



Interdisciplinary metatheorization for News of a kidnapping (1996): Literature and Criminology.

Metateorización interdisciplinaria para Noticia de un secuestro (1996): Literatura y Criminología.

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ABSTRACT

For the theoretical construction that will allow the analysis to *News of a Kidnapping* (1996), I rely on the establishment of the sociological character of the disciplines of Literature and Criminology (the way of organizing society, through certain laws and regulations), besides having other similarities (artistic, interpretative and written dimensions), as pointed out by Perez (2006). The way of articulating these proposals is somewhat problematic, because there is no interdisciplinary link that is fully and intellectually elaborated, according to Nelson, Treichler and Grossberg: difficulty that would not allow contextualizing, theorizing and questioning the bases with which we work. For this reason, Cultural Studies would have a necessary functionality: its methodology does not have guarantees on the privilege that is granted to the internal structures of the interdisciplinary. For this, I have developed two guidelines by which that phenomenon could be explained: the literary and criminological approaches.

Keywords: Cultural Studies. Criminology. Literature. Criminological policy. Nation State.



RESUMEN

Para la construcción teórica que permitirá el análisis de *Noticia de un secuestro* (1996), me baso en el establecimiento del carácter sociológico que poseen las disciplinas de la Literatura y la Criminología (la manera de organizar la sociedad, mediante determinadas leyes y normas), además de poseer otras similitudes (dimensiones artística, interpretativa y escrita), tal como las señala Pérez (2006). El modo de articular estas propuestas resulta algo problemático, pues no hay un nexo interdisciplinario que esté total e intelectualmente elaborado, según lo sostienen Nelson, Treichler y Grossberg: dificultad que no permitiría contextualizar, teorizar y cuestionar las bases con las que se trabajan. Por tal motivo, los Estudios Culturales tienen una funcionalidad necesaria: su metodología no cuenta con garantías sobre el privilegio que se les otorga a las estructuras internas de lo interdisciplinario. Para ello, he desarrollado dos orientaciones que explican ese fenómeno: los abordajes literario y criminológico.

Palabras Clave: Estudios Culturales. Criminología. Literatura. Política criminológica. Estado nación.

Introduction

The treatment based on Literature has a primary role, since a literary work is taken as an object of study, at the same time, structuring formulations are related, which facilitate the foundation about the themes and composition of scenes and characters of the novel, in order to link, interdisciplinarily, criminological concepts and justify the absence of a nation state in Colombia. For example, the criminal character of *Noticia de un secuestro* (1996) is a priority in this research, since, once configured, a more detailed conception of the social processes existing during that macrocriminal period exposed in this literary work is available.

The second treatment, criminological, refers, according to Burgos Mata (1994, p. 46) to some social sciences, such as Anthropology, Sociology and Criminal Psychology, among others: as long as



they help the aggrandizement of the object. On the other hand, in Criminology, the importance of the criminal triad is considered through the following components: the crime, the victim and the perpetrator, although it can also be added the action of the social environment as formal and informal control, according to the criteria of Norza Céspedes and Espino-Duque (2011, p. 153). Likewise, it has as its object of study antisocial behaviors, which threaten the common good (the law that governs the community and is good for all) and provoke crimes (Rodríguez, 1981, p. 21). Therefore, there is a necessary recurrence in Criminal Law to have a set of rules and legal provisions that regulates the exercise of the sanctioning and preventive power of the State (Jiménez, 2005, p. 18).

Interdisciplinary connection between Criminology and Literature (Cultural Studies)

Cultural Studies are produced as a response to the process of disciplineization (and discipline) of knowledge; that is, an obligatory order is articulated in research, an archaeology of knowledge, and it is from that moment in which knowledge has the possibility of proliferating. However, this process of schematizing and regularizing events is recognized as *habitus*, which is the pure, implicit, organized and positioned result, which has been obtained through the culture of each performer. Literarily, for Pierre Bourdieu (1997, p. 19), this concept means the following: it is a body socialized and structured by the perception and action of this world. On that basis, an organization begins to be inferred based on the research topic. On the other hand, it should be borne in mind that I have referred to the *habitus*¹, just to explain how the research work will be approached, which undergoes an autonomous operation and independent of the literary area.

