

Issue 5

Nov-Dec

2016

USTA
peaks

FOREIGN LANGUAGE INSTITUTE



UNIVERSIDAD SANTO TOMÁS
PRIMER CLAUSTRO UNIVERSITARIO DE COLOMBIA
VILLAVICENCIO



New York Culture

Walk with teacher Nelson through his memories and the streets of the Big Apple.

Find it out on page 3



What is the Finding Dory movie effect? Find out how a blockbuster film affects real life.

Go to page 5

Read more, page 15

2nd USTA Drama Contest



ustaspeaksvillavo@usantotomas.edu.co

Writing a way to scatter thoughts

By: Lucimaver González Robayo, FLI Coordinator

Dear faithful readers.

USTA SPEAKS welcome you to our fifth edition – an edition inspired by teaching experiences. The main purpose of this publication is to share the vast knowledge of the USTA community, and encourage others to become interested in writing.

Being immersed in a teaching community implies that one is aware of their own teaching and learning environments, which can encourage both students and educators to reflect on teaching dynamics in a variety of settings. Therefore, students and teachers can examine their beliefs about teachers' views on effective motivational strategies, and build positive and academic contexts.

One way to think about meaningful teaching practices is to contrast it with day-to-day surroundings. In this sense, this bulletin allows readers to feel identified with teaching patterns that emerge spontaneously while interacting inside an academic environment.

We open this edition with: (Brief description of the sections included in this edition)

The FLI thanks all teachers, students, and writers who helped make this bulletin possible. All your inspirational papers are meaningful and relevant insights to our teaching context. We encourage the community to contribute to future editions, and make all teaching and classroom experiences more visible in our daily lives.

On behalf of USTA SPEAKS, I want to thank to the Editorial Committee for their effort and hard work. Your participation has been essential in meeting the academic standards of each edition.

"There's always room for a story that can transport people to another place."— J.K. Rowling



"I was going to teach them the meaning of life ... but it wasn't on the test."

Fr. José Arturo Restrepo Restrepo O.P.
President

Fr. Fernando Cajicá Gamboa O.P.
Academic Vice-president

EDITORIAL COMMITTEE

Coordinator

Lucimaver González Robayo

Editor

Yomaira Angélica Herreño Contreras

Proofreaders

Mckenna Marie Wellhousen

Designer and Diagrammer

Iván Felipe Marín Escobar

Frontend Developer

Rubén Mauricio Muñoz Morales

DESCANSA



Juan Carlos Álvarez Rojas, Law Student, 4th semester

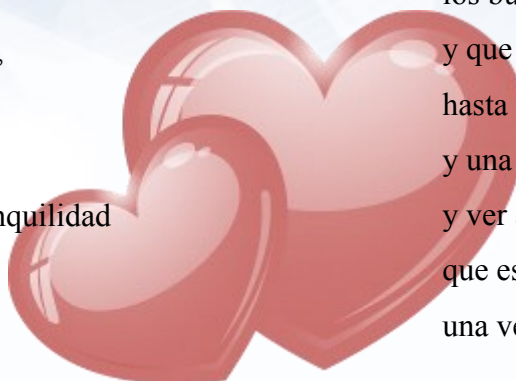
Mariposa agonizante y angustiada no vuelas más,
 Descansa tus alas, estás hastiada de vivir,
 El mismo viento de todos los días ya no huele a gloria y libertad como antes,
 Como antes que sin importar nada te sumergías entre los bosques y restaurantes,
 Como antes que volabas entre nubes y pensamientos,
 Como antes que adornabas pinturas y momentos,
 Pero todo es pasajero y no te culpo por posarte en uno de mis muros aguardando la parca,
 Mi cuarto al igual que tu vibra es oscura y repulsiva,
 Y te ocultas en el blanco manicomio de mi encierro,
 Dando giros estrepitosos intentas abandonar aquel sentimiento de finalidad,
 Pero como todo ser viviente sucumbes ante el imperio de los muertos,
 No caes, permaneces inerte, estable, firme, pero ausente...
 Te admiro, así deseo morir, como tú y los árboles, ajeno y de pie.



DESEO

Beatriz Level, Brazilian exchange student

Deseo que el sol ilumine tu alma,
 quiero que la vida te sonría
 cuando te encuentres triste.
 Dudo que puedas tener tanta tranquilidad
 como cuando estás conmigo.
 Necesito que no olvides



los buenos momentos vividos,
 y que puedas esperar un poco más
 hasta que vuelva,
 y una vez más pueda mirar en tus ojos,
 y ver a través de tu alma
 que estás tranquilo
 una vez más por estar a mi lado.

