

TO LOOK LIKE A LAWYER: ANATOMOPOLITICS WITHIN THE HIDDEN CURRICULUM IN MEXICAN LEGAL EDUCATION*

SERGIO IVÁN ANZOLA RODRÍGUEZ **

XAVIER MOYSSÉN ÁLVAREZ***

Recibido: 5 de abril de 2021. Aceptado: 20 de mayo de 2021.

ABSTRACT

In Volume 1 of *The History of Sexuality*, Foucault defines two branches of biopolitics: one centered on controlling and regulating populations, the other, seemingly developed earlier, “centered on the body as a machine: its disciplining, the optimization of its capabilities, the extortion of its forces, the parallel increase of its usefulness and its docility, its integration into systems of efficient and economic controls, all this was ensured by the procedures of power that characterized the disciplines: an anatomopolitics of the human body” (Foucault, 1998, p. 139). We propose that the hidden curricula within Mexican legal education contains strong anatomopolitical components which regulate the bodies and appearances of law students under the discourse of “formality” and “professional image”. Following the approaches made by Entwistle (2001), we extend anatomopolitics not only to the body, but its public presentation, i.e. its dressing. “Foucault’s notion of discourse can enable the analysis of fashion as a discursive domain which sets significant parameters around the body and its presentation” (Entwistle, 2001, p. 39). In order to present this theory, we interviewed 40 law students from 22 different law schools in Mexico, and 15 teachers from 7 law schools about their lived experience.

KEY WORDS

Biopolitics, hidden curricula, professional appearance.

* Article of scientific and technological research

** LLB from Universidad de los Andes, LLM from University of Helsinki and PhD in Law from Universidad de los Andes). Research Coordinator at the Center of Studies for the Teaching and Learning of Law (CEEAD), Monterrey-Mexico. CEEAD is an autonomous, non-profit research center committed to transforming legal education in Mexico, located in the city of Monterrey. Our research is intended to impact higher education institutions, law students, legal practitioners, and related institutions from other countries.

*** Bachelor in Sociology from Universidad de Monterrey, Bachelor in Humanistic and Social Sciences from Universidad de Monterrey). Researcher at CEEAD. Studies the Sociology MA at The New School for Social Research.

PARECER UN ABOGADO: ANATOMOPOLÍTICA EN EL CURRÍCULUM OCULTO DE LA EDUCACIÓN JURÍDICA MEXICANA*

SERGIO IVÁN ANZOLA RODRÍGUEZ **

XAVIER MOYSSÉN ÁLVAREZ***

Received: april 5, 2021. Accepted: may 20, 2021.

RESUMEN

En el Volumen 1 de Historia de la Sexualidad, Foucault define dos polos de la biopolítica: uno centrado en controlar y regular poblaciones, y el otro, aparentemente desarrollado primero: “centrado en el cuerpo como máquina: su disciplina, la optimización de sus capacidades, la extorsión de sus fuerzas, el incremento paralelo de su utilidad y docilidad, su integración a sistemas de control eficientes y económicos, todo esto asegurado por procedimientos de poder que caracterizaron las disciplinas: una anatomopolítica del cuerpo humano (Foucault, 1998, p. 139). Proponemos que el currículum oculto de la educación legal Mexicana contiene componentes anatomopolíticos importantes, que regulan los cuerpos y apariencias de los estudiantes de Derecho bajo el discurso de “formalidad” e “imagen profesional”. Siguiendo a Entwistle (2001), extendemos la anatomopolítica no solo al cuerpo, sino a cómo se presenta públicamente, i.e. su atuendo. “La noción de Foucault del discurso permite el análisis de la moda como un dominio discursivo que sitúa parámetros alrededor del cuerpo y su presentación” (Entwistle, 2001, p. 39). Para presentar esta teoría, entrevistamos a 40 estudiantes de Derecho de 22 diferentes escuelas de Derecho en México, y a 15 profesores de 7 escuelas de Derecho sobre su experiencia.

PALABRAS CLAVES

Biopolítica, currículum oculto, apariencia profesional.

* Artículo de investigación científica y tecnológica

** Abogado de la Universidad de los Andes, Maestría en Derecho de la Universidad de Helsinki y Doctorado en Derecho de la Universidad de los Andes. Coordinador de Investigación en el Centro de Estudios sobre la Enseñanza y el Aprendizaje del Derecho (CEEAD), Monterrey-México. CEEAD es un centro de investigación autónomo y sin fines de lucro comprometido con la transformación de la educación jurídica en México, ubicado en la ciudad de Monterrey. Nuestra investigación tiene como objetivo impactar en instituciones de educación superior, estudiantes de derecho, profesionales del derecho e instituciones relacionadas de otros países.

*** Licenciado en Sociología de la Universidad de Monterrey, Licenciado en Ciencias Humanísticas y Sociales de la Universidad de Monterrey. Investigador del CEEAD. Estudia la Maestría en Sociología en The New School for Social Research.

INTRODUCTION

In *The Will to Knowledge*, the first volume of *The History of Sexuality*, Foucault states that biopolitics developed in two different, yet interconnected, poles. One of those poles had the objective of regulating biological processes of populations: birth and mortality rates, life expectancy, and other mechanisms were developed in order to supervise and administer life. The other pole, which was seemingly developed earlier, “centered on the body as a machine: its disciplining, the optimization of its capabilities, the extortion of its forces, the parallel increase of its usefulness and its docility, its integration into systems of efficient and economic controls, all this was ensured by the procedures of power that characterized the disciplines: an anatomopolitics of the human body”⁰¹. It is in this pole that this paper wishes to inquire, in terms of the anatomopolitics within the hidden curricula of legal education.

Foucault states that education was instrumental for the development of anatomopolitics: “With regard to discipline, this development was embodied in institutions such as the army and the schools, and in reflections on tactics, apprenticeship, education, and the nature of societies, ranging from the strictly military analyses of Marshal de Saxe to the political reveries of Guibert or Servan”⁰². Therefore, schools are some of the most important places in which discipline is learnt and transmitted. Althusser, a Marxist contemporary of Foucault, in his work regarding ideology and ideological state apparatuses even goes as far as to say that schools have the role as the main ideological reproduction apparatus of capitalist societies⁰³. Although we are not comparing schools with universities or other institutions of higher learning, we do share the idea that educational institutions are of tremendous importance in terms of reproducing ideology and the status quo within society.

01 See, Michel. Foucault, *The Will to Knowledge* (London: Penguin Books, 1998), 139.

02 Foucault, *The Will to Knowledge*, 140.

03 See, Louis Althusser, *On the Reproduction of Capitalism : Ideology and Ideological State Apparatuses* (Brooklyn, NY: Verso, 2014).

The existence of the hidden curricula within law school is well known in academic circles. We propose in this paper that there is an anatomopolitical component within these hidden curricula, in which the student's bodies and appearance are implicitly regulated under the standard of "formality". However, following the theoretical approaches made by Entwistle, we do not limit anatomopolitics exclusively to bodies, we also propose that the dressing of the bodies is anatomopolitical, since dress is also a discursive component in how people present themselves, particularly professionally. "Foucault's notion of discourse can enable the analysis of fashion as a discursive domain which sets significant parameters around the body and its presentation"⁰⁴.