¹ The *Habitus*: a term used by Pierre Bourdieu (1997) to refer to the dispositions, organizational structures of the social being or its internalized schemes, which allow positions and choices to be made in the most different areas of practice (social, symbolic and ideological). Foucault (2004, p. 173) argues that through the liberation of a pure and implicit structure truth is manifested, archaeology that is formed after different transformations, with the intention of elaborating singular configurations in actions and ideologies, similar to the *performance art* What Antonio Prieto Stambaugh (Szurmuk & Mckee, 2009, p. 207) defines it as an analytical paradigm that produces the approach to communicative processes through expressive activities, which are articulated with the interdisciplinary. For this reason, the *Habitus* is a base to generate a metatheology between Literature and Criminology. For example, in the classification of agents who fight against order and those who protect it. At the same time, all this provokes a broader interpretation of *News of a kidnapping* (1996).



To constitute this organizational concept, it is necessary to start with what you want to configure: in this case, reality. It begins to be built in relation to language and its society. In the same way, it is qualified around a spatial structure that orders all its levels, such as the social and the hierarchical that a Government establishes during a macro-criminal period. Once society is abstracted, the type of culture that develops is inferred. For this reason, this collective exposition is of importance for Doležel (1999, pp. 153-154), since they are fundamental to give logic and development to social groups; consequently, the formation of a nation state.

Specifically, it is important to have opted for a conventional organization from cultural studies, because the following phenomenon is inferred: at present, a customary problem is noticed in the colombian national news *RCN Noticias*, *Noticias, Uno, CM&, Telepaís* and *Noticia Caracol*, as well as in the written press, such as *El Tiempo*, *El Espectador*, *La República*, *El Colombiano*, *El Mundo*, *El Heraldo*, *El Universal*, *Diario del Sur*, *La Opinión*, *El País*, among others, which have the same purpose. That intention is to spread the reality of the events that have taken place in the world. Also, if one assumes what happened only in Colombia, based on the criminological topic, the following newscasts are found: "9 dead in Bogotá after the celebration of the Match of Colombia" (2014)², "There are 33 children killed by tragedy in Colombia" (2014)³, "One in 30 murders in the world occurs in Colombia" (2014)⁴. It follows that the dissemination of the profile of the criminal in action still persists. This information dates from 2014. Therefore, a sequence of criminal developments is observed, which already has a sender historical antecedent (a macro-criminal period, with respect to narcoterrorism infused by Pablo Escobar). In short, all this matter serves to encourage literary creation. With the emphasis on the types of crimes (ignoring the novel *Noticia de un secuestro* [1996]), there are recent Colombian literary works that relapse with the same theme: *La Virgen de los sicarios* (1993) by Fernando Vallejo, *Rosario Tijeras* (1999) by Jorge Franco Ramos, *El hombre de los mil nombres* (2006) by Ricardo Silva Romero, *Relato de un asesino* (2001) by Mario Mendoza, *Too many heroes*

² See the diary *RCN News*, from the following link: <https://bit.ly/1p7KHQO>, published June 15, 2014.

³ Cf. Unión Visión Noticias (2014), published on May 27, through the following address: <https://bit.ly/2N10xaf>

⁴ Take as a reference the daily *Weather*, via the following link: <http://www.eltiempo.com/noticias/muertes-violentas>, published April 20, 2014.



(2009) by Laura Restrepo, *35 dead* (2011) by Sergio Álvarez Guarín, *La serpiente sin ojos* (2012) by William Ospina, *El sastrero de las sombras* (2013) by Rubén Varona, *Maldad. La sangre de los condenados* (2013) by Germán Camacho López, *Ximénez* (2013) by Andrés Ospina, among many other novels that maintain the same theme and that even continue to be produced until now. On the basis of this, the problem arises when the following questions are asked: is the study made in novels of socio-political violence valid without taking criminological or legal references? To what extent can literary theory be considered for the analysis of texts with criminological themes? To direct this idea in an appropriate way, common topics will be addressed, in which the disciplines of Criminology and Literature intervene. Verbigracia, of the literary, is the textual analysis that is made in News of a *kidnapping* (1996), by the fact of identifying textually the configuration of the characters (way of thinking or ideology, way of communicating and acting; in turn, the intervention of pragmatics and semiotics).

