

INTERDISCIPLINARITY IN THE RESEARCH
AND IN THE TEACHING OF LAW:
FUNDAMENTAL CONCEPTS AND
INNOVATIONS*



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RESUMO: Deve-se atribuir grande importância ao fato de que cursos de pós-graduação e de Graduação comecem a formação de um profissional que seja capaz de revisitar os comandos do passado recente das instituições a partir de novas formas de apreensão desses comandos. É claro que essa escolha de comandos deve ser crítica e realizada por pessoas autônomas e emancipadas que sejam capazes de revisar a pesquisa e o ensino do Direito. Este processo de reconstrução dos cursos e dos futuros profissionais favorecerá professores e estudantes a olharem para o passado utilizando uma ruptura dialógica e argumentativa com as hostilidades com outras formas de saber e de tradições. A argumentação neste artigo aponta para uma re-organização do comportamento e das atitudes na direção da solidariedade, da emancipação e da interdependência.

PALAVRAS-CHAVE: Interdisciplinaridade; emancipação; argumentação científica; pesquisa e ensino do Direito.

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ABSTRACT: It is extremely important that pos-graduate and graduate courses of Law start to build up a professional that despite not being imprisoned by traditional commands of the recent past of juridical institutions is capable to revisit this past with new forms of apprehension of these commands. It is quite clear that this process of choosing commands has to be critical and done by freed and emancipated persons that should be able to revise the researching and teaching of Law. This process of (re) building up courses and future professionals will favor teachers and students to look to the past using a dialogical and argumentative outbreak of hostilities with other forms of knowledge and traditions. The argumentation in this article points to reordering the behavior and the attitudes in the direction of solidarity, emancipation and of interdependence.

KEYWORDS: Interdisciplinarity; emancipation; scientific argumentation; research and teaching of Law.

SUMMARY: 1. REASONS AND ARGUMENTS STRUCTURING THE TOPIC – 2. THE LAW COURSE AND THE INTERDISCIPLINARITY: REPORT OF A BRAZILIAN EXPERIENCE – THE MAY 18TH PROJECT - 3. FINAL CONSIDERATIONS - BIBLIOGRAPHY

1 REASONS AND ARGUMENTS STRUCTURING THE TOPIC

To think about what kind of education the legal professional will pursue is something that must interest all of those involved with the academic-scientific and professional world. We wonder whether this is really an issue involving all people who work and serve at Law schools. The answer for that is not as easy as it seems. In countries that do not take part in the center of the world relations, usually denominated developing countries, such as the Latin-American nations, especially Brazil,

there are schools that trade their vacancies and turn to the mass formation of “bachelors” in Law. Those will find it extremely difficult to achieve a privileged position in the market as a professional in his or her field. Those schools are timeless: they are turned neither to the past nor to the future, or even to the present. Nevertheless, they continue to make “bachelors” in Law.

Other schools are a little more reasonably dedicated to the formation of their students. However, they do so in a traditional manner, in which case only dogmatism rules, and, even this circular sphere is treated as a field of technical development of archaic content, without any adaptation to the social, economic, and technological complexity of the present society, which is globalizing. They are maintained by an unthoughtful and linear past.

Finally, there are, at present, a few undergraduate and graduate courses in Law, which are beginning to be structured for the education of professionals who, despite not being confined to traditionalism, to the past, revisit this traditionalism and this past. They are dedicated to a critical and emancipated process of legal teaching revision, which makes it easier for professors and students to look at the past from an opening which is dialogic and argumentative with other knowledges and traditions, in a “public discussion space – be it scientific, artistic, or political – which is to a great extent yet to be built” (OST, 1999:156). What will happen, therefore, is a reconstruction, a critical revisitation of the various knowledges and traditions.

For that to happen in conditions which enable new forms of thinking and rethinking the legal knowledge, it is, therefore, essential that teaching, research, and extension activities interact in a continuous manner. If there are curricular plans which serve only to “train” and pass, there are also those with which the individuals do a learning which is dynamic, which stimulates

critical thinking and emancipation. However, according to Capella (1995), there are still those “classes” in legal higher education which “are good neither for learning nor for passing”. In other words, they are infertile and innocuous. It is hoped, however, that the function of the biggest importance at the centers of higher education continues to be the offer of necessary conditions which may fulfill the social demand of educating professionals who are critical and qualified for the solution of the various social and scientific problems of the modern world, especially for the solution of demands and needs of the less privileged populations on the planet.