Although lawyers are not mandated by any specific law to wear a uniform (except for judges in jurisdictions where they have to use a robe during hearings), visiting a law firm, a court or a legal department of a corporation provides a similar experience to that of visiting a seminary or a military base. Even though the legal profession allows for differentiation among its members regarding their apparel, there is no doubt that there is an underlying dressing code for the practice of law. It's safe to say that the fact that the bar is stratified does not affect this uniformity⁰⁵. From solo practitioners to transactional lawyers who work for global law firms, the two pieces' suit reigns supreme with eventual spaces for some slight variations.

We interviewed 40 junior law students from different parts of Mexico⁰⁶. This paper wishes to inquire which are the ways in which anatomopolitical status quo is socialized towards law students in institutions of higher learning. However, as Foucault has previously stated, wherever there is power, there must also be resistance. Our results are presented in the following pages.

1. THEORETICAL FRAMEWORK: ANATOMOPOLITICS, DRESS, AND THE LEGAL PROFESSION.

Since law can be broadly defined as a series of norms, practices and traditions that are created and sustain to regulate society and social life, the biopolitics of legal education can be understood as the ways in which law school teaches students to "supervise and administer life", specifically through law and legal processes. This article, however, inquires on the ways in which law school regulates the appearance and bodies of future legal professionals, and *integrates them into systems of economic controls*. In Mexico, there is no formal legal rule that obliges lawyers to appear before judges under a certain dress code. However, socialization processes started at law school and reinforced through working spaces and popular culture send a message of how lawyers should look like, the name of the famous

04 Joanne Entwistle and Elizabeth Wilson, *Body Dressing* (Oxford; New York, 2001), 39.

05 John P Heinz et al., *Urban Lawyers: The New Social Structure of the Bar* (Chicago: University of Chicago Press, 2005).

06 We are grateful to CEEAD for sharing its database with us in order to contact law professors and students.

TV show “Suits” is just one of many examples.

There are a variety of cases on how law regulates what can and can't be worn inside certain spaces, for example: courtrooms. In an educational context, for example, American courts had a strong say in the dress codes allowed within school classrooms, particularly in high school, where the student's identities begin shaping and expressing themselves with different types of dress, or body modifications, like piercings, tattoos, or longer hair⁰⁷. However, in law school, where students are of legal age, these restrictions on bodies and their appearance become harder to implement, and must take a different route: the hidden curricula, and implicit (and sometimes explicit) socialization.

A. BODIES AND DRESS AS A FORM COMMUNICATION

First of all, it is necessary to clarify that there's no clear theoretical separation between bodies and their dressing: “In *Discipline and Punish* Foucault (1977) argues that bodily practices are part of the capillary like operations of power which work to render bodies docile, obedient. [...] Indeed, Foucault's notion of discourse can enable the analysis of fashion as a discursive domain which sets significant parameters around the body and its presentation”⁰⁸. Since bodies are presented to society dressed up, differentiating between one and the other is not necessary, what the public realm sees is neither a dress nor a body, but a dressed body. But why would bodily appearance be important within the legal profession, and therefore, legal education?

Dress and appearance are important to the legal profession, and therefore to legal education, because it's a form of social communication. “The suit enables the man's body to blend into uniformity and to use dress as the symbol of his power (...) Masculine elegance provides a good example of the way man asserts himself through standardization and through control over his body”⁰⁹. Dress serves to “advertise the social, professional, or intellectual standing of the wearer”¹⁰. Law firms emphasize that although dress has little to do with being a good lawyer, it has everything to do with how others perceive legal capabilities¹¹. This is even worse in the case of women, who are even more scrutinized and

07 See James Podgers, “What to wear: courts agree on principle of school dress codes, disagree on their reach”, *ABA Journal* 81, n.º 11 (November 1995): 60. Retrieved from: <https://heinonline.org/HOL/LandingPage?handle=hein.journals/abaj81&div=255&id=&page=>

08 Entwistle and Wilson, *Body Dressing*, 39.

09 Richard Collier, “‘Nutty Professors’, ‘Men in Suits’ and ‘New Entrepreneurs’: Corporeality, Subjectivity and Change in the Law School and Legal Practice,” *Social & Legal Studies* 7, no. 1 (1998): 27–53.

10 Entwistle and Wilson, *Body Dressing*, 15.

11 See, John Remsen, “Enough Is Enough: Lawyers Should Look like Lawyers!,” *The Remsen Group* (blog), n.d., <http://www.theremsengroup.com/articles-full/2015/9/28/enough-is-enough-lawyers-should-look-like-lawyers>

criticized in, still, a very much male-dominated environment and profession¹²¹³. For example, women are expected to “suppress” the “feminine” elements out of their outfits when in court, in order to avoid “eroticizing” the courtroom with “non-rational elements corrosive to legality”¹⁴.

Entwistle also sustains that the more traditional and conservative an occupation is, the more parameters on what bodies may wear will be present¹⁵. Lawyering, one of the oldest professions in history, is one that barely allows exceptions to the expected presentation: formality is key. For most courtrooms in most countries, suit and tie are requirements for legal professionals, as an article that gives recommendations to lawyers state: “Just as costumes in the theater have psychological importance for the actors who wear them, what you wear to court will impact your performance. The formality and dignity of the courtroom should be reflected in your dress.”¹⁶. A research made by Garth and Martin in the United States indicates that *general appearance and demeanor* is, in fact, a factor taken in consideration while hiring graduates in law firms¹⁷. We believe that Mexico’s hiring processes in law firms follow the same criteria.

Even more telling is the fact that the suit and tie appearance transcends most cultural settings, at least in the majority of the western world: “Though modified by cultural context, from the English ‘gentleman Lawyer’ to the machismo of an ‘LA Law-type’ corporate culture, men are ‘seen’ in the context of the business world by virtue of wearing a suit. To dress otherwise is, in a sense, to be ‘seen’ as deviant and to be categorized accordingly”¹⁸. Exercising legal professionals in Mexico maintain a high level of homogeneity in physical appearance, something that might not be as evident in other professions.

Manipulation of the body is also a form of communication. Corporal language is not a new discovery by any means, and it is also used in the legal profession. Felstiner and Sarat explain that lawyers must even explain to their clients why they must pay attention to such things as posture and appearance. While doing this, lawyers are guarding against the possibility that the judge’s decision may be “in-

12 This gender gap has had serious effects in the past: “The dichotomy of the sexes ultimately results in many women abandoning legal careers in search of a more “gender friendly” occupation”. See Bethanne W. McNamara, “All Dressed Up with No Place to Go: Gender Bias in Oklahoma Federal Court Dress Codes”, *Tulsa Law Review* 30, n.º 2 (2013): 401.

13 For more on how women experience law school, See Jennifer Brown, “‘To Give Them Countenance’: The Case for a Women’s Law School,” *Harvard Women’s Law Journal* 22 (1999).

14 See, Collier, “‘Nutty Professors’, ‘Men in Suits’ and ‘New Entrepreneurs’: Corporeality, Subjectivity and Change in the Law School and Legal Practice”.

15 See, Entwistle and Wilson, *Body Dressing*.

16 See, K B Havener, “Method Acting for Lawyers,” *Litigation*. 31, no. 4 (2005): 51.

17 See, Bryant G Garth and Joanne Martin, “Law Schools and the Construction of Competence,” *Journal of Legal Education* 43, no. 4 (1993): 469–509.

