

WHY DOES THE METHOD MATTER?

LORENA FRIES AND VERÓNICA MATUS

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I. THE PLACE AND THE HISTORY

This paper discusses the pedagogy of law based on our experience in education and training on women's rights and human rights, since 1986, at La Morada. The legal education and training programs at La Morada have been quite diverse and have been directed at poor women and legal professionals. La Morada's programs have sought to provide practical tools to help address women's concrete problems, while also aiming to pose new theoretical challenges to what is called the science of law.

Nonetheless, there is a common element that runs through these programs. It is our experience and awareness of discrimination and exclusion, as women, from which we have ventured into the education and training processes. Our gender status has been the starting point for all the education and training. Nonetheless, the certainty of discrimination is not enough; we seek to transform that reality and bring about a different life for women and men. This desire, which gives direction to the education/action process, sets a goal toward which to strive. Gender status and the concrete situations of discrimination that affect different groups of women will be examined from the standpoint of the law, which is the specific focus of the training.

All legal training is based on the premise that the process of legal training reinforces and reproduces gender roles. In addition to other normative systems, it establishes the fabric of a given set of societal arrangements. Its norms impose guidelines and conduct that help shape a single accepted female identity. Women have not been present either in the creation or legitimization of legal rules. They are relegated by ideological determination to the world of biological and social reproduction and the private sphere, while the world of the law is set aside for males. The fact that there are women in the legal profession speaks to the fact that female attorneys and judges, and women in general, have learned the lesson well. They have learned the lesson of obedience from their historic oppression, and which is expressed in the mandate that arises from their role to be-for-others.¹

The law imposes on men and women different models for existing and being in the world. The women's model has a given place and given roles, which are undervalued in comparison to the men's roles. The law is the voice of the patriarch, it is like God, it is everywhere, and it weighs on us even when we don't see it. These roles shift back and forth between public and private spheres, with all the power of its humanity, with its body and its word. Women have been and are defined by the law, their body expropriated and their word silenced. In this regard, the function the law fulfills as a symbolic and material power is to discipline the conduct of women so that they accept subordination as "natural."²

Women's sexuality and their capacity to gestate and give birth is regulated by both family law and criminal law. Any other avenue for expressing their sexuality and reproduction is illegitimized by the law. In marriage, the woman serves the roles of mother and spouse, limiting her own life experiences. She is identified as naturally different, and this difference is used to dominate her. Thus, as family law dictates how to be a woman in the patriarchal system, criminal law sets forth punishment for any woman who goes beyond the limits set by the law.

The law's basis is similar to other disciplines and paradigms. All have made the healthy, rich, adult, white, heterosexual male the parameter of the human being. In all of the paradigms, the male view of the world has been heralded as the only objective vision. From this standpoint, distinctions have been established and

1. Marcela Lagarde: "Cautiverio de las mujeres: Madresposa, santas, putas y locas."

2. Natural in the excessively biologically focused sense of the word.

hierarchies have been imposed for all those who cannot assimilate into it. The patriarchal system considers gender difference total, and turns this difference into discrimination. Nonetheless, while the law exhibits the same androcentrism as other social disciplines, it stands apart from them in two important ways. First, the law takes cognizance of itself in a self-supporting manner. Second, the law resolves matters in the world of its creation by taking the legal rule as a statement of reality. The law, more than any other social discipline, is ideology and power in the guise of science. Its justifications and arguments are self-sustained through a deductive logical method, which begins and ends with the legal rule.

The law, however, does not create social comity that is based on a respect for difference as an inherent trait of human beings. Both legal reform and law enforcement are required. The most important need is for a change in legal training, which currently strives to maintain and reproduce the gender system. Any analysis of the law must include both the ideological assumptions underlying the law and the specific mechanisms by which the law is taught. These two considerations constitute a whole, and should be addressed together to ensure social comity.

