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## WHAT DOES IT MEAN TO BE A LATINA DEAN? REFLECTIONS FROM THE SOUTH

HELENA ALVIAR GARCÍA\*

A few years ago, I went to Mexico with a colleague to give a series of conferences on how to incorporate gender in the classroom. The conferences were the product of a gender and the law initiative at Los Andes Law School. In my local setting they had been received with a mixture of skepticism and mild support, and I was anxious about the reactions in the Mexican legal academia. The audience was composed of a group of professors, both from the capital city and the regions. As we were starting the workshop, one of the participants—a male professor—raised his hand and said: “I really don’t understand why we have to discuss these issues if most women who go to law school are there to get a husband.” Even though I am sure his opinion is not representative of all Mexican or Latin American law professors, it does say a lot about the prevalence of stereotypes that must be torn down as women increase their participation both in the labor market and legal academia.

I was appointed dean of Los Andes Law School in Bogotá, Colombia, in March 2011. It was the first time both a woman and a full-time faculty was given this job. Before, it was expected that law school deans were public figures: former judges, law firm associates, or high officials of the executive branch—all of them male, and of course, white.<sup>1</sup> Los Andes is a private university in a country where

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1. Although there is a discussion about the numbers, Colombia has a black population of close to 20% and an indigenous population of around 3.5%. MAURICIO GARCÍA VILLEGAS, *LOS ABOGADOS EN COLOMBIA* 19 (2010). The data could be even higher if the level of racial mix that characterizes Colombian society is taken into account. Nevertheless, the law school has no black or indigenous full time professor.

education is increasingly offered by private institutions.<sup>2</sup> One of its main goals is to provide secular, high quality education. The law school is considered one of the best in the country and has been a pioneer in innovative approaches to legal education. We are a small school: 875 students (52% men – 48% women) and 38 full-time professors (23 men and 15 women).

The school was founded in 1968, a Colombian product of the first law and development wave of the early 1960s in the United States. I summarized the relationship between law and development and legal education in an article published by the *UCLA Journal of International Law and Legal Affairs*, in the following terms:

At the same time, there were reform proposals suggested by members of the first generation of law and development. These proposals were directed toward the institutional organization of law schools, the curriculum, the teaching methods, and the goals of legal education. The reforms were in reaction to the general sense that law schools were failing to provide students with adequate knowledge of their social and cultural context and were not adapting to the contemporary needs of a developing society.<sup>3</sup>

These objectives, at least on paper, were translated into the initial ideals of Los Andes Law School. Nevertheless, changing the way law was taught, thought of, and practiced proved to be a very difficult task. As a matter of fact, when I studied law during the mid 1980s, what I got was a formalist, text centered, and de-contextualized discussion of the law.

For a range of factors related to local and institutional transformations—that go beyond the objectives of this essay—legal education at Los Andes experienced significant and radical changes since the mid 1990s. In the first place, the goals of an antiformalist, contextualized, interdisciplinary style of teaching were strengthened. In addition, the axis of the learning process became the student. This required more individual work (such as legal research and previous

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2. This has been the case in legal education. In 1949, 54.5% of law schools were public, and in 2007, the percentage of public universities participating in the offer of legal education had dropped to 28%. *Id.*

3. Helena Alviar, *The Classroom and the Clinic: The Relationship Between Clinical Legal Education, Economic Development and Social Transformation*, 13 *UCLA J. INT'L L. & FOREIGN AFF.* 197, 207 (2008).

reading) outside the classroom. It also meant that in the classroom there was less lecturing and much more problem based solving, cooperative learning, and a range of techniques that required the student to own and control his or her learning process. These shifts were combined with curricular transformations that included mandatory courses on legal theory and comparative law; the incorporation in core assignments of readings and discussions about economic, political, and social context; and the promotion of interdisciplinary discussions by creating incentives for students to take courses in economics, political science, philosophy, and history, among others.

These changes were possible because of an institutional impulse to hire full-time faculty and to finance the education of its professors. In 1995, there were ten full-time professors; ten years later, there were thirty-three. The university financially supported this increase: of the thirty-eight members of our faculty, sixteen advanced their doctorate degrees with financial aid that came from Los Andes. Having a vibrant body of full-time professors, half of them with doctoral degrees from universities in the United States and Europe, is very unique in a region where most law professors practice law and teach as a marginal activity. On the other hand, having a highly qualified faculty has brought as a consequence that we develop more research projects; produce more publications; and our law school's impact on social, economic, and political transformations in Colombia has increased significantly.

In the last five years, there have been two additional modifications that have continued to transform the way we think about and teach law. The first one is the establishment of a doctorate in law program. Through it, we are hoping to strengthen cutting edge research topics and methodological approaches that are essential for the interpretation of both local and regional contexts. The program also has as one of its main goals to train law professors and researchers who come from cities and regions outside of the capital city Bogotá, where most intellectual and material resources are concentrated. Second, the creation of public interest law programs within our mandatory legal clinics has provided a space for students interested in transforming society through legal activism.

Therefore, when I became the dean, I was in charge of a well-established institution. As I mentioned earlier, I was the first woman

and full-time faculty to reach this position. Both of these issues represent important challenges. My status as a full-time professor has created some resistance among the student body as well as the alumni. The resistance that I received from these groups illustrates a debate that has been going on for the last ten years: the tension between theory and practice. In this debate, most full-time professors are represented as too theoretical, disconnected from reality, and worried about topics that are irrelevant. I disagree with this view. In my opinion, there is no separation between theory and practice; every practitioner has a theoretical background, and our task as professors is to uncover the biases and blind spots that their theoretical background brings.

The fact that I am a woman hasn't been critiqued openly. Nevertheless, it entails a great amount of my emotional strength to enter meetings where I am the only woman, when I am accused of being too emotional or passionate, or when I am alone defending the perspective of a working mother.

Along with fighting resistance because of my academic background and gender, there are questions that I had to think about constantly during these first few months. What does it mean to be a crit; a feminist; an academic committed to thinking about attacking the unequal distribution of resources across class, gender, and race; and the dean of a private, politically to the center institution? In what instances, big and small, should it make a difference that I am who I am? Because my appointment as a dean is for a two-year period and resources are limited, which issues should I concentrate my energy on?

My first objective is to create a better working environment for the administrative staff. Eighty percent of them are women and more than half are single mothers. Unfortunately I don't have the power to raise their salaries, but I have been able to organize flexible schedules so that they can organize their time for care related activities. This partly answers what it means to be a woman and a dean: understanding the difficulties that working mothers face.

Second, I would like to see more diversity in terms of class and race among the student body. This means dedicating a lot of energy to fundraising. Every semester many brilliant students are left behind because they are unable to pay the high tuition the school has. Class and race are closely linked in Colombian society, and for that reason

broadening the amount of financial aid will probably have an effect on access based on both of these issues. In addition, I am planning on doing direct scouting in order to motivate both black and indigenous students to apply to the law school and to our financial aid programs. In my opinion, promoting diversity has direct effects over the way students think about and understand law.

Third, I would like more of our students to enter the judiciary. Most of our students go into private practice or the executive branch. Because we are committed to a style of legal education that promotes contextual, antiformalist, critical thinking, having more judges from our law school may result in judicial decisions with better distributive consequences.

Finally, my ideal law school is a place where students and faculty are thinking about issues that could transform the distribution of resources across gender, class, and race in Colombia. This means doing things inside our community (like being acutely aware of discrimination in the workplace or in the classroom, and transforming the form and substance of what we teach in law courses) as well as the activities that we develop outside our doors: research; public interest law clinics; and advice to policy designers, legislators, and judges.