We take it for granted that, at the present complexity of the human society, learning must be innovative. It is not only about “new” programs and curricular plans and about the assimilation of artificially “updated” data. This learning must be built, basically, by a legal education with a deep sense of criticism, *i.e.*, which is able to overcome the obviousness of the manuals and programs confined to the strict field of Law, to a science conceived as pure and self-sufficient. This learning must be expressed, primordially, by the reshaping of conducts and attitudes in a phatic and symbolic sense of the incorporation of a new socio-pedagogical grammar: of the solidarity, the emancipation, and the collaboration. Moreover, how can that be achieved?

One can opt for a teaching that maintains the traditions or for one that prefers innovation. If the option is for the first, one must be aware that he or she is opting for repetition, for the stability of knowledge, and for the passive transmission of scientific knowledge. It is the education of machine men or women, copycat individuals, helpless and inert matter. Few are saved, and these few are exactly those who, upon entering higher education, no longer needed it. They already had cognitive and communicative capacities and skills sufficiently developed to dispense with any traditional pedagogical proposal. This teaching

is structured from one of the elements of traditional science which is the notion of separability, which comes from the Cartesian proposition that, when one studies a certain issue, this issue must be decomposed into simple elements. To Morin (2000), it is the beginning of the subject specialization and hyperspecialization, which is the opposite of any interaction between knowledges, which could complement each other for enrichment.

The second kind of teaching-learning – the innovative one – considers the human beings as historical and unfinished beings (FREIRE, 2000), and turns to the problem of the subjects themselves, of the academic-scientific project under development, of its socio-political feature and the legal world for which it prepares professionals. It brings up the problem, and also gives original solutions – because it is able to do so – or, at least, better solutions than the existing ones, because its professors and students demonstrate critical and transforming competency. That requires historicity, intersubjectivity, and interdisciplinarity. Consequently, research, teaching, and extension must be functions which are effective, not only as legal commands, but as permanent interactive phenomena of production and communication between beings and knowledge.

We propose here a “new” epistemology of the knowledge. It is new because it has (re)visited the “old” and traditional form of production of legal knowledge and because it has (re)thought it on new bases. It starts from the multiplicity of the reality so that the understanding of its interactivity overcomes the compartmentalization of the learning and of the production to visualize the simultaneous thinking and action and the interidentity in history. It is the Science of Law, as a branch of the Applied Social Sciences, searching a new way of being produced. We can see that all this external complexity must be rebuilt from the consciousness of an internal complexity which is the one of our own condition of organizing and producing

new knowledge. It is the reception of the pluridimensionality of the phenomena and its pedagogical treatment by means of the communication among elements which constitute the human knowledge as a whole.

It has been suggested that few times have the higher education of Law been innovative. Internal arrangements which are immediate and disconnected from the real internal needs have allowed only “unfinished” forms of obtaining a creative learning to occur. Attempts of updating the content or of isolated didactic revisions, despite being considered “post-modern” forms of teaching – an isolated virtual didactics, for example – end up repeating the previous methods of learning and are not education in its full meaning.

As to the function of “educating”, Lacan (2005) irreverently affirmed: “there are plenty of people, who receive the stamp, *i.e.*, who are authorized to educate. This does not mean that they have the faintest idea of what education is”. This occurs several times with the professors who are not used to reflecting upon what they should do when they participate in the education of individuals in life and for life. It has occurred, undoubtedly, that the professors, especially the beginners, feel anxious about what to build and how to act at the teaching of the legal education. This anxiety may be highly positive when it causes a change of behavior and of (re)conceptualization in relation to the act of educating.

The issue is primarily, as it has been said before, at the epistemological level, *i.e.*, it is not enough to know, for we have to “know the knowledge”, according to Edgar Morin (2000), or “learn to learn”, according to Ramón Capella. To bring up the problem of the knowledge is, after all, to allow the students to become historical subjects of their own knowledge, conscious of their capacities and skills to get to know and to question the

forms and contents of this knowledge. The higher education students must be stimulated in their intellectual curiosity and in their capacity of questioning even (and maybe, mainly) the teaching structure that, imperiously, conducts to the fragmentation of the knowledge: a forced separation into practice and theory and an analytical construction based on subjects which are disconnected one to the other. (GUSTIN: 2004)

Capella (1995:18) affirms that the innovative learning requires historicity and interdisciplinarity as conditions for the knowledge. As to the historicity, the author classifies it into “internal historicity” and “external historicity” according to each knowledge. Learning, according to the first, refers to the critical conscience of the conditions of an internal intellectual history, *i.e.*, a succession of problems, questionings, and obstacles which were faced by the scholars of each knowledge; on the other hand, the external historicity of each formal object refers to the relation between this product of the internal historical reflection and the external contingency, *i.e.*, a relation to external facts foreseen or not by the internal conditions of knowledge production. This is not one of the only aspects that must be considered upon questioning the bases of the present legal teaching.