But how did we get here? What did they teach us in school and how did they do it? The process begins before law school because of the value and social prestige associated with the legal profession. Its prestige is based on characteristics typical of a male-dominated world: mastery of the language; power over others to defend, serve, or punish; a knowledge based on reason; and the link between the law, the state, money, tradition, and ritual. Women's opportunities for this career, beyond the individual histories, required trailblazing, or at least complementing our culturally and judicially determined destiny. In the course of the career, the characteristics mentioned above were confirmed, making this option for males one which women should feel privileged to accede. The great challenge women faced was to assimilate to the male paradigm. Often during law school, our professors expressed their displeasure of women in the classroom and commented that our proper place was in the home as wife and mother.

We were taught a patriarchal law whose final lesson was to abide by, internalize, and convince ourselves that the only way to do justice was to do it like men and for men. Of course, they did not put it explicitly in these terms. But little by little, from conversations, evaluations, the atmosphere of the school, and the content of the material we were taught, we were disciplined to accept the legal language as neutral. We learned that all legal rules are objective, that

the differences are "natural," and that they require distinct and discriminatory treatment, especially with respect to women. They told us that legal differences are not arbitrary; but in fact the fruits of a logical and mathematical process of systematization and creation that is not based on any type of preference or option.

All individuals who have studied law have experienced this process. However, it has had a different impact on women and men. Over the years, the men appear to grow physically larger, with their voices becoming ever more imposing and assertive, while women grow more timid, proper, prim, and dedicated. Women's questions in the classrooms always sounded different because they were based on the context and specific realities of other human beings. Our male colleagues, in contrast, presented questions with no context that were a reformulation of universal values. For women, leisure time offered a moment for discreet reflection on intimate matters. For men, however, it was a time for debate, for taking positions on burning issues. During the oral exams, done at a podium before which the student feels tiny, there were two possibilities: to know the subject matter including the codes, doctrine, currents, and cases; or to cry and beg, using feminine strategies, which the evaluating committee usually displayed understanding and gave a passing grade. All in all, whether your grades were good or bad, the social discredit associated with being a female law student prevailed over the particular characteristics of each woman.

Many students, both male and female, responded to the political climate and dictatorship by combining study with political activity. As a result, the Catholic church offered both free legal services for low-income individuals and training courses in labor rights, women's rights, and human rights, which provided women an opportunity to rethink the law from these perspectives. The main criticism of the law by women outside the legal profession is how far removed the law is from their lives, the limitations it imposes on them, and the idea that the law only establishes obligations for women. Surprisingly, many women's concerns involved advocating her right to sleep alone and to have a bidet.³ During our evolution into feminists, we faced a crisis: the aversion to law, its culture, and its rituals. Only by working in the area of human rights were we able to feel as if we were not engaged in traditional legal work. It should be noted that human rights issue was not a subject for study in law school until 1990.⁴

3. A bidet is a feminine sanitary facility for genital hygiene.

4. With the advent of democracy, the main law schools have included human rights law in their curricula.

Similarly, the political context in Chile engendered in women an awareness of the relationship between dictatorship, authoritarianism, and patriarchy. In the years prior to Pinochet, political involvement took the form of militant activism, which only questioned the law to the extent it did not express the ideology the militants professed. Later, during the years under study, military activists emphasized the power and authoritarianism of the law. One studied the law to learn how to use and apply legal rules efficiently. Criticism of, and inquiry into, their function, paradigm, and goal clashed with the most rampant positivism, or with the most conservative versions of natural law. Neither of the two currents could provide answers to our indignation and impotence; one focused exclusively on analyzing the existing legislation, while the other provided the regime with ideological underpinnings.

The rise of non-governmental organizations (“NGOs”) that focused on legal work resulted from the law school faculty’s refusal to permit debate and creative dialogue about of law and society. NGOs made it possible to initiate what has become one of today’s sources of renewal of Chilean law and legal education.

In addition, a women’s movement was taking shape which made democracy its main objective and began to reveal the gender discrimination women had faced historically. We worked, learned, and finally defined our role as professionals, and we elaborated on what we had learned in school.

