



# Oswaldo Guayasamín in Brazilian Classrooms: Developing a Critical Local Approach in International Legal Studies<sup>1</sup>

*Oswaldo Guayasamín nas salas de aula brasileiras: desenvolvendo uma abordagem local crítica em estudos jurídicos internacionais*

*Oswaldo Guayasamín en las aulas brasileñas: desarrollando un enfoque local crítico en los estudios jurídicos internacionales*

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## Abstrac

Arts can be adopted in education with instrumental purposes (developing skills, illustrating facts, concepts, or theories). This pedagogical choice can also transform individual and collective capabilities. Based on document analysis, participant observation and literature review, this article discusses the use of artworks of Latin American painter Oswaldo Guayasamín to teach international law at a Brazilian University. Although participants had differences in age, education, and geographical origins, they shared cultural and political repertoires which supported critical interpretations of international law through artworks. This suggests that a conscious intertwining of Arts and local memories can promote a critical education of international relations.

**Keywords:** Oswaldo Guayasamín; Arts and international legal studies; critical pedagogy; aesthetic and local turn; Latin America and international relations.

## Resumo

Artes podem ser adotadas na educação com propósitos instrumentais (desenvolver habilidades, ilustrar fatos, conceitos ou teorias). Essa escolha pedagógica também pode transformar capacidades individuais e coletivas. Baseado em análise documental, observação participante e revisão de literatura, este artigo discute o uso de obras do pintor latino-americano Oswaldo Guayasamín para ensinar direito internacional em uma universidade brasileira. Embora os participantes tivessem diferenças de idade, educação e origens, eles repertórios culturais e políticos compartilhados sustentaram interpretações críticas do direito internacional pelas obras de arte. Sugere-se que um entrelaçamento consciente de artes e memórias locais pode promover uma educação crítica das relações internacionais.

**Palavras-chave:** Oswaldo Guayasamín; Artes e estudos jurídicos internacionais; pedagogia crítica; virada estética e local; América Latina e Relações Internacionais.

## Resumen

Las artes pueden adoptarse en la educación con fines instrumentales (desarrollar habilidades, ilustrar hechos, conceptos o teorías). Esta opción pedagógica también puede transformar capacidades individuales y colectivas. Basado en análisis de documentos, observación participante y revisión de literatura, este artículo discute obras del pintor latinoamericano Oswaldo Guayasamín para enseñar derecho internacional en una universidad brasileña. Aunque los participantes tenían diferencias en edad, educación y orígenes, repertorios culturales y políticos compartidos apoyaron interpretaciones críticas del derecho internacional mediante obras de arte. Esto sugiere que un entrelazamiento consciente entre artes y memorias locales puede promover una educación crítica de las relaciones internacionales.

**Palabras clave:** Oswaldo Guayasamín; Artes y estudios jurídicos internacionales; pedagogía crítica; giro estético y local; América Latina y las relaciones internacionales.





## Introduction

Some authors justify the use of Arts (artworks and art techniques) in formative disciplines of international law in accordance with an instrumental perspective (Winner, Goldstein and Vicent-Lacrin 2013). For them, Arts would soften the comprehension of hard theoretical frameworks, discussions, or concepts (Almeida 2016; Corten 2014; Ventura 2016), illustrate historical examples (Fagbayibo 2020; Ramel 2018), or develop useful soft skills for future professional activities (Ramel 2018; Rösch 2018).

However, other authors perceive deeper, unmeasurable, and less concrete cognitive outcomes. For them, Arts should be regarded as an opportunity to promote an overarching alternative educational paradigm (Oliveira, Silva and Kuhlmann 2021; Fagbayibo 2022; Giannattasio, Pereira and Danese, 2022). This approach seeks a formation process less concerned with traditional rational and professional goals, and more prone to develop active citizenship among students (Corten and Dubuisson 2021; Fagbayibo 2020; Silva and Kuhlmann 2021; Ventura and Dri 2014) and among local communities reached by university extension projects (Dri, Silva and Andrade 2016; Kuhlmann, Araújo and Souza 2019).