There are no exclusive and universal theories to refer to Law or Criminology from Literature, and vice versa: the relationship is only bidirectional (exchange); that is, their analysis techniques are independent and autonomous. However, the incipient paradigm of Cultural Studies has established a communicating anthropological bond, in order to find and understand some phenomena and some connections, which allow generality or interdisciplinary orthodoxy, which were not previously accessible through the existing independent and autonomous areas. The solution is not simple, as proposed by Carlos Reynoso (2000, p. 37), based on Nelson (1992), since Cultural Studies is not an academic discipline; nor are they fully or intellectually worked. Theoretical citations explain a peculiarity that a disciplinary problem is presented, not from another field.

The discourse is insufficient to establish some foreign discipline from another domain. Similarly, the references alluded to that argue a historical, economic or political phenomenon, as is usually done from a specific area, are questionable. For this reason, they do not have their own methodology: they do not have their distinctive statistical, theoretical, sociological, academic, political, ethnological or textual formulas. They apply an ambiguous methodology, based on research dependent on the questions and contextualized according to the answers, without considering that



among them one is more important than another, nor taking into account whether the way it has been answered is correlative with that context. Consequently, there are no prerogatives or guarantees to privilege a single methodology. Which reader would like to acquire a text of this nature? Worse, which institution would disclose this production on the market?

In the words of Richard Johnson (1997)⁵, Cultural Studies needs to be invented: not even another discipline will be responsible for proposing interdisciplinary links (neither literary criticism, nor sociology, nor any other academic discipline will serve so well to question this connection). Néstor García Canclini (1997, p. 5) admits that, for the interdisciplinary construction to be valid and universal, the following requirements are met: to have coherent statements and to be relevant for its empirical contrast (the national against the global, the multicultural hegemonic in opposition to the minority, etc.), at the same time, they will reveal different logics and strategies to access the real and validate their knowledge. However, as we also want to know culture, the emphasis of the research should focus not preferentially on partial identities (metropolises, peripheral or postcolonial nations, elites, subaltern groups, isolated disciplines), but on the apprehension of intersections (García, 1997, p. 8). In other words, of all that interculturality or interdisciplinarity allows, what are their similarities and differences? What are the cultural intersections that allude to "between places"? If the formulation proposals are compatible with these requirements, that is, if the "sociocultural perspective"⁶ has fulfilled its objective, then, it has been possible to build its own language or a new language, which will pour the successful union between Literature and Criminology, characterized not by being technical, but social.

The learning of Literature alone facilitates a new and better use in the discourse of the legal. In the same way, it is useful if you study Law for the application of Literature. From there, it is about

⁵ Quoted by Carlos Reynoso (2000, p. 26). *Apogee and decline of Cultural Studies. An anthropological vision*. Retrieved from <https://bit.ly/2Lmdtjf>

⁶ Rossana Reguillo in her article "Cultural Studies. The uncomfortable map of an unfinished story" (2004, p. 9) alludes to this term to refer to everything that achieves its diffusion, as well as the modification of other cultures, either with new objective social structures, as well as mentioning symbolic processes.



the forging of a critical space (Karam and Magalhães, 2009, p. 166), in which budgets, foundations, legitimacy, functions, etc. can be questioned.