"If there is a book that you want to read, but it hasn't been written yet, you must be the one to write it." Toni Morrison

NEW YORK CULTURE

*Nelson Segura, English Teacher,
Foreign Language Institute, Santo Tomás University*



Empire State Building

I grew up in Brooklyn one of the 5 boroughs of New York City. NYC is also called the Big Apple, there are many rumors why it was named the Big Apple. NYC is also known as the Melting Pot because it's a place where people from many cultures form a new diverse society. In NYC you can be in the middle of Chinatown and just a few short blocks away be in Little Italy. The same with people. I grew up with Italians, Puerto Ricans



Brooklyn Bridge

and Russian Gypsies. So you can also find all different types of food at a short distance. I loved growing up in NY because of the 4 seasons, in the Fall we played football and went to Central park to look at how the leaves on the trees changed colors, in the Winter we went ice skating in Rockefeller Center and made snowmen in front of the house, in the Spring we would go to the zoo and the park. And in the Summer we would go to the pool, the beach or simply open a fire hydrant on our block.

There was always something to do whether it was playing stickball in the street or taking the subway into the city to watch a movie, catch a Broadway show or just watch the street performers. I wouldn't trade my childhood in Brooklyn and am very grateful for it today. NY has also produced some of my favorite people. With the exception of Donald Trump. New Yorkers were the people who made my childhood special, including of course my family and friends.



Statue of Liberty

And I can't forget my favorite baseball team the NY Yankees, the best team in baseball history. In conclusion if so many cultures can get along in NYC. Why can this happen all over the world. NYC is probably the only city where you can find so many cultures, cuisines and things from all over the world. There's a saying, Only in New York.



Time Square

CAN VIRTUAL EDUCATION BE EFFECTIVE?



Jaime Andrés Prieto Torres, Basic Sciences - Master in Electronic and Systems Engineering



Classroom education has been the most used approach by people. However, these teaching programs set strict conditions about places and times for developing them. This inflexibility had promoted virtual education. These kind of teaching programs use ICT for setting interaction between teachers and students. It is highly flexible regarding locations and schedules. However, could this approach satisfy learning people needs?

On one hand, ICT in virtual education keeps content available all the time, and students are free to look for resources as long as they wish. Additionally, ICT bridges communication between teachers and students by setting spaces for solving doubts, sharing information, and promoting collaborative work. This educational environment permits the students to save money and time in terms

of transportation from campus to campus.

On the other hand, virtual education does not offer face to face interaction, making it difficult to build strong relationships between teachers and classmates. It is an environment in which it is not easy to make friends.

In conclusion, even without personal contact with teachers and classmates, virtual education is an efficient educational approach that fosters autonomous learning. Nevertheless, effectiveness of virtual education depends on the students. Only with responsible and determined students it is possible to ensure high level of effectiveness. Virtual education is an amazing system which offers great resources and tools that allows its students to reach their goals.

“If a nation loses its storytellers, it loses its childhood.” Peter Handke

WHAT IS THE FINDING DORY MOVIE EFFECT?

Fabian Moreno Rodriguez, Basic Sciences
Master in Sustainable Environmental Management

This summer (2016) Disney/Pixar presents their newest movie *Finding Dory* where a Royal Blue Tangs (*Paracanthurus hepatus* (Linnaeus, 1766)), called Dory, is looking for her lost parents. What happens, though, when a successful movie like this one is watched by a lot of people on the planet? This might have certain consequences for the Royal Blue Tangs.

When we go to a pet shop to buy some fish, we do not know much about those animals, and the owner is probably lying about their origins. However, the Royal Blue Tangs are commonly caught in their own habitat by the use of cyanide (a toxic substance).

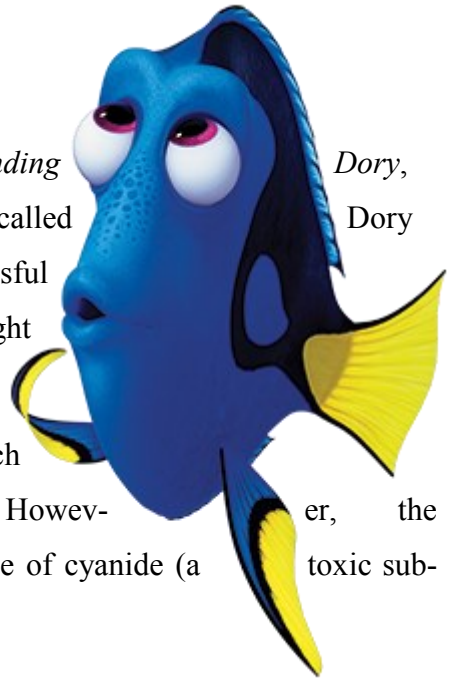
Another problem is the fact that these species of marine reef fish have not been efficaciously bred in captivity, so every single fish might have been captured from its reef. For this reason, some research groups feel concerned. The worldwide *P. hepatus* sales could increase significantly after the movie release,