II. IDEOLOGICAL ASSUMPTIONS OF THE LAW AND METHODOLOGICAL LINES FOR ITS TEACHING

A. Methodological Assumptions

The law is an ideology which, through its legal rules and normative systems, defines, maintains, and reproduces a given culture. The law imposes a hidden model of differentiated comity for men and women, through its system of logical integration. The mechanisms that maintain and reproduce the gender system hide under its apparent neutrality and universality. Only from another perspective—that of diversity as an essential element of such comity—can one inquire into and reveal the relationship between the law and women.

1. Dichotomization

The relationship between men and their surroundings is one in which the “other” is defined by negation. The ranking of the

difference always represents an undervaluing of the opposing term. In this regard, some terms are evaluated positively while others, by virtue of their negativized definition, are not. Dichotomization as a way of seeing the world denies diversity insofar as "one" is positive or the "other" undervalued; dichotomization consecrates the gender system.

In legal texts, this way of seeing the world is expressed at every level, though not always explicitly. In some situations, laws perpetuate this way of seeing the world, while in others the dichotomized terms are in the backdrop and act as extralegal assumptions that inform it. The symbolic power of the law transcends the legal sphere to impact all spheres of life through its definitions and value judgments. Thus it reaffirms the discriminatory difference between males and females.

2. Neutrality and Objectivity

Two aspects that are reinforced in legal education are the concepts of neutrality and objectivity. These concepts contribute to the feeling among those who study law that there is no underlying emotion or preference in the law, that it is cold, and that it does not recognize distinctions among people.

The process of objectification is related to the principle of universal abstraction. Objectification assures the road to universality, and therefore imposes a single perspective. It gives power-based arguments for legal rules that are supposedly verifiable by the senses in the effort to make them universal. Through the process of objectification, legal rules subsume reality by bringing it into line with the universal postulate and depriving it of all the richness of human diversity. The result, in terms of content and form, is the asexual individual or the aseptic state as the representative of the private or collective interest that is reaffirmed in the "neutral" application of the law. The law thus becomes an instrument of domination that adopts the male parameter as a universal measure. From this perspective the world is felt and experienced by men and women.

3. Abstraction and Universality

As a normative system, the law seeks to impose and maintain a given social order and to design provisions to ensure that they are accepted by members of that society. This is attained through legitimate authority and legal rationality. In the case of legal rationality, legal rules should apply beyond a specific case, thus encouraging abstraction and universality.

The methodological journey of the legislator in framing legal rules requires a declaration that covers most of the situations to be covered by the provision. In this path to abstraction, differences are ruled out. Abstracting the differences in a single and universalizing subject, and adopting a universal parameter that is human, without taking stock of the differences inherent in humanity, has led the law to emerge as a normative system that maintains and reproduces the gender system.

Universal abstraction is an ideology. It seeks to establish as universal a particular (male) vision of the world, and it renders invisible sexual differences. In addition to conferring universality on things and persons, it makes them essential insofar as they appear with their own specific attributes. The message is that women are of a certain nature and the law recognizes their nature. Nonetheless, in this postulate there is no place for recognizing the real and/or significant differences between men and women.

If the aim of the law is to help shape peaceful and harmonious social relations for men and women, legislators and jurists need to assume that their biases are not shared, and that it is necessary to recognize the perspectives of others.

In our view, the three ideological assumptions on which the law is structured, in the adoption, application and interpretation of legal rules by jurists, take on three historical expressions: the process of codification and its results; the principle of equality; and constitutional principles. Each, of course, is of a different nature.

Codification relates to the ideology, form, and structure that legal rules adopt in order to create a system of strategic, logical connections in the law which will go beyond the meaning of particular laws. Similarly, codes are an expression of the processes of objectification and universal abstraction. The reality of men and women was established as a system along uniform lines. It is not a matter of compiling the laws, but rather of taking general and fundamental axioms from which one can reach all legal solutions by deduction. In this sense, it is the systematic nature and logic of the relationship among the laws that provides for legal certainty. The codification of civil code law is a specific subject, not the universal subject that it purports to be, as it excludes groups on the basis of sex, class, race, health condition, age, or forms of behavior.