The second requirement – interdisciplinarity – must be understood as the look that goes from the formal object of knowledge to the material object where it came from to its acquisition under the perspective of another, or other distinct knowledges, which also analyzes it and complements it. Without that, the sciences and all their theoretical production would become immensely simplified and unreal without the essential basis for the learning and the interdisciplinary production. This interdisciplinarity, we must say, may be conducted not only within the same field of knowledge, but also in an amplified manner, among diverse fields, depending on the problems proposed.

Without explicitly affirming it, the author completes the meaning of the innovative learning with two other requirements: the “critical thinking and the cooperation”. In Capella the critical thinking seems to be directly related to the requirement of historicity, and, in the same manner, to the consciousness of the complexity of the world and its full comprehension. He also clarifies that the more explored developments of knowledge have always had their origins in the problematic proposed by the complex social practice. As a consequence, any field of knowledge effectively inserted into reasonable levels of critical thinking must be alert to everything else which is beyond the proposed knowledge, which can also judge the problems deriving from the social practice with emancipated forms of acquisition of the concrete questions and the meanings of the phenomenon of the knowledge (or the interlacement of knowledges).

The requirement of cooperation, or collaboration, in the meaning attributed here, is the capacity to maintain the intersubjectivity in the production, expansion, and criticism of the knowledge. An attitude of sharing information, of abandoning all the intention of competitiveness in the process of production and of dissemination of knowledge. Collaboration is especially a product of learning. The maintenance of intersubjectivity, however, is not restricted to the requirement of cooperation. According to our understanding, it starts primordially from a determined kind of reason – the dialogic reason – which uses argumentative processes for the approach of the object of knowledge. With this meaning, it is conscious of the complexity of this object and of the insufficiency of unilateral and individualized comprehensions. The maintenance of the intersubjectivity, such as the requirement of the interdisciplinarity, imposes, consequently, new forms of production and dissemination of knowledge.

They work at this communication with the notion of “effectivity” of the teaching learning, of the extension and the research, not only as the realization of predefined objectives, but also as responses to the demands or needs proposed by their respective communities, internal or external. Furthermore, a dialogue does not take place only between isolated individuals, but basically among areas and fields of knowledge. That presumes, however, an endless communication in the production and application of the knowledge produced, and interactivity which “may” start at college, but which is complete in the external environment – the social communities in general, the professional or scientific environments, or the development of common sense (GUSTIN: 2004)

We approach in this text the need to realize an effective dialogism which begins in the classroom and must occupy a substantial space in all the teaching unit and whose final product must result in a differentiated professional performance. This dialogism among diverse individuals and knowledges in the reconceptualization of the legal phenomenon is the primordial basis of the interdisciplinarity and even the transdisciplinarity. Therefore, “the knowledge must certainly use abstraction, but trying to build itself by context reference” (Morin; Le Moigne, 2000:207). This reference is always communicative and dialogic.

This movement of breaking from the disciplinary encapsulation and from the monologism is not recent, although there is a recurring discourse about its modernity. It appeared after the Second World War, from the end of the 40's, in the beginning with the “phenomenological theology”, from Ladrière, who postulated a new church/world dialogue and, afterwards, with Gusdorf's existentialism – in the work “La parole” – which proposed for the sciences a unity based on its humanization. In other words, to attribute to the sciences and to the education a human appearance, of interactivity and reproduction of the

dialogue among the human beings and, thus, of the scientific interdisciplinarity. Goldman's Marxism proposes the reinstatement of the scientific unit "whole-part". It is, however, Piaget's epistemological proposal which will attribute to the interdisciplinarity a content based on objective researches and concrete proposals of the unmasking of the construction process of the knowledge and of the scientific basis for the proposal of interaction of the knowledge production among the various sciences (GOLDMAN, 1979; GUSDORF, 1952; JAPIASSU, 1976; PIAGET, 1972).

At the present moment of extremely diversified relations and of accelerated transformation of the scientific and technological knowledge the superior courses of Law must guarantee the construction of interactive knowledge which allows professors and students to break through the disciplinary frontiers. That means not only "to integrate contents". It is essential to have a new attitude, an effective interdisciplinary posture of the school, of its members, and of the professionals who are gradually built in this new ambience. In this way, a new attitude of permanent search is built, an attitude of involvement, of commitment to the reciprocity of knowledge. This reciprocity may derive from the interdisciplinarity or from the transdisciplinarity. In the first, the knowledge is produced or disseminated not only with the theoretical cooperation among fields of knowledge which before were distant from each other, but by means of a real coordination of theories which serve as bases from contents of connected subjects.