decreasing the wild populations of Royal Blue Tangs. This is a fact; something similar happened after the movie premiere *Finding Nemo*. Now it is urgent to highlight the fact of extracting Royal Blue Tangs and others reef fish using cyanide, which might have impacted their habitats.

In conclusion, it is very important that people who want to keep a Royal Blue Tang at home start thinking about the

natural status of this species and its vulnerability, because your decisions can help or damage one of the most beautiful species from earth.



MATHEMATICS + SUGGESTOPEDIA = WILL THEY WORK TOGETHER?

*Willian Aristizábal, Basic Sciences
Candidate for Master in Education*

Albert Einstein stated: "Do not worry about your problems with mathematics, I can assure you that mine are still greater".¹ For many people, mathematics has been a headache during all their lives. Many teachers struggle with their students trying to make them understand some exercises, and they get frustrated because the students do not do them properly, or they just get bored with the topic. Therefore, teachers are desperately looking for strategies or methodologies to handle these problems. A methodology which might be useful for this purpose is called suggestopedia.

Suggestopedia is a teaching method developed by the Bulgarian psychotherapist Georgi Lozanov, and it is mainly used in teaching foreign languages. This method consists of setting a pleasant and comfortable environment in a classroom² (classical or other soft music could be used, or exercises where the students imagine themselves in a relaxing cozy

atmosphere). Besides, it is possible to suggest that learning can be fun through games, interaction and competitions (like throwing a ball and asking questions related to the topic being taught).

People are not used to making changes. Would it be possible for a math teacher to implement this



method in his/her class? Of course it is, but it requires a creative, fearless and open minded teacher. It could be strange or difficult at the beginning because it is not common to use music for relax-

ing people in a math class, to play games with numbers or set different contests, but it might work meanwhile the technique is being developed.

In conclusion, a useful methodology for preventing the students from feeling terrible at math and to get engaged with it is Suggestopedia, because of the positive learning environment that could be set through it. Math teachers only need to test it!

¹ Calaprice, Alice. The ultimate quotable Einstein. United States of America, 2011, p. 80.

² Larsen-Freeman, Diane. Language Teaching Methods. Washington D.C. 20547, 1990, p. 26.

WE ARE ALL FEMINISTS; THIS IS HOW IT APPLIES TO EVERYDAY LIFE

*Daniel Reyes Pardo - Humanities
Candidate for Master in Latin American Studies*

Feminism in Colombia, not to mention in Villavicencio, is a taboo word and a “radical” position. However, this viewpoint is mainly due to a misconception from the term and the ways that it is used in mass media and common jargon. Nevertheless, feminism is not only an identity, but a way of living social relations among humans.

Firstly, feminism is a movement that aims for an equity in social, economic and political practices between genders. By that definition, many of us are feminists, even though we hadn’t been aware of it. Feminism is the deconstruction of certain entitlements that we assume as biologic and/or correct, such as: gender and sexual binaries, social order, and power positions in everyday life.

On the other hand, feminism is a political posture, and as such, it has many variations. Some of those positions may take radical statements (for example, exposing half-naked bodies to protest patriarchy stereotypes). Moreover, all of them aim to create a world of equity for genders. However, this complexity is not seen by the general public or people outside academia. TV broadcast agencies reproduce a view of feminism where it is seen as a group of lesbians who hate all males.

Finally, it would be proposed that we all call ourselves feminists, not only because we aim for a gender equitable society, where gender won’t be a cause for social inequities, but because we should annihilate the radicalization circumscribed to those who used the word as a self-identifier. We as males, females, transgenders, and so on are all feminists.



Feminism

Noun \ fem-i-nism

**A BELIEF IN THE SOCIAL, POLITICAL, AND
ECONOMIC EQUALITY OF THE SEXES**

IF WHATSAPP IS A FREE APP, HOW DOES IT EARN MONEY?