The intertwinement of local elements with aesthetic experiences in educational programs is also a critical pedagogical choice. Indeed, the use of local experiences to teach a subject is a critical strategy because they bring up and push forward marginalized voices in traditional Westerncentric studies (Fagbayibo 2022; Giannattasio 2018; Tripathi 2021) and summons close and concrete demands usually disregarded by traditional scholarship (Fagbayibo, 2022; Oliveira, Silva and Kuhlmann 2021; Sheikh 2020; Tripathi 2021). This pedagogical initiative might promote transformative individual and collective capabilities (Dri, Silva and Andrade 2016; Kuhlmann, Araújo and Souza 2019; Oliveira, Silva and Kuhlmann 2021; Sheikh 2020), as it: denounces the preponderance of rational and statecentric theoretical framework; reveals the absence of other rationalities in the field; enables the recognition of the hegemony of certain political, economic and symbolic representations in international law; emphasizes the exclusion of alternative political, economic and symbolic representations; makes students aware that their own local political, economic and symbolic representations might be excluded from the pillars of traditional studies; sharps their eyes, perceptions and behaviours in order to easily identify surrounding dynamics and structures which reproduce the exclusion of their own local representations; and stimulates an active engagement to overcome such exclusions.





This article discusses three ‘Arts-based’ initiatives to teach international law at a Brazilian University: a mandatory discipline taught in the Second Semester of 2020 for undergraduate students (General Theory of State — GTS), composed by students aged between 17-20 years; the first edition of an optional discipline exclusive for people over 60 years in the Second Semester of 2020 in an extension project (International Law and International Relations: A Critique through Artworks — CtA I), and the second edition of the same discipline (CtA II), taught in the First Semester of 2021.

Due to the pandemic of COVID-19 (2020-2021), the disciplines were taught remotely through a virtual platform. This condition widened the reach of synchronic activities: audiences were not restricted to a traditional classroom environment located in one and same city. This enabled a true expansion of the notion of ‘local’: (i) students were not restricted to the municipality of the University — members of both audiences resided in different parts of Brazil: e.g., São Paulo state (Southeast Brazil), Rio de Janeiro (Southeast Brazil), Bahia state (Northeast Brazil), Rio Grande do Sul (Southern Brazil), and (ii) alternative learning resources were available for an active use during the classes — such as personal archives, personal skills, household instruments, and even information on the internet.

Different kinds of artworks (architecture, literature, music, photographs, among others), from different authors, originated in different locations (Africa, Asia, Europe, Latin America) were analysed. This text focuses on discussions concerning one artwork analysed in the three disciplines: *El Toro y el Cóndor* (The Bull and the Condor), authored in 1998 by Oswaldo Guayasamín (1919-1999), a male Latin American painter. The artwork is in Quito (Ecuador), in *La Capilla del Hombre* (The Chapel of Man), inaugurated in November 2002 — a building managed by *Fundación Guayasamín*<sup>6</sup>. This artwork was selected because it was capable of easily establishing connections with all audiences — despite of their age differences, formation disparities, and distinct geographical origins or residence. Indeed, as other artworks from Oswaldo Guayasamín, *El Toro y el Cóndor* thematizes contemporary Latin American political, economic, social, and cultural tensions. Thus, this aesthetic local material could easily activate shared cultural repertoires and political memories common to all Brazilian audiences.

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6 *Fundación Guayasamín* (Quito, Ecuador) is a foundation created in 1995 by Oswaldo Guayasamín (Cuví 2013). The authors contacted the Fundación for legal authorisation to reproduce images of the artwork, but unfortunately no response was given until the final version of this paper.





Thus, this paper discusses how the different generations (young undergraduate students and elderly) reacted to this painting, and the manner whereby each generation articulated their own experiences to construct their interpretation and to develop a critical knowledge of international law. We argue that the use of a Latin American painter to teach international law can foster active citizenship among students and local community, regardless of their background differences.

This paper is divided in three parts. The first part (2.) indicates the materials and methods used. The second part (3.) presents a brief biography of Oswaldo Guayasamín (1919-1999) and highlights the connection of his artworks with Latin American claims. The third part (4.) discusses some outcomes from the use of his artwork to develop a critical local approach at undergraduate level and in the extension course.

## Materials and Methods

This paper was based on a qualitative approach of primary sources (document analysis and participant observation) and of secondary sources (literature review).

Literature review (articles, book chapters and books published in specialised academic means) was conducted to collect information about distinct elements of this paper. Besides general information officially provided by Fundación Guayasamín in publications (Cuvi 2013) and in its own website (<https://guayasamin.org.ec/>), literature review provided information about Oswaldo Guayasamín's lifetime, contemporary political history of Ecuador, and the painting analysed in this paper.