18 See, Collier, “‘Nutty Professors’, ‘Men in Suits’ and ‘New Entrepreneurs’: Corporeality, Subjectivity and Change in the Law School and Legal Practice.”, 34.

fluenced just by the way (a client) sit(s)”¹⁹. Even though lawyers must instruct their clients on how corporal language may influence the result of a trial, they themselves must also learn how to utilize their bodies as a communication tool. Simple things such as touching one’s face, not making one’s hands visible at all time, not keeping proper posture, are all taught to have an influence on a lawyer’s performance: “every movement must have a point”²⁰ is supposed to take no stand and represent neither the lawyer’s personal taste nor their client’s interests but rather some ascetic and neutral image of the legal profession as a whole.

B. DRESS AS A FORM OF DISCIPLINE

Now that it’s established that bodies and their dressing constitute a form of communication, it’s also important to lay out how body dressing can also be observed as a form of discipline²¹. There are a number of corporations that enforce a dress code to the point of asking workers to change their clothing in order to fit with the corporate image: “If their dress does not meet this standard they are subject to disciplinary techniques by their managers and could even be sent home to change their clothes”²².

This is an example of how institutional power is yielded upon the bodies of professionals, and the legal profession is no exception:

Particular discourses of dress, such as ‘smart’ or ‘professional’ dress, and particular strategies of dress, such as the imposition of uniforms and dress codes at work, are utilized by corporations to exercise control over the bodies of the workers within. This is true of men’s dress for work as much as it is of women’s. The male suit is perhaps the most formally coded dress for men today, exerting itself with considerable force over the bodies of men in a wide range of occupational settings”²³

As stated before, Garth and Martin found out that general appearance and demeanor is something

19 “Lawyer: That’s alright. You look nice and neat and scared that way, that’s okay. But sit up with your arms and hands in front of you; I don’t care where they go, but in front of you, and without the crossed legs. Okay? And then one other thing I ask of you. Don’t go like this (puts head on his desk), or anything, but don’t go like this. Okay? No matter how tired you are tomorrow morning I want you to look pretty alert” See, Austin Sarat and William L. F. Felstiner, “Lawyers and Legal Consciousness: Law Talk in the Divorce Lawyer’s Office,” *The Yale Law Journal* 98, no. 8 (1989).

20 See, Havener, “Method Acting for Lawyers.”

21 Duncan Kennedy’s text “Sexy Dressing, etc., Essays on the power and politics of cultural Identity” is probably the most renowned and cited text in legal scholarship studying the intersection between law, sexy dressing and sexual abuse as a form of discipline. See, Duncan Kennedy, “Sexual Abuse, Sexy Dressing and the Eroticization of Domination,” *New England Law Review* 26 (1992).

22 Entwistle and Wilson, *Body Dressing*. 39.

23 *Ibid.*, 39-40.

that firms take in consideration when hiring recent law school graduates²⁴. The expectation of what to wear in legal settings²⁵ is mostly done in the form of a dress code. It wouldn't be surprising if, in law schools, students are expected to look and dress a certain type of way: a way that reflects what their future profession will require. There might be no dress code implemented in law school, but the control mechanism of discipline might be placed upon other social forces: specially peers and professors that fall in line with the hegemonic lawyering fashion.

Unfortunately, there's also a social class component when considering dress as a form of discipline: "The extensive sumptuary laws on dress and other modes of consumption, which persisted until the nineteenth century, were expressly designed to preserve a supposedly natural and divinely ordained difference of class and rank, and to prevent upward mobility"²⁶. Even though in the 21st century there are no established limits on who can wear what, it would be disingenuous to believe that social class does not have an influence on what kind of clothing one can have access to, not only because of what a person can afford to pay, but also because of what one "believes" to be its proper dress code according to its social class²⁷. Unfortunately, this might also influence possibilities of getting a job within the legal profession, since Garth and Martin believed that the intangible criteria of "general appearance and demeanor" could also be related to socioeconomic status²⁸.

Simmel also wrote about the social class component within fashion: "fashions differ for different classes-the fashions of the upper stratum of society are never identical with those of the lower; in fact, they are abandoned by the former as soon as the latter prepares to appropriate them"²⁹. Fashion works as a differentiating element between social classes, professions, and other social groups. "Thus fashion on the one hand signifies union with those in the same class, the uniformity of a circle characterized by it, and, uno actu, the exclusion of all other groups"³⁰.

With all this taken into account, it can be assumed that the appearance of belonging to a certain so-

24 See, Garth and Martin, "Law Schools and the Construction of Competence".

25 It is important to note that "legal spaces" are not limited to courtrooms. Legal spaces can also be many more places where lawyers and clients interact: offices, restaurants, social clubs, bars, stadiums, etc. It goes without saying that as legal spaces expand, "legal time" expands as well: lawyers are supposed to work not only on weekdays from 9 am to 6 pm, but also on weekends and at nights where they socialize with their clients and close deals. This means that the dressing code is even far more reaching and is not limited to offices.

26 Entwistle and Wilson, *Body Dressing.*, 21

27 See, Pierre Bourdieu, *Distinction: a social critique of the judgement of taste* (London: Routledge & Kegan Paul, 2015).

28 See, Garth and Martin, "Law Schools and the Construction of Competence."

29 Georg Simmel, *On Individuality and Social Forms: Selected Writings* (Chicago: University of Chicago Press, 2012), 296.

30 *Ibid.*, 297.

cial class is a part of the legal profession, since most lawyers come from middle to high social classes³¹, in Mexico the majority of law students perceive themselves as middle-class³², even across private and public schools alike. Whoever doesn't fall in line with this appearance is met with disciplinary measures, particularly in the court, in working spaces, and with their peers. However, since within law school this comes in the form of the hidden curricula, the disciplinary measures might vary from peer exclusion, different treatment from professors, and a general feeling of alienation.

FROM DEPERSONALIZATION TO PROFESSIONALISM

For Émile Durkheim, who many consider the father of functionalist sociology, professionals played a fundamental role in providing social order in a world where religious belief had lost its power as an agglutinating moral force and economic forces menace to lead society astray³³. In this scenario of uncertainty professionals provide society with rationality and facilitate the application of scientific knowledge for providing economic growth together with societal wellbeing.

For functionalist sociology, professionals are to be distinguished from craftsmen by a different kind of traits that they are supposed to exhibit³⁴:

- Neutral Affection: not developing a sentimental attachment to their clients.
- Universalism: treating all clients equally regardless of their social, political or economic position.
- Collectivity: putting the interest of the profession (which at the end is an interest delegated to it by society) above both his client and his own.
- Specificity: pursuing a specific task for his client ignoring any other general factors (for example, defending the legal rights of a defendant, regardless of the fact that he has been accused multiple times for the same felony).

In a profession fraught with moral and political dilemmas such as law, exhibiting these traits can be either a virtue or a vice. It all depends on the eye of the beholder. The legal profession is fraught with moral and political dilemmas that can take a toll on the moral life of practicing lawyers. The moral

³¹ “Others (students), by virtue of race, ethnicity, education, accent or class may be already ‘filtered out’, never in the privileged position to face such decisions (where to work or what to wear) in the first place, already excluded as ‘players’ in the legal field” See, Collier, “‘Natty Professors’, ‘Men in Suits’ and ‘New Entrepreneurs’: Corporeality, Subjectivity and Change in the Law School and Legal Practice.”, 10.