Jorge Arturo Bolaños Biceño
Economist Environmental Engineering Faculty

WhatsApp has become the world's most popular messaging service, holding 1 billion users in 2016, resulting from a system which allows people to keep in touch with anyone without cost. Unlike other free apps, it doesn't use advertising as its source of income. So, how does WhatsApp make money?



Since its creation, the company tried to charge people with one dollar per year, and even when some of them paid for it, in the long term it did not work. So, is it a poor business? The answer is investment funds. Many investment funds put their money in companies with high growing expectative, in this case, WhatsApp. What do they get in return? If the companies earn money or are sold, the fund gets profits based upon the investment made on them. In 2014, WhatsApp was sold to Facebook for \$19 billion USD, but the initial investment was only \$ 8 million USD.

Now-
verify



adays, according with a company statement, they are going to communication tools between users and organizations. In other words, it would give the users a way to check unusual transactions in their bank accounts, or get information about airlines flight delays. In other words, WhatsApp would offer a customer service frame for companies. As we might expect, this professional service would generate profits.

To summarize, WhatsApp has used three ways to get money. First, using a fee-based plan; second, being the target of investment funds, and finally, reinventing themselves as a professional services company.

PANEM ET CIRCENSES

Daniel Vizcaíno, Law student
10th semester

In recent days, it has been subject of national interest the so-called «ideology of gender» and after it, the Peace Agreement between Government and FARC. These topics carry us toward a chaotic

cerned.

However, the citizen participation mechanisms were stated in modern democracies as a method to let the population to be directly involved in all



situation where doubtfulness reigns, thanks to media manipulation; and some over-populist *politicians*' arguments, which take advantage of all circumstances that surge from hate and other feelings caused by 52-year long wounds that have not scared, and religious fanaticism.

At first sight, it may seem that Colombia is a well-formed constitutional democracy and an example to follow by other nations in the region, but from an analytic view, it is just a circus.

In modern democracies, it is almost impossible for every citizen to be able to get himself or herself involved in all political issues, because of self-structure of the 21st century society. Just on account of it, we elect representatives. We must understand this: some people are not interested in politics because their matters are staying on other topics, and this is the reason why they are not con-

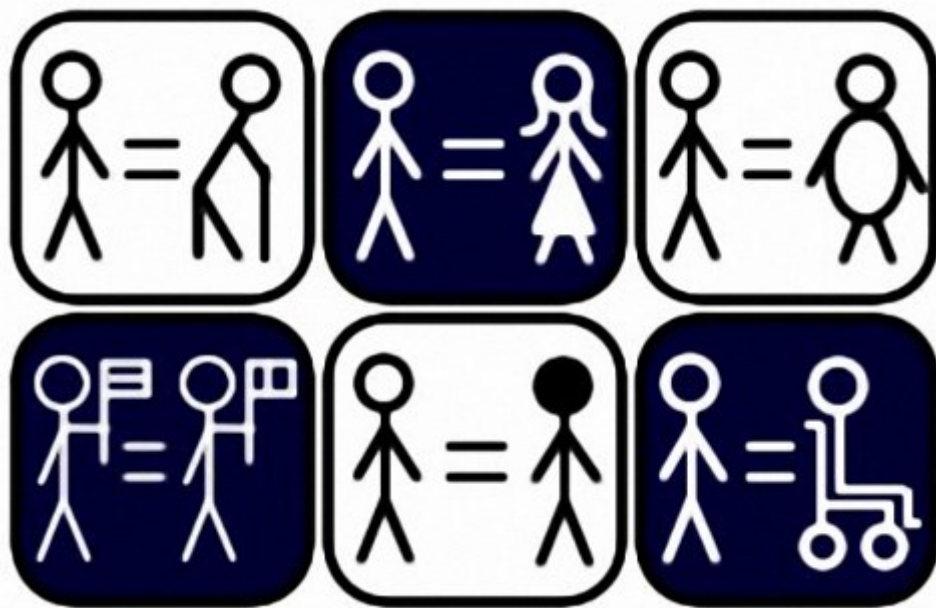
cerned. those debates that concern the administration of the Republic (participative democracy). Our National Assembly set them in Article 103 of the Constitution: "[T]hey are participation mechanisms of the populace in exertion of its sovereignty: the vote, the plebiscite, the referendum, the popular consultation, the open council meetings, the legislative initiative and the recall. Law will rule them," and indeed, law 134/1994 rules them.