A topic that has been addressed from cultural studies is the one mentioned in the development of the previous paragraph: the interdisciplinary. The criminologist Luis Rodríguez Manzanera (1981, pp. 39-40) refers to this term as the mutual dependence existing between the sciences and the disciplines with which they are frequented, with the intention of complementing, coordinating, integrating and explaining from any perspective; all this with a better approach than that of the multidisciplinary (in which the quantity and the reduced thematic regulation predominate, due to the intervention of many disciplines).⁷

Next, it is necessary to specify a repetitive inquiry: just as Cultural Studies, Literary Theory, Comparative Literatures, Postcolonial Studies, among other aspects, are based on their general area, Literature, the same will happen with Criminology, which is based on a whole, which is Law. Therefore, I have seen it necessary to make a panoramic and valid comparison, under the justifying parameters (as a research methodology, explained in the previous paragraphs), between the absolute parts: Literature and Law, without forgoing Criminology, which will be addressed according to comparative and descriptive treatises.

Faustino Martínez Martínez (2005, p. 133) argues that the intention of connecting Law with Literature is to enrich culture, which is manifested in multiple representations (values, principles, desires and any sentimental ethical component of a community, a people, a State or a nation) that are evidenced through language, folklore, law, art, literature, painting, legends, etc. However, given this diversity of elements, it is complex and inadequate to articulate concepts independently of both areas. Therefore, it is more important to see those connections that occur between them. Carlos Pérez (2006, p. 135) makes some semantic clarifications of the disciplines that compete in the following analysis (Law and Literature) for a better understanding, taking as a reference the Dictionary

⁷ It must also be distinguished from the transdisciplinary, which is, under the concept of Rossana Reguillo (2004), a process of cultural encounter, which arises because of the idea of thinking about the world and society itself in asymmetrical conditions of power. Therefore, Cultural Studies is an intellectual proposal to understand cultural intersections.



of the Royal Spanish Academy. Thus, the terminology of law is the "set of principles and norms, expressive of an idea of justice and order, which regulate human relations in every society and whose observance can be imposed in a coercive manner" (RAE, s.a., para. 13). Meanwhile, literature means the "art that employs a language as a means of expression." Around the constituted, the link arises between its expressive natures (the language of the community or the linguistic nature). Likewise, the same author (Pérez, 2006, p. 139) proposes the existence of three dimensions that explain the connection between Law and Literature: artistic or literary, interpretive and written.

I. The artistic or literary dimension. In the literature, the topics or contents of the discourse on criminality⁸ and law enforcement predominate⁹. In addition, the way in which the themes of death, threat, blackmail, rape, kidnapping and violence have been treated, in general, have allowed literary genres to be linked to legal discipline. A connection that is evident not only in Literature, but has been seen in cinema for many years¹⁰. To a certain extent, literature is a tool for moral progress and imagination, since it produces in readers greater sensitivity about their needs and the differences of people (Vásquez, 2006, p. 175).

II. The interpretative dimension. According to Levinson and Mailloux, the allusion to hermeneutic techniques (such as those of Bakhtin, Ricoeur or Gadamer), is driven and developed extensively for an improvement of interpretation within literary studies. This type of research and contribution has been taken advantage of by Law, as demonstrated by Carlos

⁸ To mention a few cases, recall the subject of the murder raised by the Russian writer Fyodor Dostoevsky in his novel *Crimen y castigo* (1986), as well as the novel by the American William Faulkner, *Santuario* (1931), in which the rape made towards Temple Drake reveals a shade of evil and rottenness of that type of society represented, together with the novel by the Peruvian Mario Vargas Llosa, *La ciudad y los perros* (1963), which instigates on the problem of physical and psychological violence imparted by its characters, along with the murder of the character Ricardo Arana (the Slave). Various instances of criminality are recorded in the world literature.

⁹ An example is developed in the text of Mario Vargas Llosa, *El sueño del Celta* (2010), in which Roger Casement is punished with his execution, because he has betrayed the English Government with the delation of his compatriots for the mistreatment and exploitation of indigenous and Amazonian people of America. From the same author, there are his novels *Pantaleón y las visitadoras* (1973), *¿Quién mató a Palomino Molero?* (1986), *Lituma en los Andes* (1993) or *La fiesta del Chivo* (1998), in which the figure of order (the Police, the Army and other institutions) is questioned for offending its main role.