The principle of equality is a political-ideological notion that reinforces the neutrality of the law. It alludes to a single subject, supposedly universal and asexual, who is the holder of rights in respect to the public realm. If codification binds a single juridical

subject with the requirement of an overall exclusive system, it is with respect to a single subject who has the capacity to represent all. Nonetheless, the law introduces differences that make the single subject—which is necessary for the existence of brief, precise, and clear laws—require ideological support, in the form of equality. Conversely, the processes of objectification, universal abstraction, and neutrality allow the ideology of equality to find concrete expression in the law. Thus, egalitarianism and the use of a single subject come together to organize the social life of men and women as “equals before the law.” Epistemologically, the principle of equality is not intended to overcome all types of discrimination, but only those which exist in the public forum among groups of men.⁵ Moreover, the principle of equality is conceptually rooted in public life.

The constitutional processes represent the intersection between political ideology and legal ideology, and give rise to a certain model of social comity. From a political-philosophical point of view, constitutions are foundational acts in the modes of social and political organization and incorporate the ethical-political reasoning that the people, through their representatives, are called on to adopt. These representatives are bound by the law. They govern the direction and mode of social relations among the members of a state and lay the basis for comity, organizing power, and its limits. This body of rules is not only an essential part of the legal order, but also of the social and political order which reflects an ethical-philosophical conception. The principles of equality, separation of powers, and legality are interconnected by their respective political-ideological and legal-ideological places in the respective national constitutions.

B. Methodological Points for Teaching Law

From the standpoint that the law trains men and women to believe, interpret, and apply the law in a manner which maintains and reproduces gender stereotypes, legal education and training is based on ideological assumptions which are expressed through the

5. The predominance of the single subject over the principle of equality is evident. The Napoleonic Code and the Austrian Universal Civil Code, of 1804 and 1811 respectively, and the Criminal Code of Justice of Joseph II of 1787 and the Criminal Code of Napoleon of 1810, are the achievement of this process. Nonetheless, they did not consider sex differences as part of the differences in respect of which equality was sought. These differences were shifted from the subjects to the legal predicate. Thus, the difference was not expressed as between man and woman, but rather was based, as noted above, on legal capacity in the Civil Code. Nor were the differences drawn out as between those who could be assailants or victims of an offense, but it could be brought out where making a showing of attenuating or aggravating circumstances of the criminal act, which is the route by which all the differences are brought out.

expository method of magisterial class. Strictly speaking, there is no pedagogy of the law, since the subject of education is not posed in such terms for the law schools. Those who qualify for the faculty are qualified lawyers or jurists and may or may not possess the communication skills necessary for teaching law. Yet, they are recognized for their individual merit, not because they are the product of the systematic development of an instrumental theory and practice of legal pedagogy.

The subculture of the legal world is a result of its logical integration with the dominant culture. In this regard, both flow in the same direction, as the legal subculture offers no resistance to the dominant one. Our patriarchal culture and the teaching of law both view the world with binary logic and ranking. Moreover, it is reinforced in law school classes as the basis for teaching the law. One does not ask why it is taken for truth. The critical thinking that may be at work with respect to other spheres is not found in the law because it is a way of seeing that is prior to legal cognizance and which is incorporated into legal analysis. This interpretation of reality becomes part of the legal rules, and as such, learned as the only truth. Being a woman is the devalued term in the binary formulation, and certain female students and professors get trapped in it. The scant number of female law professors who remind female students how difficult and "special" one must be to achieve such a position, illustrate this phenomenon.