The second, the transdisciplinarity, is fulfilled with the production of a single theory by means of the interactivity of areas of knowledge previously thought of as self-sufficient. This is the methodological trend which emerges with the biggest strength at the present of the scientific world (GUSTIN, DIAS, 2006). Piaget (1972) affirmed that to reach the transdisciplinarity

it would be essential to realize the stage of the interdisciplinarity as a way of thinking. It is not understood, however, in this communication, that these new epistemological conducts are sequenced and interdependent stages. They are paradigmatic changes which are constituted with the communicative skills among individuals and knowledges that establish interconnections required by the present bases of the production and the dissemination of knowledge.

The methodological approaches of the interdisciplinarity and the transdisciplinarity require, for certain, a new academic and scientific language, a new form of approach which is dialogic and interactive. We move from the old paradigm of the consciousness to the paradigm of the intercomprehension and the transcomprehension. From the old reason centered on the subject and on the monographic methodology comes the communicative methodological reason. The issue of the reality in the Brazilian legal courses, of the content taught, and the vital sphere of application of the Law must represent an objective movement in favor of the coordination of subjects connected to the legal field in the production of theories structured from a common language and in accordance with converging theoretical marks. With that, new possibilities of knowledge would be enabled and a more adequate notion of the legal complexity would arise from objective studies, conducted according to more creative parameters of the new scientific orientations (GUSTIN, DIAS, 2006).

What cannot be denied is the strategic role of the higher education institutions in the present Brazilian and international context. This way, the education of professors for the fulfillment of this role assumes extreme importance. The developing countries, with notable exceptions, and Brazil in particular, have not devoted themselves to a systematic and intensive education

of their body of professors. It is not enough to be approved in public contests; when proposing new learning paradigms we have to consider new conducts, new permanent recycling which allows the professors to effectively make use of the principles of a formative, interactive, and emancipating education. The higher education institutions must be intent on leveling with those at the best international level, in terms of quality and relevance of their production and also in terms of the indispensable quality and modernity of their teaching. This leveling must consider, however, the necessary cultural adaptations which may enable the crossbreeding of characteristics of local and national identities, as well as universal ones.

This high standard may only be obtained from the interactivity of knowledge whose value must be structured by certain principles. The first principle, possibly more related to the production of knowledge – still being interrelated to the function of teaching/learning and of university extension – arises from concrete problems or effective discussions of the phatic sphere of the Law and of life in general. The intellectual skills are only constituted when the student is motivated by a problematic situation which makes him or her search solutions not only in one single field of knowledge.

Most times the phatic world is full of concrete problems whose solutions not always derive from simple and linear reasoning. Since the beginning of the last century, it has been postulated that the scientific “spirit” is formed with the capacity of questioning the certainties of the common sense and the traditional science, which Bachelard (1998) denominated epistemological obstacles, *i.e.*, deep and effective doubts which question the solutions given by the statute of the established sciences.

The second principle, derived from the first one and its logical consequence, is structured from the pluralism and the

diversity of truths of this problematic world. In these extremely complex differences, the scientific “order” is an exceptional state in which the indetermination promotes the passage from the epistemological obstacles to the “epistemology of the uncertainty”, or better yet, the end of the uncertainties, according to Prigogine (1996). Due to the existence of a diversity of solutions and “truths”, from the multiplicity of knowledges, the sciences present themselves as places in permanent state of rearrangement, in a movement of replacement of new complexities and endless problematic situations to be solved. This diversity of truths has promoted an internal and external plurality of the sciences. The first is about the methodological multiplicity of objects and sources. There is no more unity and methodological purity. The languages, even within a single science or within sciences in general, are countless.

The second refers to the acceptance of the existence of multiple knowledges which are external to each science and which articulate with it for the production and validation of knowledge. These knowledges do not always belong exclusively to the scientific world; they must be, nonetheless, contemporary and related to the same object. As to this plurality, Santos (2006:138) groups them into what he calls “ecology of knowledges”, based, according to the author, on two presuppositions: “1) *there are no neutral epistemologies, and those which claim to be neutral are the least neutral*; 2) *the epistemological reflection must be applied not to the abstract knowledge, but to the practices of knowledge and their impacts on other social practices*”. That applies, primordially, to the applied social sciences, and, among them, the Science of Law. This “ecology of the knowledges” must not be correlated to higher education structures which are based on an organization rigidity and on a impermeability to change (SANTOS, 2002).