¹⁰ Films that address that topic are innumerable. Some are *The Manchurian candidate* (1962), *Life is beautiful* (1997), *The Wolf's Mouth* (1988), *The Last Call* (2003), among others.



Pérez (2006, p. 141) when referring to Paul Ricoeur, who mentions that interpretation is the product of a permanent and dynamic process, proper to exercise Law, a human discipline that is expressed in writing. There is also the proposal made jointly by André Karam Trindade and Roberta Magalhães Gubert (2009, p. 170), in which it is argued that Literature fulfills the function of a vehicle of creativity in Law, since it helps jurists to build solutions and address their interpretation more accurately. In this regard, Stanley Fish reflects on the discursive connection between the literary and the legal:

At present, theory has achieved a remarkable prominence in fields where the common interest in texts constitutes an important point of union. Both law and literature professors do not hesitate to look for hermeneutic keys in the other discipline. Even some law professors see in literature the possibility of escaping a technocratic future. While according to some professors of literature, the law would rescue them from marginalization (Fish, 1986, p. 654).

III. The written dimension. The account of the facts has two functions. The first of these is to capture the attention of the events and suggest to the reader and the judge (or jury) (Calvo, 2007, p. 12). However, it also implies that both disciplines are developed in written material sources (laws, documents, novels, poetry collections, Constitutions, etc.). For example, at present, Colombia has traditional publishers (texts elaborated and distributed from the same printers) and virtual ones (texts that are scanned, republished or created from the internet). Some of these are Diente de León, Produmedios, Editorial D'Artagnan, Rey Naranjo Editores, Continente Editores, EB Ediciones EU, Lemoine Editores, Icono Editorial, Editorial Robot, Encuadernación Colombia, Biblomeia Editores, Pedagogía Vial, Siglo del Hombre Editores, Panamericana Editorial, Editorial Babilonia, etc. However, it is not only its dissemination for advertising purposes, but it is also used, in both cases, as a process or a representation of the same discipline: oral trials or statements are transcribed and used as manifestations of the accused and the accuser. In the literary field, it happens the same, oral or collective literature



is transferred to a written literature, as it happens with the epic genre; verbigracia, *La Iliada* (ss. VIII-VI a. C.), *La Odisea* (VIII century BC.C.) or *El cantar del Mio Cid* (1195-1207).

From these dimensions, we can opt for other configurating links between both disciplines, such as mentioning that both have as axes categories and principles that allow to reveal the culture of society and raise their own organization through laws, tensions, struggles, social conflicts, politics, religions, economies or established legal norms that are fulfilled in a certain environment. For example, Faustino Martínez Martínez (2005) argues that Literature is only a sociological representation that emphasizes construction (it postulates an artificial image, as part of creation, but profoundly human); while the law cannot grasp or apprehend all reality, since many aspects remain invisible, although it uses them equally (Martínez, 2005, p. 136). One more contribution on interdisciplinary channels is that, if in Literature there is a space to refer to the interdisciplinary from Cultural Studies (Literature-Law), either as an undergraduate subject or graduate program (master's or doctorate), in Law a channel is also generated by alluding to the literary connection, with Philosophy of Law (Lorca, 2012, p. 121), of which there are postgraduate courses and programs, such as the one currently in the Faculty of Philosophy of the Universidad Libre (Bogotá) with the master's degree in Philosophy of Law and Legal Theory, to which students of Social, Philosophy and Law apply.

Because the interdisciplinary links (similarities and differences) between Law and Literature are known, I propose the purposes they have, from an independent and autonomous perspective, taking as a basis the work done by Faustino Martínez Martínez: "Common Law and Literature: two examples of the sixteenth and seventeenth centuries" (2005). To do this, I start with the primary intentions of a literary text. From narratology, it is assumed that the novel is only an aesthetic object; that is, it has its own stylistic licenses, with the use of a variant rhetoric and a remarkable ideology, from which literary criticism (readers-interpreters) can infer diversity of interpretations on these or depending on the prevailing society, either with descriptions or criticisms. In this regard, Marcel Proust affirmed that each reader is a reader of himself. Therefore, the interpretation of society is generated unevenly, depending on the cultural level of each one (Martínez, 2005, p. 136).