My discourse is focused on two of them: referendum and plebiscite. The first one is the convoking done to the population to approve or reject a bill, or repeal or not a law already into force. There are two types of referendum: approbatory, which is the submission to the populace consideration of a legislative act or law to decide whether to approve or reject it wholly or partially; and derogatory, which consists of submitting to the populace con-

sideration a law into force to be repealed. When a referendum aims to reform the Constitution, the constitutional tribunal must make a legal control only to find procedure vices, different from the control of constitutionality done over laws, because that control aims to find vices in content and procedure.

On the other hand, plebiscite is the populace pronouncement convoked by the President of the Republic through which one supports or rejects certain decisions of the Executive branch of Public Power.

The vote is a mechanism of democratic participation, by means of which a citizen elects a person, rejects or supports an executive or legislative decision. It is nowadays important in order to let every citizen indirectly be able to intervene in the public administration and the future of the State. That is why we are convoked in some periods to elect candidates' politic proposals.



Apart from that, representative democracy is a system that operates the majorities decision in the most of votes and elections (the half plus one), except in those where a qualified vote or election is required. This system presents the problem that the citizens, who belong to those less than a half, could be sometimes excluded, and their ideas and projects with themselves, from the political and public panorama, conceived as a minority with neither vote nor voice.

Ad referendum

This year, the wrongly-self-called «liberal» senator Viviane Morales has been the head of a legislative initiative to forbid same sex couples from adopting children through a referendum to close the path the Constitutional Court has built from this affair. Her reasons and arguments are mainly based on moral populism to the detriment of Colombian State secularity conception. Taking this into account, it is above all an injury against classical liberalism thought and philosophy, and against the people who belong to it.

Senator Viviane Morales has promoted a legislative initiative, collecting citizens' signatures – 2,300,000 signatures were required, and suddenly, she got them – to bring forward to the Senate a bill by means of which the Congress, once the bill

passes and becomes a law into force, convokes the Colombian population to approve a modification of the Constitution in Article 44.

The bill «by means of which it convokes a referendum and it is submitted to consideration of population a bill of constitutional reform by which it sets the adoption of minors only by couples constituted between man and woman» brings in its single article the addition of a para-

graph to the Constitution, Article 44: *The adoption is a measure of protection of the child that searches to guarantee the right to have a family constituted by a heterosexual couple into the explicit terms of the article 42 of the Constitution, that is, by a man and a woman who united themselves in a marriage or factual marital union, with the fulfilling of the rest requirements set in law; then, the question of the approbatory referendum is: Do you approve the previous paragraph? Yes / No / Blank vote.*

The bill has passed its First Debate in the Seventh Commission of Senate, and will be studied in the Second Debate by the Plenary Senate; by the way, this bill must pass two other debates in Senate and four in House of Representatives and an automatic and previous legal control of constitutionality, because it behooves to the Constitutional Court to decide, previously the popular pronouncement, about the constitutionality of the convoking of a referendum to reform the Constitution – here the bill dies –.

Firstly, we must claim the senator is «working hard» to «defend the institution of family» from the «ideology of gender promoted by the Minister of Education» Gina Parody (who resigned this week after the plebiscite failure), of famed homosexual orientation, which has caused such scandal, and diverse reactions against, principally from conservative sectors that tearing their hair are proclaiming the end of Colombia, forgetting the Constitutional Court jurisprudence about family conception, especially the sentence C-577/11, where this tribunal considered family is not only set by mother, father and children.

The scandal was the distribution of explicit sexual content books by Ministry of National Education, which has denied that distribution in public schools and the imposition of an ideology of gender, through its official pronouncements, as though a child for looking at a sexual content book could become gay – if this is true, why have not gays become heterosexuals? – or as though it were a contagious illness, gotten by looking at some pages with the teaching of respect of others' sexual diversity and differences. Nevertheless, those books, according to the Ministry, were not ever distributed, and it was a “massive manipulation” from some populist politicians.

On the other hand, Constitutional Court has said that mechanisms of democratic participation cannot be exerted either to limit or deny rights, personally considering this bill is utterly discriminatory not only against same sex couples, but also against single parents, because it does not allow the opportunity to adopt children unless a person is

married or in a factual union with another person of the contrary sex. Indeed, we must start with saying this is another absurd idea from our dear and over-worried lawmakers, especially a «liberal» one who alleges family must be protected, with the support of some religious sectors that aim to impose their religion convictions by force, claiming majority is democracy. Sometimes I get actually surprised of double standards of some Colombian people, because with an address, they are claiming for recovering moral and religious values, and otherwise, they are acting against scriptural injunctions they predicate of.