From the second principle, and also as its consequence, comes the third which, in logical terms, is related to the historicity of the being and of the knowledge produced and in permanent re-production and re-visitation. Since Einstein the absolute character of time and space has been challenged, and the validity of the bases of the modern Newtonian and Cartesian sciences of the absolute knowledge, unquestionable, universal, and timeless, has been questioned. As Santos affirms (2006:138), the modern science “*is made in the world, but is not made of world*”.

When one realizes a scientific learning which is historic, or a learning which is structured from a certain time and space, there must occur not only the interactivity among various scientific fields which are contemporary, but also the inseparability of thinking and action. This inseparability may take the scholar to wonder if in this way there would not be a repetition of the postulation of a given “epistemological unit” proposed by the sciences in the first half of the last century and found even at present. On the contrary, it is understood in this communication that this unit must not be considered in absolute terms, for it derives from the diversity of bases which, upon interacting, may constitute a new type of scientific unit: a unit in the diversity.

The three principles of the interdisciplinarity (the problematization, the pluralism of truths, and the historicity of the being and of the knowledge) indicate some characteristics which must support this interactive action in the interconnection of research, teaching, and extension at the higher education institutions.

The interdisciplinarity is understood as a demand if we consider that, on the contrary, both the theoretical field and the action would remain extremely poor if compared to the heterogeneity and the complexity of the objective facts. The

multifaceted activities of the modern men and women hinder their comprehension by one-dimensional fields of knowledge closed by doors restricting the expansion of the knowledge.

Three characteristics must be considered so that the acting by means of the interdisciplinarity has a bigger academic-scientific effectivity: the autonomy, the solidarity, and the emancipation of the individuals. The autonomy, which must be distinguished from self-sufficiency, presumes subjects who possess the capacities to choose and to decide about their lives and about their academic experiences. The realization of the principles exposed cannot be conceived if institutions and individuals (professors, students, and researchers) are not able to fulfill their roles with autonomy of action and critical autonomy (GUSTIN, 1999). An important theoretical-methodological concept derives from that characteristic: it is the individual who learns by means of mental processes and differentiated procedures, and, therefore, he or she will be permanently an unfinished being (FREIRE:2000).

It is important, therefore, to develop skills and competencies of autonomous learning which enables the dynamism of the permanent completion of the being. The encyclopedic teaching, that which places a high value on the accumulation of knowledge, the fulfillment of excessively extended programs at any cost, is not recommended. The individual who develops a critical autonomy is that whose form of thinking is exploratory and inevitably problematizing and interdisciplinary. This way, the individual has no specific time to learn. The learning takes place at all times and not only in the classroom. This environment, in fact, becomes less and less favorable for a learning more in consonance with the demands of the present world. Piaget affirms (1972) that we learn when there is a project of life and when the content of the learning is significant to this project in the construction of knowledge. In

the same way, Dewey would affirm that education is always a way of life, and not only a preparation.

The solidarity is manifested, primordially, by the permanent exercise of the intersubjectivity. This characteristic enables the attribution of great value to the permanent interaction and to the search for theoretical comprehension among students, researchers, and scholars. It is the development of the capacity of intercomprehension and of support among members of the pedagogical-scientific action. The intercomprehension and the support are, therefore, theme centers which constitute the solidarity. For the effective fulfillment of the intersubjectivity we propose the maintenance of pair work in the classroom and in the activities of research and extension.

For the realization of the disciplinary interactivity there must be building and maintenance of the habit of dialoguing. The dialogism among individuals, *i.e.*, among differentiated forms of acquisition of the contents and of the facts, takes us, as a consequence, to a multiplication of explanations derived from the interdisciplinarity, be it restricted, by means of subjects of a single field of knowledge, or amplified, *i.e.*, among differentiated fields of knowledge. In this way, the solidarity and the communication are exercised not only by differentiated subjectivities, but, primordially, by knowledges built and constituted according to the conditions of historical possibilities.

This way, the principles of the pluralism and of the problematizing are fulfilled by means of the stimulus to the permanent interaction between individuals and knowledge. For an emancipating school which works with new forms of sociability and with the interknowledge, we propose the strategy of incorporation of the intersubjectivity in the study, *i.e.*, the use of pair work in the classroom or in activities of research or extension. Why not the use of groups or large teams? Although

these may also be used, many times very effectively, especially when there is a pluridisciplinary configuration, it is understood that the first strategy enables, more easily, the inclusion in the classroom, in the activities of extension and research. It is known that the higher education schools have been, countless times, exclusion spaces: students with skills and capacities less developed, members of families with lower income and/or with poorer education tend to exclude themselves and to be excluded from the classroom or research activities.