Now, in relation to law, an autonomous discursive rhetoric is used and its purpose is to exercise social power as an authorization (it is complemented by various perspectives, truths and relative certainties: it is not autonomous). Consequently, any semantic imprecision from that instance is detrimental to the dogma of the fullness of the order (Carreras, 1996, p. 4); that is, literature is more subjective: it admits a diversity of criteria, since there is no single truth, nor an absolute and better model; while the law is of an objective nature: a misinterpretation, something unfounded or a lie causes a bad result, which is sentenced and punished, depending on the gravity, since there are mandatory and invariable texts such as laws and Constitutions for their argumentation.

Now that the purposes of Literature and Law are taken into consideration, the intention of *Noticia de un secuestro* (1996), which is the product or the interrelation between both disciplines, can be questioned. First, there is the expository eagerness of a macro-criminal period, taking into account that Gabriel García Márquez's novel covers a specific context: narcoterrorism in Colombia at the end of the twentieth century. Second, there is the idea of praising the figure of the criminal through the literary: the characters of Pablo Escobar and all those who play a criminal role (they represent a social emblem) are exalted, such as the kidnappers, the extortionists and the murderers present in the text (ideological control is part of many readings of the popular classes, without being just points of support but issues of political interest). Third, there is the search for a legal stereotype or the execution of a criminal practice: the manifestation of characters who are figures of authority who develop in actanciales aspects (the role of the police and the rulers in the face of crime) and discursive (the verbal expression, both oral and written, inserts an axis of domination and regiment to Colombian society). These are some proposals that stand out from the interdisciplinary, which are complemented by the approaches of Cultural Studies, Criminology and the term used by Pierre Bourdieu, the *habitus*.

Criminological guidance

Since the conception of Luis Rodríguez Manzanera (1981, p. 92), Criminology is dynamic, it evolves. This arises from positivism, since it is based a lot on clarity and consistency, typical of the natural



sciences. Specifically, it addresses the offender's personality and social dangerousness. In addition, its purpose is to investigate antisocial behavior, which hinders or disturbs the common good: very different from the crime, which refers to violating an established law, through an action or omission punishable by criminal laws. On the other hand, this discipline seeks to overcome the non-interventionist liberal State, as well as the individualization of the penalty, according to the dangerousness of the criminal (biological, anthropological and psychological characteristics) (González-Gómez and González-Chávez, 2007, p. 168).

For this analysis, I have ignored a sub-area of the anthropological: what César Lombroso (1835-1909) defines as criminal anthropology, based on the direct transposition of anatomy into psychism and behavior, by which the offender comes to base himself from the ahistorical and the apolitical (pathological phenomenon, which takes up the denial of free will and needs collective support to counteract it). In other words, it consists of a natural product and not the result of a political-cultural process. Verbigracia, an individual presents criminological symptoms due to its malformation in the left occipital. All this requires psychiatry and criminal anthropology (González-Gómez and González-Chávez, 2007, p. 168), since the interest lies with the perpetrator, not with the crime.

Apart from the above, I point out relevant definitions of Criminology (Rodríguez, 1981, pp. 3-6), which will be considered for subsequent studies.

- I. Ruiz Funes assumes it as a synthetic and empirical science, which has its limits established according to its content: the triple study of the offender and crime, based on anthropological-biological, psychological and sociological aspects.
- II. Rafael Garófalo defines it as the science of crime. To this end, it differentiates the "sociological or natural crime" (which it also designates "crime") from the "legal crime" (the one attributed by the legislator in the Criminal Code).
- III. Don Constancio Bernaldo de Quirós conceptualizes Criminology as the science that deals with studying the criminal in all its aspects. If reference is made to the science of crime, it is called Criminal Law (e.g. drug trafficking, kidnapping, extortion, murder, blackmail, violation



of laws, etc.). If there is allusion to the science of the criminal, Criminology (the *modus operandi* of the Medellín Cartel, the Extraditables or the performance of Pablo Escobar on the Colombian Government). If you are considering the science of punishment, Penology (the extradition that is in Decrees 2047/1990 and 3030/1990 of the Government of Colombia of News of a *kidnapping*).