³² See, Luis Fernando. Pérez Hurtado, *La Futura Generación de Abogados Mexicanos : Estudio de Las Escuelas y Los Estudiantes de Derecho En México* (Monterrey: CEEAD; UNAM, Instituto de Investigaciones Jurídicas, 2009).

³³ See, Émile Durkheim, *The elementary forms of religious life* (London: George Allen & Unwin, 1976).

³⁴ See, Thomas Brante, “Sociological Approaches to the Professions,” *Acta Sociologica* 31, no. 2 (1988): 119–42.

judgment (not the legal one) on a lawyer who decides to represent a sexual offender on a criminal case knowing that his client is responsible for the charges brought before him (let's assume that his client confessed to him on an interview and even showed him a video of the sexual assault) and is willing to do everything he is legally entitled to do in order to preserve his client innocence (refraining from actively providing information or evidence against his client, putting into question the testimonies of a victim he knows is telling the truth, suggesting alternative theories of what really happened) will probably yield different results.

Some people might think that this lawyer is far from being an ethical one, however, under the law of legal ethics and professional responsibility, this lawyer wouldn't have committed any breach to the code of professional ethics; on the contrary, he has excelled as a professional since, regardless of the moral condemnation that his client deserves, he was able to provide a technical service without breaching the law. It is difficult (if not impossible) to think of a lawyer being disbarred for doing this. However, in moral terms, this is not an easy job to do, after all, he is providing a service which consists of aiding someone who did a moral wrong.

Since lawyers have a monopoly on legal representation and access to courts (regardless of whether the monopoly is based on a legal restriction for lay people to represent themselves before courts or whether the monopoly stems from the technicality and complexity of legal jargon) the amorality of lawyers seems to be a requirement for safeguarding access to justice for everyone. Personal taste regarding the justness of clients' ends shouldn't matter. Under the dominant view of legal ethics amorality ends up being a requisite for equality before the law (all lawyers should zealously protect clients interest without any hesitation or distinction), and the rule of law (freedom can only be limited by law not by lawyers' moral stance)³⁵. Taken to its logical extreme, the dominant view of legal ethics would forbid lawyers to choose their clients.

Amorality can be considered a virtue when practicing the law. However, the life project of being an amoral being, not only when practicing law, but in personal life as well, sounds ludicrous and worthless (if not naïve)³⁶. Dressing in a particular way for practicing the law can be a way of constructing a character for a play, a role to be played, a costume to be worn. This costume might work as a shield that protects the moral integrity of the person who happens to perform the role of lawyer at a partic-

35 See, Stephen L Pepper, "The Lawyer's Amoral Ethical Role: A Defense, a Problem, and Some Possibilities," *American Bar Foundation Research Journal* 1 (1986): 613-35; Daniel Markovits, *A Modern Legal Ethics: Adversary Advocacy in a Democratic Age* (Princeton; Oxford : Princeton University Press, 2008); Tim Dare, *rogf The Counsel of Rogues?: A Defence of the Standard Conception of the Lawyer's Role* (Farnham, Surrey, England; Burlington, VT: Ashgate, 2009).

36 See, Gerald J. Postema, "Moral Responsibility in Professional Ethics," *New York University Law Review* 55 (1980): 37-63; David Luban, *Lawyers and Justice: An Ethical Study*. (Princeton, N.J. : Princeton University Press, 1988., 1988); William H Simon, "The Practice of Justice a Theory of Lawyers' Ethics" (Cambridge, Mass.: Harvard University Press, 1998).

ular moment³⁷. While protecting moral integrity (dressing as shield), professional dressing might also enable lawyers to enter a role where they might do things that normally they wouldn't do (hide the truth or put into question the testimony of someone they know is telling the truth) and which might, in many cases, hurt someone. This function of enabling or inviting someone to do something that takes courage (or cynicism) can be conveyed by the term “power suit” or “suit up”.

The homogenous appearance of lawyers is something that also helps clients in search of legal aid. Thinking of lawyers as a homogeneous group of persons that wears a uniform (typically a three-piece suit) might convey to the public an idea of homogeneity, of unity on a cause, of lack of personal expression or even martyrdom. This can be comforting for clients who are in a difficult situation and are looking for someone they can trust not only with their problem, but also with guilty feelings, dirty secrets and skeletons in the closet. The importance of this homogeneity can become more salient when we take into account the way in which the legal services market is structured³⁸.

C. RESISTANCE WITHIN DRESS AND APPEARANCE

Yet as Foucault stated, wherever there's power, there must be resistance. Simmel stated that fashion has a double function: “(Fashion) leads the individual upon the road which all travel, it furnishes a general condition, which resolves the conduct of every individual into a mere example. At the same time, it satisfies in no less degree the need for differentiation, the tendency towards dissimilarity, the desire for change and contrast (...)”³⁹. Therefore, whilst fashion might tend towards social cohesion, it also allows the individual to express itself and its individuality.

This might be the case mostly with cause lawyers⁴⁰. Since Cause Lawyers tend to express resistance to the system and the “technical amorality of lawyering”, it wouldn't be surprising if the apparel of choice would be something that also transgresses the status quo of the appearance of the legal profession: the

37 Ruth. Rubinstein, *Dress Codes: Meanings and Messages in American Culture*. (Perseus, 1995).

38 Rubinstein explains how dress aided and facilitated interaction in the process of urbanization “Life in the city necessarily involved meeting a variety of people and mingling with strangers. It was perceived as full of complexities. (...) Behavior that was personal and unique was expected to be relegated to the private realm and not expressed in the workplace. Men had to become actors. Just as actors on the stage touched people's feelings without revealing their own offstage characters, people in the public sphere concealed private imagery and individual feelings. The desire to suppress and shield the personal self led to common codes of belief, the terms of which were familiar to others. In public, people had to be sociable on impersonal grounds. Their attire acquired new formality. It was contrived with regard to the requirements of a social situation, to the specific status held, and to the officially specified goals of the organizations for which they worked” Rubinstein., 48.

39 Simmel, *On Individuality and Social Forms : Selected Writings*, 296.

40 See, Austin Sarat and Stuart A. Scheingold, *Cause Lawyering : Political Commitments and Professional Responsibilities* (New York: Oxford University Press, 1998).

suit and tie. Simmel explains:

“Whoever keeps the laws the breaking of which is punished by the penal code, whoever lives up to the social forms prescribed by his class, gains no conspicuousness or notoriety. The slightest infraction or opposition, however, is immediately noticed and places the individual in an exceptional position by calling the attention of the public to his action. All such norms do not assume positive importance for the individual until he begins to depart from them. It is peculiarly characteristic of fashion that it renders possible a social obedience, which at the same time is a form of individual differentiation”⁴¹.

Legal activists have brought certain heterogeneity to the grey legal profession. Collier states that “Political beliefs, sexuality, physique and social background might each render individual men more or less comfortable accommodating the style of the ‘benchmark man’”⁴². This author also emphasizes on the difference between who someone *appears to be* and who someone *is*: The body ‘at work’ may also not be what it seems: behind the suit may lie transgression, in the form of tattooing, body piercing, a subject ‘passing’ as one thing but ‘really’ being another.