The emancipation is, perhaps, the corollary of realization of the principles that serve as the basis for the interdisciplinarity. Emancipated individuals and institutions favor the elevation of the ethical degree and of the consolidation of the citizenship in the interior of the academia and of the scientific world – in this case, of the scientific-legal world.

Emancipated subjects or higher education organizations must be understood as those dedicated to a permanent (re)evaluation of the oppressing structures (group, social, political-cultural, or academic-scientific) from the development of the capacity of judging its feature. This may happen by means of the theoretical exploration, of the intercomprehension and of the construction of the conditions to transform the relations which are internal and external to the organization in which they participate (be it the classroom, the teaching system, or the community where one acts as a professional researcher or scholar). The emancipated subject no longer accepts the traditional dichotomies of the modern science knowledge, *i.e.*: nature/culture, subject/object, theory/practice, subjective/objective, among others. The emancipated being is the subject who devotes himself or herself to the permanent search, to the effective spirit of questioning and researching. Because of his or her emancipation, he or she is deeply innovative and critical, the subject who does not accept ready and finished obviousness which are offered as dogmatic truths.

The emancipated intellectual activity is, for all those reasons, interactive. The interdisciplinarity emancipates and is also a consequence of the emancipation of subjects and institutions.

The initial topic of this text approaches the issue of the complexity of the modern human society. This will now be understood as the “existence of diversified systems, each one with its own life, and also the existence of reflectiveness and a complexity of relations among the various institutional levels” (Arnaud, 1993:9). Consequently, innovative legal teaching must not presume only a learning by means of “monitoring” or “tutoring”, which, little by little, have become the new subjects of traditionalism. We must work with the notion of effectivity as it fulfills objectives collectively foreseen by the pedagogical project of the higher education unit, in a way that these objectives must correspond to the internal and external demands and needs. This must mean the permanent interrelation of teaching, research, and extension, in an effective interaction of knowledges and subjectivities.

And this is not all. With the increasing social complexity and the globalization of the relations comes a visible unrest in relation to the efficacy in the teaching of Law and of the traditional juridical regulation. There is, at present, an intense demand for deregulation of some social domains. This process is followed by the risk of a Law supplanted by new regulatory forms: on one side, the various types of globalized regulations (of spontaneous financial markets, of the big conglomerates, of the community regional agreements, among others); on the other side, a “return”, on new bases, of the civic society, from the action of movements of citizenship, of non-governmental organizations – with an internal and external range of action -, environmental movements, social discussion panels, university programs which interact with the more excluded social groups, among others.

From the reasons and arguments above exposed, we must begin the rethinking of our legal courses based on the unequivocal verification that the isolated view of the legal system has not been sufficient for the heterogeneity of the present relations, or for the complexity of the sphere of application of the Law. Our Law schools have, at present, a great responsibility in relation to the education of professionals prepared for a reality in which communication and interactivity among knowledges are concrete facts.

2 THE LAW COURSE AND THE INTERDISCIPLINARITY: REPORT OF A BRAZILIAN EXPERIENCE – THE MAY 18TH PROJECT.

The May 18th Project² is an interdisciplinary proposal of research and extension of the Program Citizenship Poles from the Law School of the Federal University of Minas Gerais – Brazil, financed by the Special Secretary of Human Rights of the Presidency of the Republic. In general terms, this project develops actions of generation of income and social mobilization, from the constitution of solidary enterprises, with the objective of creating conditions for the prevention of children and teenagers sexual exploitation in the Sub-region of the Middle Valley of the Jequitinhonha River. This region is distinguished in the state of Minas Gerais (Brazil) for being the one suffering from the biggest poverty and social exclusion.

The children and teenagers exploitation has been a more and more recurring problem in the country, countless times associated with the cultural and socio-economic conditions of

² The report about the May 18th was, in great part, extracted from the Final Report of the Project, forwarded to the Special Secretary of Human Rights of the Presidency of the Republic of Brazil)

the families (poverty, unemployment, little schooling, incapacity of fulfilling basic needs). It has become, in the country, a multifaceted problem, one of difficult solution, whose causes are complex, whose most distinguished aspect is the extreme poverty that we see when we go to the country.

The reference to the children and teenagers exploitation contains, in the social-juridical phenomenon itself, a normative relation, one of power and social-family abuse whose marketing dimension is inexcusable. It consists of a phenomenon marked by the obtention of advantages by the adults, who involve children and teenagers in forced and persuasive sexual practices, which constitutes a violation of human rights, of the fundamental constitutional rights, and of the Brazilian Children and Teenagers Statute, causing bio-psychological damages to the exploited ones, compromising the full development of their moral integrity.