The bill will be submitted to popular consideration, and it seems to be obvious that the populace would approve, because the traditional majority is able to support the initiative, considering that Christian churches and conservative sectors are a majority and discard the recent jurisprudence about LGBT rights, and the clamour to recover those good manners of Colombia, and yes! The majority can express its will; with the referendum, the reform would be approved... but the actual trouble and the future of the bill is visible and clear: it will not ever come into force, because it is sure that the Constitutional Court will not pronounce a sentence favourably, taking into account that referendum is discriminatory and restrictive of human rights, and before voting, the Court previously will pronounce about the bill's constitutionality. Here is born a legal issue where there exists a point of stress: the legitimization of the population to take decisions about the Constitutions in exertion of its popular sovereignty, and the wide Court's powers to safeguard and interpret the Constitution.

Therefore, the question is: *Is the high constitutional tribunal legitimated to disapprove a decision taken through a mechanism of democratic participation like referendum, even though a majority voted, regardless restricting rights, taking into account they are just nine members of the Court, and millions of citizens who vote?*

This question may be answered affirmatively because of these reasons: the Constitution set the

participative democracy, separated the Church from the State recognizing the freedom of faith, and created a Tribunal to safeguard the self *Carta Magna*. Constitutional Court has had an important role in democracy by means of its wise sentences, while in its existence it has dignified Colombian people, pronouncing decisions, sheltering rights, and protecting them particularly from state agents and public servants, especially on rights to life and work, healthcare and labour rights, children rights, displaced people by violence and protection from conflict, etc., and LGBT civil rights, protecting minorities like indigenous and afrodescendant communities (minorities).

All that interpreting the spirit of the Constitution in order to protect and reclaim human rights, and following the new constitutionalism thoughts, because, even if a majority has expressed its sovereign decision, it would not be allowed for collective and individual consciousness the egoist decision from some sectors of population prevail over minorities rights, neither limit nor restrict them, because in many cases, majority is not right, even in a country like Colombia, where the ordinary citizen is not educated to respect diversity and differences, but believes himself to be entitled to impose his conceptions and ideas. So as a result, the Constitutional Court is legitimated even to discard a popular initiative to reform the Constitution, because modern democracy is not majority, such as conceived National Assembly; democracy is **consensus**, in protection of essential and human rights, democracy shall not use to smash a minority by a majority... that is the key: consensus.

Plebis scitum

Despite the reactions and media promotion, the present topic is the plebiscite convoked by President Juan Manuel Santos to countersign the *Final agreement to end the armed conflict and build a stable and lasting peace* reached with FARC-EP after four years of dealing and negotiations.

First of all, noteworthy media, the Government, and opposition manipulation were the factors that carried toward the failure to countersign the Peace Agreement due to:

President Juan Manuel Santos is one of the worst and less popular presidents the Republic has had, owing to the fact that is incongruent to

his speeches and acts; he is a spendthrift of public resources, unlegitimated the national peasant strike, does not show a strong character to deal with some difficult situations, and sold one of the most important



electricity public companies; in his Government time, many strikes have been carried out by many economic sectors, etc. and seems to be a person unable and unqualified to preside Colombia.

President Santos pretended to sell the fake belief since October 2nd that Colombia would be a peaceful paradise, where there would not be social problems, as though October 2nd were the Frabjous Day from Alice in Wonderland, as if Colombia became a paradise with no violence. The President offered «the Peace», not the agreements' countersign.

Former president Alvaro Uribe seems to be the obsessed ex-girlfriend who has not gotten over the breaking up of her last relationship, promoting the NO vote to plebiscite, alleging the agreement brings impunity; majority said

NO to countersigning the agreement; he won, but now, after severe and serious critics from his part, he does not have any different or good proposal to renegotiate with the Government and FARC.

Others, even with perturbed ideas, claimed Colombia would become another Venezuela, FARC demobilized members would be paid around two million pesos monthly as salary, the public power would be given to FARC – as if an ordinary citizen were determine to vote on them – and another out of mind ideas.

Colombian people are not used to reading (folkloric) neither a summary, and I guess they never read the Peace Agreement, as an informed citizen with conviction and knowledge about what is his decision about and what is considerably reasonable for the Nation.

That Peace Agreement, in its first point which obligates the State to do something, is already obligated to, and the Constitution ordains: stimulate the agrarian sector and recognize the main role of peasants, with the Integral Rural Reform.