Some lawyers might find the typical dark three-piece suit as too much of a powerful script and might try to transgress it in some ways. Other lawyers might completely refuse these typical uniforms of the legal profession not only because of their particular taste in fashion, but because they do not agree with the split between the professional and the personal and therefore do not see any need or virtue in “suiting up”. Plus, since Cause Lawyers tend to be in a critical position of society, and its relationship with law, heterogenic apparel and appearance can be expected.

2. METHODOLOGY

We interviewed both students and teachers from law schools all over the country. In total, we interviewed 40 students, and 15 teachers. The interviews were made via Zoom software, and were recorded for posterior qualitative analysis. The majority of the students interviewed were enrolled in public universities, whilst the teacher’s sample had more variation between private and public law schools. Both researchers conducted the interviews. It is important to note that interviews were conducted between march and may of 2020 during Covid-19’s pandemic when education spaces and practices were being transformed by online legal education.

There were 2 separate questionnaires: one for students and one for teachers. The student question-

⁴¹ Simmel, *On Individuality and Social Forms*, 305.

⁴² Collier, “‘Nutty Professors’”, 35.

naire had 10 questions, the teacher's questionnaire had 11 questions. The students questionnaire included questions about clothing and appearance in law school, body language instructions, job experiences, and their classes. The teacher's questionnaire had questions about their perception on the importance of clothing and appearance in the profession, the student's way of dressing, and how they conducted their classes. All interviews lasted, on average, about 30 minutes each. Below, we present our results.

3. FINDINGS

A. STUDENT'S RESPONSES

I. ON HOW LAW SCHOOL CHANGED THEIR APPEARANCE:

Most students did report a change on the way they dress after entering law school. They usually transition from casual wear to more of a formal way of dressing. Interviewee 34 mentioned that on her introduction course, the teacher told the students that "dressing formal" was important, and that "to be a lawyer, you first need *to look like a lawyer*". This quote appeared repeatedly in the interviews, as well as the quote "you get treated according to the way you look". Interviewee 31 mentioned that, even though there are semesters where you can see diversity in clothing, from 4th semester on everyone dresses pretty much the same. Most interviewees also stated that "clients feel more comfortable with a well dressed lawyer".

Some students mentioned that they felt a big change when they moved from "preparatoria" (high school) to law school since, in some Mexican "prepas" students must wear a uniform. Learning and deciding what to wear at law school was a new thing for them. However, two students mentioned that their Law Schools made them wear a specific uniform corresponding to a specific day of the week, so at least in these two cases, there were some remnants of "prepa" dressing practices still alive in their law schools.

Men usually begin wearing suits, while women's dressing has more variations (see section iii). Most students reported that they felt the need to put formal dressing on to be taken seriously (more on section ii). Another strong point most students made was the need for hygiene of the body, especially among men, who needed to be "showered", and preferably "smelling nice". This mostly had to do with the fact that students have to use public transport, and in Mexico's mostly hot climate, this tends to affect their odor (more on section iii).

Interviewee 28 mentioned that some teachers did not let male students wear long hair, moustaches,

or beards, and that they even went as far as not letting them inside the classroom until they shaved it off (more on section iv.). Interviewee 4, on the other hand, mentioned that some of her friends had expressed “fear of getting a tattoo”, because even though they could, they feared school/professional consequences. Interviewee 39 reported she had a tattoo on her ribs and she wanted to get more, however, she didn’t because of fear of professional consequences. She said that, even if she did get more tattoos, she’d have to get them in places that weren’t visible. Interviewee 31 recalled a friend of hers that used to wear colored hair, who was constantly scrutinized by professors in hope that “she’d wash it off” (more on section iv.).

Interviewee 38, on the other hand, said she didn’t change the way she dressed. However, she did start wearing more elaborate makeup, as well as more elaborate hairstyles. Interviewee 38 had finished a technical career on styling, therefore, she uses her knowledge in order to prepare her looks for law school and hearings. Interviewee 39 also reported that makeup became a much more important part of her routine for law school, more than clothing.

Basically, most students reported the shift to a more formal way of dressing, this change was mostly attributed to teacher’s recommendations, teacher’s evaluations (see section iv), job opportunities, and also personal preference (section ii).

II. ON THEIR FEELINGS ABOUT THE CHANGE:

How students felt about this change in clothing and appearance is mildly mixed. The vast majority of the students reported positive feelings about the change. Most students responded that dressing formally made them feel “like a lawyer”, “taken more seriously”, “empowered”, “confident”, “included” and also felt “a change in attitude”. These results are consistent with the “power suit” theory, in which lawyers felt empowerment based on the way they’re dressed. These students felt more confident, and more *in the role of a lawyer*, while wearing formal clothes, which might be due to teacher’s approval, and the constant socialization about the importance of dressing in the legal profession.

For example, interviewee 3 said that he enjoyed wearing formal clothes since he enjoyed “feeling like a lawyer”, almost as if he had internalized the profession because of the clothing. Coincidentally, interviewee 3 also reported an experience of high coercion from a teacher towards a student that was wearing casual clothes during class (see section iv), so there might be a relationship between emphasis made on appearance and the way students feel about theirs.

Interviewee 28 said that when she began studying, she felt awkward and uncomfortable in formal clothing, to the point where she only wore formal clothes for exams (see section iv) and then changed back to casual wear. However, as she advanced in her studies, she began slowly buying more and more

formal clothes and she began feeling more comfortable. She mostly attributed this to school events where she was required to wear formal clothes.

However, a minority of the students complained about the requirements of formal clothing. For example, Interviewee 1 felt that wearing formal clothes was “foolishness”, and that it implied a big economic cost for some of the students who couldn’t afford a suit. He also expressed how some students are not “taken in consideration” simply because they can’t afford a suit, even though they are very good law students. Other complaints included the hot weather, and in the case of women, catcalling in public transportation (section iii).

III. ON GENDER:

For the most part, women reported discomfort because of formal clothing requirements. Many of the complaints were because of catcalling in public transportation, a very known problem in Mexico. Hence, female students tended to worry about what kind of clothes they were going to wear for law school, especially in exams (see section iv). Women shaming in Mexico is still such a problem, that Interviewee 4 mentioned there was a teacher who warned female students about “showing too much skin” with their formal dressing.

Another complaint some of the women interviewees had, was the money they had to spend in comparison to men, especially because of accessories, as interviewee 5 pointed out. According to female interviewees, they had to spend more time thinking about their everyday clothing, while men only had to worry about wearing a suit. However, there weren’t many more complaints regarding clothing and gender, except for the catcalling and the money spent.

Interviewee 38 had very interesting takes regarding the topic. She said that a teacher once told her, in 3rd semester, that “a lawyer with no makeup, no hairstyle, and no heels can’t be a lawyer”. She also said that a teacher once told her she was “too tiny” for a court to take her seriously, so therefore she had to speak louder and be more assertive. This was in part due to her height, however, we feel that the gender factor might also influence how seriously women law students are taken.

Interviewee 23, for example, said that teachers had a much better relationship with women students that dress more formally. She also reported that female students that used nose piercings were constantly alienated by the faculty professors, they weren’t taken in consideration during class participation. A normal sentiment echoed through the interviews was that female students felt more pressure on how to dress simply because they were women. Interviewee 27 said that she felt the care of appearance is “of course is more difficult for (them), because everything is more difficult for (them) in general”.