The documents analysed for this paper were emails spontaneously written by the students after classes, and the selected artworks — whose material aesthetic representation operates as a monument embodying political, economic, social, and cultural tensions (Bloch 1997; Le Goff 2003; Liebel 2016). The artworks were analysed before the classes (to prepare materials and organize debates) and during the classes (with each audience). Information was gathered and duly provided for each audience to promote a collective interpretation in accordance with Antonio Candido's (2000) triangular approach which seeks to highlight tensions between author, artwork and public. Roughly speaking, this approach roots possible and variable meanings over artworks by dealing with material and immaterial information regarding author's individual and collective trajectories (item 3.1), the aesthetic choices and art techniques used in the aesthetic representation





(item 3.2), and possible meanings developed by each audience while enjoying the artwork (item 4.).

Participant observation is a usual method in recent studies concerning the use of Arts to teach international law and international relations (Silva and Kuhlmann 2021). It is a scientific approach of the human experience through which the researcher undergoes: at the same time ‘subject and object of knowledge’, the researcher extracts from his/her own social experience qualitative information and conclusions for broader scientific interests (Guest, Namey and Mitchell 2013). This paper is thus also based on personal notes taken by the authors during the classes and after each class. For this reason, practical questions related to each discipline must be presented to make clear the pedagogical strategies adopted due to the restrictions related to the pandemic of COVID-19 — as in-person activities were forbidden, and the steps taken to conduct the participant observation.

GTS is a mandatory discipline offered annually for undergraduate students. Target audience is usually in the second semester. Being one of the first disciplines of the course, GTS presents basic concepts related to the state: sovereignty, territory, institutions, among others. CtA I and CtA II were optional disciplines offered exclusively for elderly people and lasted one semester each. As a non-mandatory discipline, enrolment was voluntary, free, open to all interested persons with no previous requirements of background. The discipline discussed pre-established subjects, such as: sovereignty, recognition of states, colonialism, Humanitarian Law, Human Rights, among others.

GTS is conducted once a week, within a total of fifteen weeks, and each session lasts four hours. Due to the social restrictions of COVID-19, these sessions were divided in two: diachronic classes (one hour and a half), with previously recorded lectures, and synchronic classes (two hours and a half), in which all participants (professor, two assistants and students) accessed at the same time the virtual room to engage in active learning activities. Theoretical texts were previously assigned for each synchronic class. During the meeting in the virtual room, students could raise questions concerning the podcasts and the theoretical texts. After that, selected artworks were presented for the first time to the students. They had limited time to see, watch, read or listen to the artwork and, minutes later, they discussed possible relations between the artworks and the topics and texts assigned for that specific class.

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meetings were synchronic classes in virtual classrooms. Artworks were the central element of the entire course, and participants knew in advance which artwork would be discussed. They were encouraged to learn autonomously about the artwork before each class and to bring their own contributions and experiences for each meeting. The main purpose was to compare their preliminary individual impressions, as they had different backgrounds — Communications, Dance, Engineering, Information Technology, Law, Music (classical piano, orchestra conducting), Pedagogy, Veterinary Medicine. After this, the professor and his assistant engaged in specialized discussions in international law associated with the selected artworks.

The personal notes registered the following aspects: (i) for GTS, (a) if participants knew previously the selected artwork or the selected artist, and, (b) if yes, which information they were able to share with others; (ii) for CtA I and CtA II, (a) if participants knew previously the selected artwork or the selected artist, (b) if not, if they looked for pertinent information before the class to share with the colleagues, (c) if yes, which information they were able to share with others. In all disciplines, the next step consisted in (iii) hearing randomly the individual interpretations constructed by each student, and (iv) opening the possibility for students to discuss collectively their impressions and to connect them with the topic assigned for each class.

Finally, two methodological remarks are required to make clear the limits and possibilities concerning the use of participant observation in this study.

First, in any of the three disciplines, no reward mechanism or grades were foreseen for engaging in the debates about the artworks. CtA I and CtA II were offered within a broad extension program of the University with the social purpose of getting elderly people closer to the University and to recent research outcomes. The evaluation of participants, thus, did not make sense within the broad scope of this extension program –attendance to at least 85% of classes was the only requirement for approval. By its turn, GTS is a mandatory discipline in the undergraduate program — and, for this reason, the assessment of participants is formally required for approval. However, considering that the discipline was offered during the second semester of the social restrictions related to COVID-19, students were not evaluated for the interpretation of artworks during the classes. Given the uncertainty of the entire social situation, not evaluating students after their participation was a conscious choice to preserve their mental health from unnecessary anxiety.





The absence of a reward system might have had an impact on the number of students taking part in the discussions, as the opposite choice could have encouraged more students to share their perceptions with others, introduce alternative perspectives, and lead the debate to other paths. It is not possible, in the limits of this text, to address thoroughly the many interesting developments of this argument. However, the choice of not evaluating active participation enabled the emergence of unexpected outcomes in the three disciplines — whose positive aspects for the participants surpassed a utilitarian interest of being rewarded or approved in the discipline.