Secondly, there is not any ideology of gender into the agreement – it happens when people are not bothered to read and understand – there is an emphasis of gender coming from the concern the women have been the main victims of armed conflict, they have been the ones who have suffered the horror of war, losing their families (sons, daughters, husbands, fathers, mothers, dignity because of violation) and their lands by dispossession. Throughout the text, we can find the word «gender» referring to the emphasis of gender, in order to restore women's rights victims of violence, and not referring to the ideology of gender, like some paranoiac Conservatives pretend to interpret, particularly the former General Inspector Alejandro Ordoñez, of famed Catholic beliefs and leaders of Christian churches, alleging it is within the Agreement hidden into the subtle speech of «emphasis of gender».

Additionally, the power would not be ever given to FARC, firstly because it must be delivered democratically, and to get it democratically, they must be elected, and the population's aversion against FARC would never let them get more than one seat in any of both Congress houses, and knowing this, the benefit that was set in Peace Agreement was the political participation assuring FARC born political party to have five seats in Senate and five seats in House of Representatives since 2018 as a method to begin their insertion in legal political stages without violence.

The reason why the President convoked the plebiscite has its own political and legal basis, particularly the Constitution Article 104 «*[t]he President of the Republic, will may consult the populace decisions of national transcendence*» and indeed, he did it, but despite abusing public resources to support the countersign, the majority, not Colombia, said NO, as a result of not reading and media and opposition manipulation.

Consequently, after the NO victory, opposition is supposed to express their proposals, but they are just like Nemo and his friends after escaping from the office fish tank: now what? They have really weak arguments, nothing different from the stipulation or the Agreement... perhaps to change the font style, include stronger penalties, if they don't know, I the least.

Transitional justice

Transitional justice is a parallel system of justice – not a special kind of justice – that pursues political targets by implementing a transition from conflict to institutional stability, driven to solve non-international conflicts, created exceptionally because of its role being mainly political instead of legal. This justice applies in cases of grave and serious human rights abuses and commission of crimes against humanity and crimes of war, the punishment of those behaviours and the transition to end the conflict.

There are international standards that transi-



tional justice systems must fulfill:

A real judgment: a trial shall be actually carried out, and from it, there must result a criminal sanction (penalty).

Criminal sanctions shall be alternative: the penalty may be of whatever nature, and must not involve impunity, setting a minimum line quantum for the sanction.

The victims shall intervene in the conflict resolution: (i) to find the real truth – the offenders must confess their crimes – and (ii) to indemnify injuries.

In order to the transition to peace, the agreement also created the Especial Jurisdiction for Peace, a system where the victims would be (*would* because the institutional crisis aims to avoid the application of the agreement) entitled to know the truth, to get soon justice, to reparation and no repetition: victims are the reason of point 5 «justice»; into that point, rebels would be beneficiary of general indults and amnesties, acts of grace only for political crimes (rebellion, sedition) with the allowance of Constitution, Title VI, Chapter 3 «Of laws», article 150, numeral 17: it behoves to Congress make laws. Through the exertion of the following functions: 17. Concede [...] by grave reasons of public coexistence, general amnesties

and indults for political crimes.

Not every penalty must be paid in jail, and crimes against humanity and of war are imprescriptible. The agreement fits the international standards, otherwise the International Criminal Court and United Nations would not ever approve it.

Conclusions (finally)

To conclude, the winners here were the abstention and hate: it is shocking 63% of voters did not vote in the plebiscite, they demonstrated they give a damn; the «majority» like they call itself is not really one, at least it showed statistics; Colombia's biggest trouble is not war, is not FARC, is the oligarchy and no-reconciliation, taking into account the municipalities and regions more affected by violence voted YES in plebiscite to countersign the agreement, victims forgive their victimizers, while city dwellers do not, after FARC heads apologized to victims under the view of the international community. In fact, problems in cities and in the whole country, more than FARC, are corrupt politicians; why deny some seats in Congress to FARC members if the Congress is not home of wise philosophers, who look for common good and a better

country, just reminding some of them do not attend sessions (absenteeism), do not read the reforms to the Constitution, and approve laws against public and populace interests. Viewed from that sight, it is not so scandalous to let them stay in the house of democracy, where lawmakers «work», corruption is the main and worst enemy of cities, and FARC is the enemy of peasants.

Bread and circuses

Panem et circenses is a phrase originated from *Satire X* of the Roman satirical poet Juvenal (circa 100 A.D):

«... iam pridem, ex quo suffragia nulli uendimus, effudit curas;
nam qui dabat olim imperium, fasces, legiones,
omnia, nunc se continet atque duas
tantum res anxius optat, **panem et circenses**».