IV. ON TEACHER'S REGULATION ON DRESSING:

The majority of students reported in section i. that a big influence on why they changed their dressing style were the teachers. The quotes “to be a lawyer, you have to look like a lawyer”, and “you get treated according to the way you look”, are normalized clichés in the Mexican law school classroom. Interviewee 34 said she had a professor that told her group “if you don't dress well you are never going to win any cases”. However, some professors take this to even a higher level. Interviewee 3 said he once saw a teacher tell a student to “get the fuck out of the classroom” (*vete a la chingada del salón*) because he was wearing an old, colorless, shirt. Another extreme example were the teachers reported by interviewee 28, who wouldn't let male students wear beards, moustaches, or long hair.

Usually, teachers that demand dress codes to enter their classes teach at early semesters, such as the first or second year⁴³. Even though dress codes are not part of school policies, most teachers ask for certain clothes to be worn in order to enter classes, or to present exams, as a way of making students familiar with the profession. Interviewee 38 said that in the second semester, she had a professor that made everyone wear different color combinations in each exam: red for the first exam, blue for the second, and gold for the last exam. She was also told that they needed to “differentiate from the other degrees” and that they wouldn't want to be “confused with psychology or graphic design students”. Something similar was reported by interviewee 3, who said professors told the class “superhero shirts are for engineering students” and therefore law students shouldn't wear them to school. Interviewee 13 recalled an anecdote in which a professor asked students to wear formal clothes for an oral exam (oral exams are very common in Mexican legal education). Since she forgot about it, her friends borrowed her different clothes and she managed to get into the exam with their help. In a similar vein Interviewee 16 explained that in early semesters, while he attended law school he worked part time as a store guard. On the advice of a professor, he started bringing a different set of clothes for changing before attending class.

Even though professors might not be as extreme as the one reported by Interviewee 3, calling out students and “exposing” them for their clothes is a common way of teacher regulation on clothing. Interviewees 22, 26, 30 all reported situations in which a professor called out students for their clothing in order to make examples out of them. Most of the time, it was because a student was wearing shorts, or tennis shoes.

Another way of regulation might be the alienation of students that look different from their peers,

43 CEEAD's Database “Análisis de Composición Curricular de la Licenciatura en Derecho” (Analysis of the Undergraduate Curriculum for the Law Degree), establishes that during the first 2 years of Law School, Civil Law (142), Penal Law (70), Procedural Law (32), Theory of Law (26), and Professional Skills (26) are the most taught classes across all Mexican law school curricula. CEEAD, *Análisis de Composición Curricular de la Licenciatura en Derecho*, 2020.

like the case reported by interviewee 23, in which a teacher wouldn't consider some students because of having their noses pierced. A similar case was reported by interviewee 31, who reported about a teacher telling a student with colored hair that "nobody was going to hire her while having that hair color". Apparently, the professor was overwhelming the student into dying her hair of other, more natural colors.

Other professors evaluate dressing and appearance in exams and presentations. Interviewees 6, 27, 29, 31, 32, 40, 12, 8 and 9 all reported that teachers grade appearance, and that sometimes teachers might even penalize scores for not wearing proper clothing.

V. ON STUDENT REGULATION:

Professors are not the only ones in charge of regulating the student's appearance. Sometimes, even the same students make sure peers look alike. Interviewee 31 said that sometimes, when law students don't wear formal clothes, most of the other students within the faculty will "give them strange looks". Interviewee 31 also said that when someone who didn't study law passed through the faculty, "strange looks" would also cross their paths. Apparently, the same thing happens in other educational settings: interviewee 16 mentioned that whenever she passed by the Anthropology department (wearing formal clothes) she would get strange looks by them and she would be immediately identified as a stranger in a strange land.

Something similar was reported by interviewee 39, who previously shared the faculty installations with students from other faculties and degrees. She said that law students would avoid spaces that were occupied by students from other degrees, and that they identified these students just because of the clothes they were wearing and their overall appearance. This however, went both ways. Students from other degrees would also avoid law students, expressing disdain over their "high egos". This sort of "rivalry" was the most heated with the Alternative Tourism degree students, who mostly wear casual clothes.

On the other hand, interviewee 37 said that there are some "male students that wear long hair, as well as female students that wear short hair", who "stand out from the crowd", and are a topic of conversation amongst other students. The interviewee said that even if he tries to stay away from those topics, he's heard them numerous times.

Gossiping can be a form, or a precursor, of social alienation, which is mostly the way in which student regulation occurs. Reportedly, according to most interviewees, this happens mostly around female students. According to interviewee 31, the most common gossip talk is about "1) who dresses the best, 2) who wears the most expensive clothes, and 3) who repeats clothes the less". Interviewee

27 said that female students even had a group chat in which they would ask what they were going to wear for school.

VI. ON STUDENT CONSCIOUSNESS:

Even though some students reported some negative feelings about the importance of appearance in legal education and the profession, most of them didn't do anything to oppose it. The majority of the interviewees reported that "clothing doesn't equal knowledge", and that "they don't judge others because of shallow things", yet they still abide by the standards of lawyer clothing. This might be because of the law school socialization process, but it might also be because the profession is still to this day so "rigid" (or "solid" in Baumanian terms) in Mexico.

For example, interviewee 25 said that he "knew it was wrong to give so much importance to looks", yet he said he hadn't taken any action. Interviewee 32 studied engineering before changing degrees to law. She stated that even though at first she felt uncomfortable with wearing formal clothing, as time went on in law school she began finding it more comfortable, similar to the experience reported by interviewee 28 in section ii.

Interviewee 37 said that when he had his job interview, he "felt the need to be dressed formally": "If I'm going to ask for the job as a lawyer, I might as well comply with the whole stereotype", was his exact quote. The interviewee said that, even though he knew that dressing formally wasn't a requisite for the job or the interview, he "wouldn't say it was completely voluntary either".

Surprisingly, most students recognize the anatomopolitical component within their legal education. Of course not explicitly, but the majority had consciousness of how their appearances had changed throughout and because of law school. Yet, even though the majority didn't agree with its importance, they all ended up submitting to the structure of homogenic appearance: clean cut formality. However, there was some pleasure in this submission: students seem to enjoy the practice of dressing as lawyers (even before becoming one). They feel that wearing more formal clothes gives them self confidence and also a sense of belonging. Surprisingly (at least for us) only a few of the interviewees felt this socialization process as a burden. Most of the interviewees thought that this was also a part of their education and (at least formally) would recognize that looking like a lawyer, doesn't turn you into one. However this statement goes against some professors' practices which punish students (whether through their grades or by disrespecting them in front of their classmates) whenever they do not wear what they consider to be proper lawyer's clothes.

B. TEACHER'S RESPONSES

The teacher's responses, surprisingly, for the most part didn't match the student's experience. This might be because the teachers that were interviewed mostly had somewhat of a progressive way of thinking in terms of student appearance. Interviewee 10 even said he barely pays attention to the way students look. Most professors agreed that students should be able to express themselves individually via their appearance and clothing, and that denying them that opportunity, or discriminating against that, "would be against all legality" (Interviewee 2).