Faced with this situation, The Poles of Citizenship Program, due to its interdisciplinary and interinstitutional characteristic, found itself compelled to be involved with the problem and to create efficient forms of fighting, facing, and preventing this social-juridical phenomenon.

Created in 1995, the Poles of Citizenship Program of the Federal University of Minas Gerais is a program which develops the articulation of the activities of teaching, research, and extension in the area of Fundamental and Human Rights, with the objective of promoting the social inclusion and the emancipation of social groups and individuals with a background of exclusion and in the course of risk. The May 18th Project is a proposal of action of this Program, with the objective of creating conditions for prevention of children and teenagers sexual exploitation in seven municipalities of the Sub-region of the Middle Valley of the Jequitinhonha River.

The May 18th Project aroused from a research conducted in 2003 by the Poles of Citizenship Program, which tried to verify the effectivity of the children and teenagers rights in the Middle Valley of the Jequitinhonha River, as it was said before, a region of big structural poverty. In this diagnosis, the children and teenagers sexual exploitation was pointed out by representatives of the public power and of the organized civic society as the most relevant problem reaching children and teenagers in the places which were the object of the study. From that, the conduction of a deeper analysis on the topic was judged appropriate, giving rise to the research-action “Children and Teenagers in Risky Situations: Generation of Income as Preventive Alternative to Sexual Exploitation”, known as “May 18th Project”, which refers to the national day of fighting the children and teenagers sexual exploitation.

The population of the Middle Valley faces serious problems in the areas of health, sanitation, and education. This picture is aggravated by the weakening of the rural economy, made more difficult by the geo-morphological characteristics, by the exclusive agrarian structure, by the socio-economic profile of its population, and by the low level of technological development.

In a place of great cultural, artistic, and historic abundance, of large economic restrictions and inequalities on one side, and, on the other, marked by situations of family, social, and group violence, comes the children and teenagers sexual exploitation associated with the need of survival of the children and their family groups. The most immediate relations and connections are fragile and the duty of the family as the primary, natural, and basic center of observance of the children and teenagers rights is almost nullified.

Therefore, we must highlight the actions geared towards fighting the poverty and the children and teenagers sexual

exploitation, which have as proposals the reinforcement of the bonds of the individuals with the local culture and customs. It has been understood, thus, that what must be fostered is the activities which are capable of rescuing the self-esteem, of developing personal skills and talents, of creating spaces for socialization, discussion, and reconceptualization of the social relations, and of contributing to the emancipation of groups marked by the most varied means of oppression.

From this perspective, by means of reflections established by an interdisciplinary team in which professors, professionals, and students of Law were accompanied by psychologists, anthropologists, social scientists, communicologists, and economists, the actions to be developed by the May 18th Project were devised, especially those geared towards the generation and reconceptualization of work and income. It was understood that the rescue of the dignity at the economic level might be an important step in the construction of a network to protect and prevent children and teenagers to enter the “market” of sexual exploitation in the region. In the family context, the central role acquired by the woman, as the one responsible for planning the destiny of the house income, and, many times, for generating that income, justifies choosing her as part of the target of the Project. Even then, it has been noticed that, maybe for cultural reasons, these mothers showed low self-esteem and, many times, they were the object of intra-family violence.

Therefore, the May 18th Project developed unique experiments of implementation of solidary enterprises, based on cooperatives, aiming at the prevention of the children and teenagers sexual exploitation in municipalities considered as being more at risk and fragile in relation to the issue discussed. The beneficiaries of these enterprises are women-mothers in a situation of social vulnerability. The choice of cooperativism/associativism, as an alternative to generation of income, is based

on its condition of facilitator of the process of inclusion and social emancipation of groups historically subject to economic exploitation, in accordance with its characteristics of self-management, mutual help, autonomy, horizontality, and enabling of regional productive potentials, specifically those connected to the cultural, social, and economic local characteristics. It is, above all, about stimulating the rupture with the broad process of social exclusion which attacks these communities. We must comprehend the solidary economy as a movement guided to the rescue of extremely poor communities which lack the minimum resources for any form of self-emancipation (SINGER, 2002).

