implies a social obligation consisting of the duty to carry out a broad diagnosis in the area of knowledge in which one is an expert, to identify the most important and urgent issues for the improvement of societies and States and, therefore, to prioritize efforts and resources in these

areas, with the aim of producing results that have a greater capacity to improve the realities of our nations. To achieve this, researchers must be aware that their research efforts do not end with the publication of their research, since important efforts must also be made in dissemination, in order to achieve the expected impact.

This social obligation must be fulfilled by researchers not only at the moment of developing their research projects, but also at the moment of training the new generations in their undergraduate and graduate courses, so that the students, from their training, begin to develop research that has a greater capacity to respond to the greatest and most immediate needs of our societies, so that they develop a critical spirit that is not satisfied with the current state of things, but always seeks to improve them, and so that in our Latin American States, where public budgets for research are reduced every year, the necessary efforts and money are dedicated to the production of results with a greater impact.

The recognition of this social obligation gives the community in general the possibility of asking researchers and research centers in their country to carry out studies that respond to and provide solutions to their real and immediate needs and to stop privileging their usual research topics, their areas of greatest expertise, their research habits and the methods and methodologies they have always used, so that, in a disruptive, collaborative and critical manner, they can provide solutions to the real and current problems of States and societies. This demand on researchers also gives the general public the right to demand that their political leaders, jurisdictions and prosecuting bodies take into account the results of these investigations to make their decisions and change those that can be improved.

Precisely by developing the social obligation of researchers in Latin America, this issue of the journal *Memorias Forenses* presents nine studies, four in law and five in forensic sciences, which analyze and respond to current and urgent problems of our Latin American societies and States.

In the first of the legal studies, on "The Transformation of Civil Associations into For-Profit Corporations in Peru and the Destination of their Assets", Professor David Velasco Pérez analyzes whether it is possible, in light of the current Peruvian legal system, for non-profit

legal entities to be transformed into commercial corporations and, if this is possible, what should be the destination of the assets of the civil association that migrates to the figure of a commercial corporation.

In the second study, "The Principle of Progressivity in Colombia. An Ineffective Protection of Labor Rights", Professor Sergio Andrés Giraldo, in the current context of labor law reform in Colombia, answers the question of whether Law 789 of 2002, created "to support employment and expand social protection", transgressed the principle of progressivity and represented a setback in the labor guarantees of Colombian workers.

In the third study in law, "Territoriality, from the Perspective of Former FARC-EP Combatants, Located in Anorí-La Plancha", Antioquia, Professor Diana Marcela Muñoz Suárez analyzed the effects on peace building in Colombia, after the signing of the peace agreements with the FARC-EP, the lack of roots for ex-combatants to a delimited territory or an identity with it, as well as the importance of understanding the displacement they are going through, since many ex-combatants have left the Territorial Spaces for Training and Reincorporation due to fear, threats from armed groups and the failure of the Colombian State to comply with the Agreements.

In the last of the legal studies, on "The Recognition of Belligerent Status", Professor José Fernando Toledo analyzes, on the one hand, how the recognition of belligerent status is given and the internal and external political effects that this generates in the States and, on the other hand, he reflects on the characteristics of its application and the consequences that are created with the legitimacy of a new subject within the international legal reality.

Now, in the first of the studies in forensic sciences, "Teaching Forensic Criminology and Forensic Victimology: Scopes and Development on Professional Training in Mexico," Professor Alexa Michelle Córdova studies how criminology and victimology are taught in forensic settings within 172 curricular plans in Bachelor's Degree programs in Criminology in Mexico, with the purpose of showing the importance of rethinking the conception of criminology and victimology in the processes of intervention within forensic investigation and its prioritization in teaching.

In the second, "Characteristics Associated with Personal Injuries and Suspected Physical Abuse in Older Adults Evaluated at the Medical Legal Clinic of Calidonia (Panama), 2019-2020," Dr. Ariel Flores seeks to help forensic physicians and authorities to know the main characteristics associated with personal injuries or suspected physical abuse in older adults evaluated at the CML of Calidonia from January 1, 2019 to December 31, 2020, in order to improve the performance of medico-legal expertise in this age group that presents physiological characteristics different from those of individuals of other ages and that need to be taken into account when evaluating them.

In the third, "Lethal Violence and Associated Delinquent Phenomena in the Province of Neuquén during 2010-2020: State of the Theoretical Construct," Professor Julieta Melendi analyzes the territorial dynamics of lethal and highly injurious violence and other criminal phenomena in the province of Neuquén, from 2010 to 2020, with the aim of showing that, if the specificities operating at the subnational level are taken into account, the causes of violence are heterogeneous and may vary, not only within a country, but also within a city or a neighborhood.

In the fourth study, "Women Offenders in Venezuela: Criminological Analysis of 300 Cases Occurring during 24 Months (2021-2023)," Professor Lilia Elena Rodríguez conducted a review of crimes committed by women with the aim of demystifying women offenders in Venezuela and clarifying the scenarios and roles in which they participate, diminishing the image of women victims and the underestimation of their criminal behavior, as well as gathering data that validate the incorporation of the gender perspective in intervention models and anti-crime policies.

Finally, in the last study in forensic sciences, "Coping Styles in a Group of Male Inmates in the Municipal Prison of Envigado", Professor Sergio Acosta and his team analyzed the coping strategies used by the population deprived of liberty for the adaptation and assimilation of daily life in a prison center, with the purpose of identifying strategies for inmates to feel safe in the face of overcrowded confinement.

All these contributions respond to current and urgent problems of our Latin American societies. We hope you enjoy reading them.

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