In Criminology, four operational concepts are used (Rodríguez, 1981, p. 27): the cause, the factor, the motive and the causal factor.

I. The cause. It is notorious in the development of a necessary and indispensable condition for the manifestation of a behavior. Verbigracia, the kidnapping of characters such as Maruja Pachón de Villamizar, Beatriz Villamizar, Francisco Santos, Marina Montoya, Diana Turbay, among others, corresponds to a dissatisfaction on the part of the Medellín Cartel when César Gaviria refused to modify Decrees 2047/1990 and 3030/1990, in which he designated a severe sanction to those who broke the law through extradition in the U.S. Something important, depending on the definition of cause, it is that it develops in a cohesive and constant way: it is connected with other generated events. It is univocal and genetic in nature between natural events, since one event gives rise to another. From the previous case, kidnappings will provoke rebellion, negotiations, murders, other possible kidnappings, extortion, etc.: there is no way to reduce or alter the dynamics.

II. The actor. It favors the criminal phenomenon. For example, alcoholism, promiscuity, physiological alterations, can be criminogenic factors. The Extraditables employ psychological and physical violence, along with guaranteed extortion with weapons.

III. Themóvil. It is the subjective element that leads a particular subject to perform antisocial behavior. In relation to the text of Gabriel García Márquez, this motive is identifiable through a dialogue that presents interruptions and little clarity, since this is based on blackmail, threats or extortion, which causes the Colombian Government to adapt to the demands of the Extraditables.



IV. Thecausal actor. Who is responsible for committing a criminal act, starting from a reference or a model. In this regard, the beginning of the novel shows a criminological scene, an act of kidnapping, which is recognized by the characters, as well as by the reader. This sequence is identifiable, since for criminals the victims are a reinforced guarantee that the entities of political power must adapt, with greater pressure, to their demands.

Because there are already the basic notions of Criminology argued, defined only with a contextual and approximation purpose, without questioning their approaches, I will make the link through the purpose of Cultural Studies; that is, the interdisciplinary connection to specify on the topics that will be analyzed in *Noticia de un secuestro* (García, 1996). At some point, this way of investigating was based by Burgos Mata (1994, p. 46), when he proposed that, for the study of Criminology, contact with some social sciences is needed as a reference, such as Anthropology, Sociology and Criminal Psychology, among others; as long as they help the growth of the object. Remember that Criminology focuses on the criminal triad of crime, victim, and perpetrator. In turn, the action of the social environment is added as formal and informal control. In this regard, the purpose of study is antisocial behaviors, which threaten the common good (the law that governs the community and is good for all), which can generate crimes. Therefore, there is a necessary recurrence in Criminal Law to have a set of rules and legal provisions that regulate the exercise of the sanctioning and preventive power of the State.

In relation to Criminology, I return to two terminologies: the victim and criminological policy (methods of social prevention).

I. The victim. This definition is attributed to the person who suffers physical and psychological damage, in addition to being exposed to a situation of criminal risk: this is propitious from a social or political sphere. On the other hand, a larger area, specialized in those attacked by these causes, is Victimology. In this novel, such attribution is assumed to the characters who were kidnapped and violated by the Medellín Cartel (verbigracia, the daughter of the



president), as well as those directly and indirectly involved by the geographical (Colombian citizenship) and political (journalists) spaces.