The static conception of time that the law introduces fossilizes reality, making it permanent in the legal rule and independent of the adoption or amendment of laws. If the reality does not change, the processes of abstraction and universalization will be repeated, making it possible to subsume a large number of situations in the rule. Learning by memorizing will be an effective method for internalizing and maintaining this spatial/temporal conception. Legal discourses anchored in memorization, do not innovate, reproduce, or update knowledge, nor do they identify the problems attributable to a given social reality.

A student that is introduced to objective structures of society may not appreciate the dynamic and permanent contradictions that are part of the social relations of men and women. The institutions studied in the law do not account for the historical complexity and conflicts in which they were formed, and therefore appear as neutral. Increasingly, the law will become distanced from the situations and particularities of social, political, and economic life in order to focus on the world of theory, where the single and correct response for interpreting phenomena is to be found.

Law professors are professionals of the word. They have authority in the realm of certain forms of theoretical discourse in which they are the subjects of power. They set the bounds and rules of admissibility governing legal discourse and they advise legal publishing houses on what to publish. They definitely demarcate the boundaries of the discursive universe in which debates are waged. The existence of various worlds or ways of interpreting reality cannot be recognized in legal texts. All authors set forth a single truth from an objective language that separates the author from the subject matter, making the latter a truth. Essays and testimonies or life histories are not accepted narratives because they are either argued from a particular position or they are open to the possibility of dialogue and admit that there is not a single objective truth. The analysis of the positive text is the expression of the ideological assumptions of the law.

Exposition through magisterial classes is the method par excellence at the law schools. It is a monologue that occurs in many classes and which allows questions as long as they are within the universe of knowledge being discussed. The classes are taught by one person and knowledge is not compared and contrasted in a common space. The corpus of those listening is immobile. The professor looks down upon students who arrive late or leave early. For his part, the professor organizes the space and moves at his own will, aware of a student's possible lack of concentration or worse still, indifference. He is the symbol of power in his amphitheater, a great hall which, given the placing of the seats, increases the power of the one who "puts on" a class. Only a bold student would venture to ask a question, since it must be posed in a way that reveals the student's knowledge, yet fit well with the professor's "performance."

The methods used to evaluate acquired knowledge are staged in such a way as to express the ritual and power of the law and its students. Law schools continue to use an oral exam system similar to a collegial tribunal, in which the teacher serves a dual function: transmitting knowledge and examining the student on the knowledge acquired. At the time of the evaluation, one may only be demanding or indulgent, no matter the learning process, paying especially scant attention to the difficulties or problems the student may have had in the process.

Distance in the professional relationship of the law/other is a guarantee of objectivity. It draws on the formality in treatment, the solemnity in exams, and a traditional personal presentation. All these elements combine to form a language and a ritual that constitute a social hierarchy. Beyond its educational function, the

law school is an institution of power. Thus, learning the law is learning a technique of social domination that exists objectively and is based on ideological contents expressed in legal discourse, ritual, spaces, exclusionary lecture classes, formulas of dialogue with authority, and gestures.

III. LAW FOR SOCIAL COMITY: IDEOLOGICAL ASSUMPTIONS AND METHODOLOGICAL LINES

When examining the methodology of teaching law, one must look to its purpose. Law imposes, through its regulation, conduct that is conducive to a given form of social organization. One must then ask about the desired type of social comity in order to give the law, and the teaching of law, the methodology conducive to such social comity. This issue is uncommon in the legal field and reflects a political proposal based on the exclusion of women.

We wish to see comity grounded in the respect for and acceptance of the differences inherent in male and female human beings. These differences should not be construed as polar and 'exclusionary, but rather should be characterized by elements that are enriching and that lead to infinite possibilities of experimentation for humanity. From this perspective, comity is the result of the interaction of different human beings in their multiple dimensions, in the space and time in which they occur. It is men and women who create social relations of comity and in it they express their humanity. That humanity includes, among its basic dimensions, the body, emotions, and language. The claim that each person has to each of these three elements is what makes him or her human and capable of getting along with others in society.