Interviewee 8, a professor specializing in Human Rights, recognized that "old symbolic patterns" still are being reproduced to this day, and that certain "disruptive elements", like long hair in male students, piercings, beards, or even going as far as skin color, might still cause differentiation in the way law students and law professionals are treated by their peers and counterparts. Interviewee 8 also said that this control over student's bodies is, on a large part, a consequence of the patriarchal influence over law and its conception.

Even though most interviewees said that students should be able to express their individuality through their clothing and appearance, they also recognize that, even to this day, Mexican legal education still has a high degree of formalism, and that discrimination is unfortunately alive and well. Interviewee 8 commented that on simulation hearings, students change the way they dress themselves without the need for an indication, specifically long-haired male students that use a ponytail together with a suit and tie.

Simulation hearings is the activity for which most students are required to dress formally. According to some of the teachers, this appearance is intended to "provide tranquility and confidence to the client" (Interviewee 7, Interviewee 5, Interviewee 14). Interviewee 14, for example, said that the appearance and clothing was to provide "a confident environment" for the client, "if I see a classical musician who looks like a metalhead, I'm not going to feel in the right setting (...) If I am going to a metal concert, and I see the band without any tattoos or piercings, I'm not going to get into the ambience". Interviewee 14 also said that "it isn't about being cool or uncool, it isn't about being moral or immoral, it's just that image helps you create a more complete atmosphere. Your words, movements, clothing, I think everything's important". Interviewee 7 evaluated formality as "essential" to the profession.

Interviewees 2 and 5 said that this formal appearance of suit and tie is also the common conception of the "successful lawyer". Interviewee 2 stated she has sometimes wanted to wear more casual clothes to her classes, but that she felt that she wouldn't "inspire that image of success that lawyers pretend", and that she's tried to portray that image even when she was a student. She informed us that ever since she was studying, there's been an emphasis that law students must dress "better than the others". Interviewee 5, on the other hand, said formality was a sign of respect towards the students and

the institution, because “students expect to see their teachers dressed a certain way”.

Most professors also commented on certain anecdotes of their professional careers. Interviewee 10 said he heard one of his friends during law school say the teacher told them: “to be a lawyer, first you need to look like a lawyer”, like reported by so many students above. Interviewee 2 informed us that she, due to her small stature, prefers to wear clothes that make her look older. Age apparently is something that judges value amongst lawyers. Interviewee 14 said that during the start of his professional law career, a co-worker once mocked him for not being formally dressed:

“I was joking around with a co-worker... and somewhere in the joke, I perhaps mocked him a bit too heavily for his taste. He responded with: at least I didn’t need to be told to wear a suit and tie to the office”.

Interviewee 14 also said that he has had conversations with students about their appearance and its importance. Interviewee 14 has worked in two different universities, his former university was in Mexico City, while his current is in Guadalajara. He reported that in the Mexico City university, teacher’s comments about some of the student’s appearance being “disrespectful towards the seriousness of the profession” were constant, and that he’s never heard such in his new university. He also stated that he’s had personal conversations with students telling them that “if they don’t present themselves better, they might not be as successful as they could”.

The most common complaint professors made about student clothing were related to female students. Interviewees 1 and 14 both reported that cleavages are discussed amongst teachers, and interviewee 14 even said that one of his students “wasn’t trying to pass an (the) exam based on her legal knowledge”. On the other hand, interviewee 7 commented that some teachers had complained about some of the student’s short skirts, worn by students in the university’s female volleyball team.

Professors also commented, like the students, that it’s easy to know which faculty a student belongs to based on their appearance (Interviewee 5). However, they’ve also reported that students that focus on private or corporate law tend to dress more formally than their other classmates (Interviewee 7, 8, and 14). Interviewee 7 on the other hand, reported that peers specializing in agrarian law tend to wear boots and jeans, ad hoc to their field of specialty.

The teachers mostly emphasized the need for good appearance while in the presence of a client. All of them acknowledged that legal knowledge and skills were obviously more essential to be a good professional than clothing and appearance, and that the quality of such knowledge has no relationship with personal image. “You can do paperwork in your pajamas if you want to, but I do believe that giving confidence to your clients is important” (Interviewee 14).

Interviewee 2 made an important remark: he considered that professors should send a message about proper dressing but this message shouldn't have so much weight. In his opinion, law students need to understand that there are informal and professional spaces, and that each demands different ways of behavior. For him, clothing is a sign that helps one identify in which space one is interacting. Noticing the nature of the space (whether professional or informal) is important for understanding what kind of arguments, expressions, jokes and interactions are valid or not. He explained this idea by recalling a meeting in which a last year law student came in and started making very foolish arguments and thinking that he could have a word on every topic that was being addressed as he was in a cafeteria talking with close friends. In his view, dress codes send a signal which should be read and understood in order to evaluate what type of interactions are valid and which are not. However, he was also aware that the degree in which this message is transmitted to students should be carefully analyzed since wearing a suit does not turn you automatically into a lawyer. Therefore, he recognized the importance of signs, but was also fully aware that signs can be misread. At the end of the interview, he also made a very interesting point on how the pandemic and the virtual classroom might change all this.

Since professors are teaching from home and students are attending classes from their rooms, there is a blurring of the professional and private divide. Teachers rarely wear a tie for a lecture via zoom. Also, the ascetic classroom no longer exists. Teachers and students both interact from their homes. How this new phenomenon might change the anatomopolitical aspect of the hidden curriculum⁴⁴ remains to be seen, but is true that online legal education and the dressing practices that accompany it (wearing - or not wearing - sweatpants while at online class, having the camera off or on, wearing makeup or not, wearing short sleeves to show tattoos, etc.) are already changing the landscape on which our interviewees, both students and professors, answered our questions.

Another resurgent theme in the interviews was that older teachers generally have less flexibility in terms of presentation and appearance. Most professors agreed that this is due to a generational gap, something that also was stated by the majority of the students interviewed:

“I don't want to discriminate, but older professors don't share this openness to new ideas. Students have sometimes been asked to leave the classroom because of piercings, hair color... and if they're not asked to leave the classroom they've been warned that they need to behave or dress in a different way to become socially acceptable” (Interviewee 15).

⁴⁴ It is also worth noting that these changes not only impact legal education, but also legal practice. In the United States, a Judge sent a memo reminding local attorneys to wear formal clothes to their conference calls (Bloomberg Law, 2020 https://news.bloomberglaw.com/us-law-week/judge-reminds-lawyers-to-wear-shirts-during-zoom-hearings?utm_source=twitter&campaign=584B65B2-7E89-11EA-8C54-6ED84F017A06&utm_medium=lawdesk). In Mexico, there was a viral video during the pandemic quarantine of a lawyer who wasn't wearing any pants during a virtual hearing.

Finally, it's important to point out that even though most professors report that they think students should dress freely, the students report otherwise. This might be due to several reasons: 1) perhaps the sample of professors was too progressive-oriented, 2) the interviewees weren't being completely honest.