(Juvenal, Satires X, 77–81)

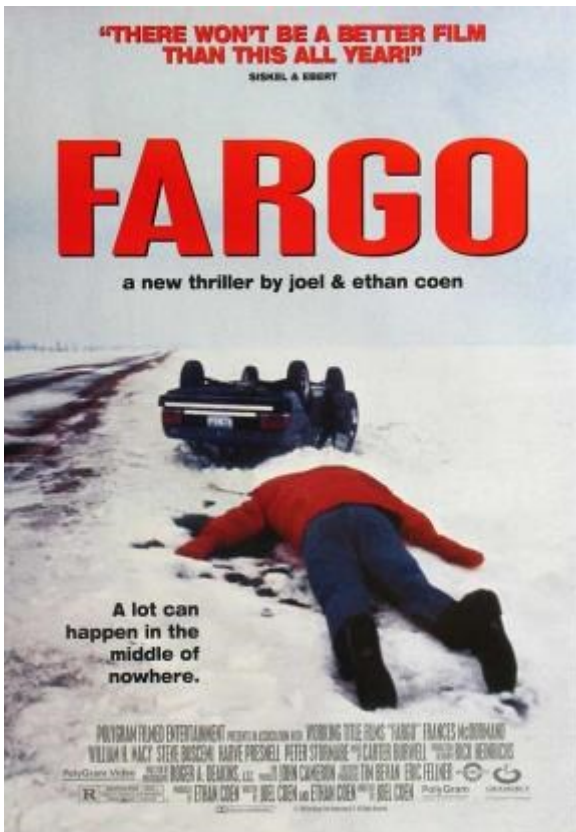
Which translates: ... already long ago, from when we sold our vote to no man, the People have abdicated our duties; for the People who once upon a time handed out military command, high civil office, legions — everything, now restrains itself and anxiously hopes for just two things: **bread and circuses**.

It is unnecessary to explain this, so obvious we can find it after these pages, 63% percent of no-voters giving a damn demonstrated that.

PROTECTING THE PEOPLE AND LETTING THEIR STORIES BE TOLD

-MY OPINION ON ARTISTIC LICENSES-

Magdalena Aguilar Sánchez - Law Faculty
Lawyer, Specialist in Public Law



I would like to make a precise reference to one of the latest films I have seen: *Fargo* (1996), written and directed by Joel and Ethan Coen. This film is a dark comedy that portrays a series of crime stories about some roadside homicides in Minnesota. The plot involves a pregnant police chief (Frances McDormand) who investigates a struggling car salesman (William H. Macy), who pays two criminals (Steve Buscemi and Peter Stormare) for the kidnapping of his wife in the aim of extracting his father-in-law (Harve Presnell) a wealthy ransom.

I have chosen this film not only because it was very entertaining and fun, but also because in the beginning, the following warning can be read: "This is a true story. The events depicted in this film took place in Minnesota in 1987. At the request of the survivors, the names have been

changed. Out of respect for the dead, the rest has been told exactly as it occurred" (*Fargo*, 1996), a disclaimer that clarifies that it is a work of fiction. In this sense, the film develops a conscious composition of nuances of what might be real and what might be fictitious, so when someone sees it, questions arise such as: is this a real person, and did this happen to someone in real life, are always ahead.

The most interesting characteristic of the film is that the artists (Joel and Ethan) don't precipitate and answer these questions with clichés and obvious dramatic twists. Instead, they let us linger and create a perfect blend of reality and fiction. First, they used local scenery and simple actions to create an atmosphere of credibility, but they play with us at the same time with a great tale-telling of extraordinary twists and unexpected reactions. Second, they used common characters as policemen, salesmen, traditional criminals but each of them inhabits this very peculiar and strange world in a non-classical way. Third, although in some interviews and DVD extras they claimed the use of facts and real murder stories, their choices in mixing the events have the intention to promote a reflection within an aesthetic of humour and unpredictability and not to celebrate violence or to rant about some moralistic tale about real people's flaws and vices.

In conclusion, to me the artistic license, whether it is changing the names or creating some events, can be unlimited to the logic of the world that the filmmakers depict, as long as they don't make a eulogy of the wrong and evil or try to encourage racism, bigotry, homophobia or other forms of exclusion. The cinematographic adaptations must always have respect for the dead, and also for the living.