The more one accepts as legitimate another who is different, the greater the range of potential experiences for those engaged in the relations of comity. The law must provide them with full guarantees to make possible the permanent dynamic of trial and error in human experience. In error lies the awareness of assuming another course of action, while trial represents the permanent possibility of testing courses of action. The humanity of men and women, based on their full title to their body, emotions, and language, is created and re-created in trial and error. This dynamic may be limited if consent is based on the "other's" dependence. It may also be limited in the case of a rejection of the specific dimensions of the other; in such a case the dynamic would be responsible to no longer imply the permanent expulsion from the relations of comity by annihilation or other means.

In this sense, the law is based on trust in the "other" and tends both to accommodate the diversity of alternative lifestyles and to deregulate the type of conflicts that traditionally are punished with criminal sanctions. It is a minimalist law, where the limits of conduct are to be found in acts violative of human rights and which is strengthened by its array of alternatives and law.

If the law is to be reoriented towards social comity, it must recognize its bias and expand to accommodate other perspectives. It must shift from a paradigm based on the single male subject to one based on human diversity. One of the most obvious elements of this diversity is sexual diversity. Consequently, universality should be constructed on a dual/non-exclusionary conception. In effect, while the law requires a degree of abstraction to apply in an entire community, this cannot mean excluding women and other male minority groups. It is not a question of having special legislation for those who are different, but rather opening up the parameters of the male universal to sexual difference and diversity.

Law that is open to redefinition in light of social comity takes stock of the specific experiences of men and women. It both reflects and shapes reality. If reality enters the law, various forms of interpretation enter as well. As a result, the law ceases to be enclosed within itself. The law takes into account the future of humankind without any pre-established determination as to what is sacred and immutable. It incorporates in its world all situations of social comity and overcomes the dichotomy between the public and the private. Of course, this should not be understood as privatization of the public, nor should it be considered as hegemony of the public over the private. Rather, it is a question of distinguishing between an area of common action from dimensions and a space for building consensus outside of the public space, i.e. in intimacy. Conceived in these terms, the law ceases to be a science whose object of study is the legal rule and becomes an instrument at the service of social comity.

Based on this conception of comity and the role of the law, the teaching of law takes on a different direction. First, greater comity in the classroom between professors and students will facilitate understanding of the content of the law. Second, the content of what is taught in law school will reinforce this comity.

The method of the law becomes the method for all human comity in difference and diversity. It should be based on the consciousness of the individual as to his or her body, emotions, and power to shape reality through language. This consciousness delimits and/or expands the future of humankind through the dynamic of trial and

error. In effect, we are men and women in the language. It is there that we live together and recognize one another as human beings. Men and women find in the emotion of trust the possibility of accepting the other and his or her differences.

Diversity as a new parameter is a matter of both content and form. As for content, it allows for distinctions without passing value judgments on them in oppositional and hierarchical terms. In the classroom, this translates into a deep respect for the "other" by taking into account the experiences of each student. This is the basis of learning through language. The discovery of differences makes it possible to recognize the multiplicity of human phenomena, and therefore to support the comity that is experienced and which represents our future. It also allows us to contextualize individual and collective experiences of peoples, cultures, and human groups, seeing them as part of a history and a process. Without historical perspective, the terrible condition of social relations appears "natural," and as an accident that we hope will not happen to us again.

As for form, diversity opens up an array of possibilities for teaching methods. Our response the single model of the lecture class is the model of the workshop class. The workshop model is a methodology well suited to the conception of law as anchored in diversity. Thus, a single voice and truth is replaced by a polyphony of voices, bodies, and experiences of students and professors. We combine the legal texts, mainly law treatises, with other narrative forms and non-legal issues that allow for a comprehensive vision of all that is human.

The many opinions, the exchange with other disciplines, the search into areas that are still obscure to the law, make single truths relative, thereby laying the groundwork for students' creative potential. The professor no longer holds a monopoly over knowledge; students and professors are at the same level and inserted in the same reality, only differing in their abilities or skills in respect of their mastery of the law. This skill should be acquired in practical work through an analysis of situations and cases that require the intervention of an attorney.