CONCLUSION

Anatomopolitics have been, according to Foucauldian theory, around since the seventeenth century. This type of political control over the population's bodies renders them docile and useful for economic systems. Yet, in this paper, we did not wish to limit this control to just the bodies, but also how they are presented publicly, and especially professionally, following the contribution made by Entwistle and others. The dressing of the body is a symbol in the professional context of legal practice, it represents status, seriousness, and power. However, the dressing of the body is also a way in which lawyers can express their individuality, resistance towards the system, and ideological principles. A major problem in legal Mexican education to this day is the high degree of formalism⁴⁵ and the reproduction of formality, which certainly exerts itself on student's bodies and their presentation through the form of the hidden curricula, i.e. socialization practices.

Our study indicates that there is in fact an anatomopolitical component in the hidden curriculum of Mexican legal education. It is hidden since, according to our findings, most of its teaching occurs voluntarily via socialization processes that aren't necessarily based on explicit punishments or rewards. These forms of socialization come via requirements for oral presentations, exams and hearings simulations. These elements are reinforced throughout the first semesters of law school and are internalized by students. There were however stricter cases of coercion such as not being admitted to class. Another important finding was that in some cases students participated in socialization towards their peers, as if students tried to regulate and maintain a cohesive image of law students and legal professionals.

Nonetheless, the teaching does happen very subtly and both students and professors consider it important. However, there is a mismatch here: all of our interviewees (students and professors) agree that professional competence is the most important thing for a lawyer. Personal appearance is important as a way of enabling relations with clients, other lawyers, judges, etc. but it does come second. Nonetheless, according to a significant number of the students we interviewed, many professors do over emphasize the importance of appearance by saying that "to be a lawyer you must look like one". This statement, however, didn't find much support in the professors we interviewed. As

45 See, Alejandro Madrazo, "¿Qué?, ¿Cómo? Y ¿Para Qué? Análisis y Crítica Al Modelo Tradicional," *Academia. Revista Sobre Enseñanza Del Derecho*, no. 7 (2006): 167-247.

we mentioned earlier, this was probably due to the fact that most of the interviewed professors have a progressive stance towards legal education, or, because they were not honest and were too aware of our background as researchers and members of a think tank whose motto is to “transform legal education in Mexico”.

Another finding (one that was surprising for us) was that law students do feel the power of the message sent to them in terms of how to dress, but the vast majority of the sample doesn't resist the call and in fact surrender easily to it. They claim that “dressing like a lawyer” gives them confidence, boosts their energy and also provides them with a sense of belonging. Although there are some cases of resistance, there were fewer than what we expected.

BIBLIOGRAPHY

Althusser, Louis. *On the Reproduction of Capitalism : Ideology and Ideological State Apparatuses*. Brooklyn, NY: Verso, 2014.

Bloomberg Law, 2020 https://news.bloomberglaw.com/us-law-week/judge-reminds-lawyers-to-wear-shirts-during-zoom-meetings?utm_source=twitter&campaign=584B65B2-7E89-11EA-8C54-6ED84F017A06&utm_medium=lawdesk.

Bourdieu, Pierre. *Distinction: a social critique of the judgement of taste*. London: Routledge & Kegan Paul, 2015.

Brante, Thomas. “Sociological Approaches to the Professions”. *Acta Sociologica* 31, no. 2. (2013): 119-142 .

Brown, Jennifer. ‘To Give Them Countenance’: The Case for a Women’s Law School. *Harvard Women’s Law Journal*, 22 (1999).

Centro de Estudios sobre la Enseñanza y el Aprendizaje del Derecho (CEEAD). *Análisis de Composición Curricular de la LED*. (2020).

Collier, Richard. “‘Nutty Professors’, ‘Men in Suits’ and ‘New Entrepreneurs’: Corporeality, Subjectivity and Change in the Law School and Legal Practice,” *Social & Legal Studies* 7, no. 1 (1998): 27-53.

Dare, T. *The Counsel of Rogues? : A Defence of the Standard Conception of the Lawyer’s Role*. Farnham, Surrey, England; Burlington, VT: Ashgate, 2009.

Durkheim, É. *The elementary forms of religious life*. London: George Allen & Unwin. 1976.

Entwistle, Joanne, Elizabeth Wilson. *Body Dressing*. Oxford; New York. 2001.

- Foucault, Michel. . *The History of Sexuality 1: Will to Knowledge*. London: Penguin Books. 1998.
- Garth, Bryant., Martin, J. . “Law Schools and the Construction of Competence,” *Journal of Legal Education* 43, no. 4 (1993): 469–509.
- Havener, K.B. “Method Acting for Lawyers”. *Litigation*. 31, no. 4 (2005): 48–52.
- Heinz, John P., Robert L. Nelson, Rebecca L. Sandefur, Edward O. Laumann. *Urban Lawyers : The New Social Structure of the Bar*. Chicago: University of Chicago Press. 2005.
- Kennedy, Duncan. “Sexual Abuse, Sexy Dressing and the Eroticization of Domination”. *New England Law Review* 26 (1992): 1310-1389.
- Luban, D. *Lawyers and Justice : An Ethical Study*. Princeton, N.J. : Princeton University Press. 1988.
- Madrazo, A. ¿Qué?, ¿Cómo? Y ¿Para Qué? Análisis y Crítica Al Modelo Tradicional. *Academia. Revista Sobre Enseñanza Del Derecho*, no. 7 (2006): 167–247.
- Markovits, D. *A Modern Legal Ethics : Adversary Advocacy in a Democratic Age*. Princeton; Oxford: Princeton University Press. 2008.
- McNamara, Bethane W. “All Dressed Up with No Place to Go: Gender Bias in Oklahoma Federal Court Dress Codes”. *Tulsa Law Review*, 30, no. 2 (2013): 395-422.
- Pepper, S.L. “The Lawyer’s Amoral Ethical Role: A Defense, a Problem, and Some Possibilities”. *American Bar Foundation Research Journal* 1 (1986): 613–35.
- Pérez Hurtado, Luis Fernando. *La Futura Generación de Abogados Mexicanos : Estudio de Las Escuelas y Los Estudiantes de Derecho En México*. Monterrey: CEEAD; UNAM, Instituto de Investigaciones Jurídicas. 2009.
- Podgers, James. “What to wear: courts agree on principle of school dress codes, disagree on their reach”. *ABA Journal* 81, n.º 11 (1995). <https://heinonline.org/HOL/LandingPage?handle=hein.journals/abaj81&div=255&id=&page=>.
- Postema, G.J. “Moral Responsibility in Professional Ethics”. *New York University Law Review* 55 (1980) 37–63.
- Remsen, John. “Enough Is Enough: Lawyers Should Look like Lawyers!” *The Remsen Group* (blog), n.d. Retrieved from: <http://www.theremsengroup.com/articles-full/2015/9/28/enough-is-enough-lawyers-should-look-like-lawyers>
- Rubinstein, R. *Dress Codes: Meanings and Messages in American Culture*. Perseus. 1995.

Sarat, Austin, Felstiner, William. "Lawyers and Legal Consciousness: Law Talk in the Divorce Lawyer's Office". *The Yale Law Journal*, 98, no. 8 (1989): 1663-1688.

Sarat, Austin. Scheingold, Stuart A. *Cause Lawyering : Political Commitments and Professional Responsibilities*. New York: Oxford University Press. 1998.

Simmel, George. *On Individuality and Social Forms : Selected Writings*. Chicago: University of Chicago Press. 2012.

Simon, William H. *The Practice of Justice a Theory of Lawyers' Ethics*. Cambridge, Mass.: Harvard University Press. 1998.