We must also highlight that the actions executed by the May 18th Project have stimulated a broad character of emancipation, attributing great emphasis to the co-responsibility of the local actors, in the sense of awakening the critical consciousness and the autonomy of those people. Likewise, not only the community organizations dealing more directly with the topic were heard, but also the girls who had been inserted on the market of sexual exploitation. This way, they had the chance of exposing their more intimate problems and the reasons for their entrance into this “market”, not always effectively conscious of that, so that they could understand what alternatives of public policies could be more effective in the prevention and fight against the sexual exploitation in that determined environment.

As explained, it was necessary to explore more deeply the knowledge about the children and teenagers sexual exploitation in the region and to build knowledge in a consistent manner about the problem, trying to elicit various aspects, such as the profile of the children and teenagers who were exploited (age, socio-economic condition, etc), the reasons for incurring in that situation, the profile of the exploiters, the perception of the 7

- b) proposition of public policies based on the research about the children and teenagers sexual exploitation in the region;
- c) establishment of solidary economic enterprises;
- d) constitution of a network of protection for the children and the teenagers, consisting of public and private entities, non-governmental organizations, community leaderships, city dwellers, *i.e.*, people or entities who are interested in the problem.

The creation of effectively emancipating practices with the cooperativated/associated groups of production constitutes a great challenge, once the assistentialist posture has been more used by the national and local policies and is already inserted in the mind of the population and of the organizations. It was necessary, therefore, to deepen the actions geared towards the education of individuals conscious of their own condition, *i.e.*, one of oppression by a social order which demands rules and mechanisms of control and dominance in the political and in the economic spheres. This caused the creation of spaces for discussion and the reconceptualization of values – legal, for example – considered irrevocable, and empowered individuals who could never speak before.

We must also highlight that the initiatives of generation of work and income fostered by the project were shaped as adequate strategies for the overcoming of the passiveness and of the assistentialist relation to which the subjects became accustomed. The strengthening of the groups of production and their rights as associated and solidary workers (preferably in accordance with the guidelines of the cooperative law and with an emancipated labor law), was essential for reaching the objectives of the Project. The possibility of mobilizing groups or of guiding them for a better organization did not intend only

the complementation of the family income. In addition to the income, the alternative of work was intent, primordially, on filling an important gap in the self-construction of the individual.

3 FINAL CONSIDERATIONS

Finally, the May 18th Project experiment evidenced the importance of the articulation between the research and the extension action and a knowledge produced by the university, through a course of Law in an effective interdisciplinary action, and its expression in concrete actions which enable the transformation of a certain reality. It is not enough to know the ways that conduct to the emancipation. The Law Schools must walk these ways.

We must then promote actions originated from courses of legal content and which are dedicated to the education of individuals with a collective and conscious action, capable of breaking from the social structures and processes which have an oppressive character. In other words, the emancipation of groups which have been socially excluded passes through the education and reconceptualization of the everyday relations and habits inherent to the group; it is the education of new individuals for a new time, a new paradigm, in which this subject who was marginalized before may be the agent building his or her own knowledge, the objectivities, and deformations of his or her surroundings.

By means of this report of research-action which was concrete and effectively developed in the field, we can demonstrate the importance of the interdisciplinarity for the realization of a new form of conceiving teaching, research, and extension in university reformulated activities aimed at the application of Human Rights in environments marked by extreme poverty, social exclusion, and objective and symbolic violence.

The extension and teaching activities must be theorized and reconceptualized, *i.e.*, an efficient theorization of the practice and the dissemination of the knowledge, by means of concrete results of interdisciplinary results which will define new limits for the opening of the universities for the communities and the solution of their biggest problems and essential needs.

The Law and the universities cannot overlook cases such as the children and teenagers sexual exploitation in peripheric countries, which demonstrate a social vulnerability in the family and children who are involved with the problem, not only in a dimension of possibility of survival, but also in an attempt to be inserted into the social context in which these people live. The lack of perspectives or, as it has been observed, the perverse alternatives of social insertion and of generation of income are fundamental aspects in the search for public actions and policies which try to propose more durable solutions to the problem.

She's a secretary. My God, if I had a job like that I would be happy! Gosh, I looked for a job, but didn't find any! / People work a lot, and I'd like to work, too". (Deposition of a 14 year-old girl who was exploited)

There's nothing for us to do here. / if only, there was something for us to do! (Deposition of a 13 year-old girl who was exploited)

My daughter is three years old, and I wish I had a good life so that she could live with me. Because she doesn't live with me. She lives with her father. And every Sunday I take her and ... life is bad, you know? At home... kind of, just as if I left her with her father, she has a good life, a minimum, to have a good education, because I didn't have a good education, for her to have a good job

that I never had. If she thinks I'm still her mother. She likes me a lot. She looks like me! (Deposition of a 16 year-old girl who was exploited)

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