Nonetheless, opportunities must also be created for those who do not intend to make the practice of law their main endeavor. In effect, law schools focus much of their content on procedural law, ignoring approaches that would expand both the scope of legal analysis and the teaching of law. The many alternatives available as potential curricular content include those that help cast light on and validate specific experiences that flow from individual choices.

The transition from one conception of law, and its respective method of teaching, to another requires a strategy which, beginning with what already exists, gradually incorporates the new content and orientations in the teaching of law for social comity. In the initial stage, there should be curricular review with an eye towards incorporating a gender perspective. For a foreshadowing of future professional practice, there should be case work or legal clinics. In addition, the curriculum should be expanded to include other fields of knowledge. The learning process should combine the expository method with forums, roundtable discussions, and presentations of research. The accumulation of experiences from the feminist movement, which have helped redefine what is human, should be added. These experiences, however, have not included an exchange with legal academia. Therefore, these proposed methodological changes likely do not have the capacity to modify and transform. So situated, and with a particular dimension of knowledge, women legal professionals will be able to contribute to the incorporation of their sexual difference in the world.

Specifically, let us look at what women do every time they plan a law workshop. How do women operationalize what they have developed from the standpoint of the relationship between content and methodology? First, to provide the participants with the necessary intellectual tools, they establish a number of issues that are standard in all law curricula and that are made explicit in exposition. The amount of development and complexity of these standard issues depends on the participants, who are at center of the training process. The main issues in terms of contents are as follows:

(a) Gender system and patriarchy: The objective is for students to understand the concept and be able to operationalize it through the education process. Based on the notion that it affects both men and women, an effort is made to have them identify themselves in terms of their identity as women. To this end, the many expressions of the gender system—in history, in science, and in the appropriation of sexuality and reproductive power of women—are relevant.

(b) The legal phenomenon: The legal issue needs to be approached from a gender analysis. In this regard, the concept of the law needs to be broadened so it may be seen in light of the specific objective sought with the participants in the workshops. It is necessary to instill the students with the idea of the law as a cultural, and therefore historical, product, with its own conceptions of time and space in order to compare it to the participants' experiences, independent of whether they are legal professionals. In particular, Alda Facio's methodology for analyzing the law is an instrument that

has been widely used with legal professionals. It points to three aspects of a single phenomenon, laying the groundwork for action in several areas of the law.

The most difficult aspect is the interrelationship between these two issues, since they do not depend solely on the possible combination of their content, but implicitly contain the elements that will make it possible to accept the content and to create incentives for action. No female attorneys know about pedagogy, making it difficult to explain how they operate.

Each explicit thematic content has an implicit objective. This is not treated as an issue in the exposition of the female professors, but in the group dynamics between the explicit contents. For example, along with intellectual concepts on gender, one works with fears, hatreds, joys, the body, or discourse, in relation to other women. The axis is emotion and experience. By reflecting on these, one may become better able to grasp the intellectual content. The same thing happens in the workshops.

In addition, the implicit issues developed through the dynamics or tasks outside the ambit of the expository method are broader and more complex than the explicit ones, and, therefore, have repercussions beyond what we produced during the workshops. In some ways we seek to provide a counterweight to the content since binary thinking tends to become blurred by the rapprochement of reason and emotion, public and private, personal and political, law and everyday life. The synthesis is not only on a group level, but also on the individual level. There are no better or worse syntheses. At the end of the day, the participants have a place in the world based on their preferences and choices, from which they can try to improve their lives and the lives of other women. All these processes of education and training include an element of chance that must be noted and respected. If discipline is not the goal, then the results of training may be different for each participant. In some cases, nothing changes and nothing is learned. In others, life changes radically. Still, in others, a process is just begun. But in all cases, the key lies in the ability to generate an emotion that allows one to open up to the work in the workshop.