II. Criminological policy (methods of social prevention). To prevent is to know a damage or a prejudice. For its effectiveness, it is resorted to the elaboration of bills, regulations, rules and procedures related to the anti-crime policy, according to the needs of the case. In Latin America, there is no well-defined prevention plan (Rodríguez, 1981, p. 130). Likewise, the crime will not disappear, but it can be transformed. With this designation, Del Rosal Blasco (2009, p. 29) mentions the modality that seeks to annul or minimize the actions exercised by a subject of risk before society. This is possible, provided that, if it is instituted in the country (Colombia) a Criminal Law that serves as an excessively static subsystem of social control (with the protection of legal assets). However, this is not developed by the fact that the social and political referents are damaged: an example of this is that the economic and cultural bases (capitalist thought of Marxism-Leninism) are questioned, because macro-criminality has been present to interrupt progress, democracy, sovereignty and the organization of a centered legal code. For the orientation of this social topic, there is a classification in four sectors: the intervention of military entities, the police function, legal laws and prison as a corrective method.

The first is the intervention of military entities. In many instances, the way the military, as well as the police, legislate society is in a violent way, although justified for progressive purposes. Faced with this, an attempt has been made to translate a democratizing logic. However, the rates of corruption and human rights violations are caused by the same defense personnel. Therefore, it implies that, by alluding to the enemy, another series of economic and political pact is established.

The second concerns the police function in citizen security and criminological research. This is based on the exercise of a morality through law enforcement officials, supported legislatively. In *Noticia de un secuestro* (1996), the importance of investigation by the police is observed, as well as criminalistics, understood by Burgos Mata (1994, p. 46) as an inductive method that seeks to achieve



useful results. The purpose of these resources is to preserve tranquility. Therefore, any type of threat is demarcated, whether internal (violence or corruption) or external (drug trafficking, homicides or kidnappings).

The third covers Colombian legal laws. With the constructivist idea of establishing an order, Villa (1999, pp. 295-296) focuses on legal theories to reconstruct norms, psychosocial facts and practices. For Foucault (1979, p. 17), the "rule" and "justice" are the calculated pleasure of fierceness, from which one sees the dynamics of domination, the desire for peace and the tacit acceptance of the law: distant from being configured as the important moral conversion (it is the result and the perversion). From the Political Constitution of Colombia (1991), there are articles 1, 2, 11, 13, 15, 16, 17, 22, 28, 30, 32, 44, 79 and 87, which establish their country as a social State of law, with its own autonomy, its built bodies, respect for all human rights, with equality, peace and freedom. At the end of this literary work, this national model is represented, although this utopia still requires extratextual material (the legal plane of the contemporary Colombian context). Remember that one of the laws or treaties signed by the president of Colombia is based on extradition to narco-terrorists. Consequently, the members of the Medellín Cartel have begun an endless and stormy struggle. However, thanks to this, control is exercised over the legal in the country.

The fourth relates to imprisonment as a punishment or corrective and disciplinary method. In this section, I return to some concepts developed by Luis Rodríguez Manzanera, Michel Foucault, among others. While prison is a way to prevent abuses and defend society through order, the criminal is deprived of liberty. Not only is the legal basis sufficient, but what Foucault pointed out is acquired:

Disciplinary punishment has the function of reducing deviations. It must, therefore, be essentially corrective. Next to the punishments taken directly from the judicial model (fines, whip, dungeon) [...]. Punishment, in discipline, is but one element of a twofold system: gratification-sanction. And it is this system that becomes operative in the process of channeling behavior and correction (Foucault, 2003, pp. 166-167).



4. Conclusion

Starting from the concept of *habitus*, which Pierre Bourdieu founds, I adapted his organizational logic to conceptualize an invented and autonomous form of analysis for a *postboom* novel, such as that of the Nobel Prize in Literature of Colombia, due to the fact that there are multidisciplinary elements that have legal, criminological and literary intersections. This particularity distances itself from a specific academic discipline. Therefore, Cultural Studies served to validate the approaches developed. The reading of *Noticia de un secuestro* requires extratextual knowledge (Colombian history or politics) to understand the journalistic and testimonial narrative used by the writer: not to seek a comparison of the fictitious and the true, but to take into account all the deteriorated functions played by the protagonists of this text and to achieve the support that the nation state is indeed absent in that macrocriminal period of Colombia.

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