Indeed, freeing the participants from the burden of participation for grading-purposes seems to have helped the experience of building an alternative educational paradigm through Arts. For instance, some participants affirmed by email that, besides softening theoretical discussions, debates about artworks in remote classes (“and even with cameras not on!”) helped them to interact with each other and to create emotional bonds with the colleagues and the University.

Second, the spontaneous reactions of the students might have been impaired by the absence of a horizontal position between the actors involved. As one of the students declared in an email, at first, “to be quite honest, [...] I was super nervous when you asked to ‘develop further [the argument]’”. As an authority responsible for the classroom — that is, for organizing and leading interactions, evaluating students, the professor does not exercise a role on equal footing. Thus, the presence of the professor might have impacted on the reactions of the students.

It is not possible to deal, within the limits of this text, with the several implications of this question. However, it is important to remember three things. First, the unequal condition between professors and students in classrooms is unavoidable, even in educational experiences imbued with critical pedagogy based on horizontal relations between them (hooks 2017; Rodriguez 2005). Second, in the three disciplines, the professor was not the only actor responsible for organizing the classroom and to interact with the students: there were undergraduate students who, as official assistants for the discipline, engaged actively in the debates — either selecting artworks, or presenting them to the students, or even participating in the discussions with alternative interpretations or with compliments to commentaries of the students — they were there as actors capable of temporarily mediating unequal positions during the classes. Third, the absence of a reward system might have also played a role in softening the





burden of the interactions and creating an educational environment more open for spontaneous reactions. Thus, the interactions registered and analysed for this study were precisely the ones which could have been possible in any classroom environment — even in those seeking horizontal relations, as the authority of the professor is an inevitable condition in every classroom.

One situation related to the authority of the professor is worth mentioning. In CtA disciplines, the difference between the ages of all actors — the professor, under 40 years, the assistant, under 25 years, and the participants, over 60 years — seems to have reduced some of the authority-related assumptions concerning the role of professor. In one class, there was an emotional discussion about a largely disputed and sensitive topic in international law among the participants — regardless of continuous interventions from the professor to cool down the debates. However, right after this class, the participants who were more emotive sent spontaneous messages apologizing for their misbehaviour — maybe still recognizing a vestige of authority in the professor. A similar situation did not occur during GTS classes.

## A Latin American Painter with Latin American Agendas

### ▮ Lifetime and Trajectories

Oswaldo Guayasamín (1919-1999) authored artworks which denounced the history of marginalized peoples. In his last interview in 1999, he declared that “[my inspiration] is the injustice, the evil against man is what has permanently moved me”<sup>7</sup> (Guayasamín *apud* Hernández 1999, 164, our translation). His focus was to show the pain and despair of society — especially of vulnerable peoples, being his works of paramount importance to understand Latin American context in the twentieth century (Cuvi 2013; Gaard 2019).

Andean peoples had no place in the narratives of power. Their political, economic, social, and cultural ways of life were constantly despised by national and international entities—not only in Ecuador (Gaard 2019), but in most parts of Latin America, even after political emancipation (Giannattasio 2021a). As one of the main representatives of social realism, Oswaldo Guayasamín

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<sup>7</sup> “[Mi fuente de inspiración e]s la injusticia, la maldad contra el hombre lo que me tiene conmovido permanentemente” (Guayasamín *apud* Hernández 1999, 164)





addressed the real conditions of the working class for two reasons: to denounce underlying socio-political structures in Latin American societies (Cuvi 2013), and to criticize liberal and conservative sectors who ruled Ecuador and Latin America during the second half of the twentieth century (Buitrón 2008, 20).

Born on 6 July 1919 in Quito (Ecuador), Oswaldo Guayasamín was the eldest son of José Miguel Guayasamín Corredores and Dolores Calero Moncayo, who had 10 children. His father was a private chauffeur and his mother held household activities and sold homemade candies (Lara 2008). Oswaldo Guayasamín identified himself as a mestizo, as his father was of Kichwa origin (Cuvi 2013). Poverty and racial prejudice created hard conditions for his family during childhood and adolescence (Oña 2013) — and, for this, he also helped household expenses by drawing and selling caricatures of teachers and classmates (Brümmer 2000).

At the age of 13, the painter witnessed the 1932 Ecuadorian Civil War. After the 1929 stock market crash in New York, Ecuador suffered a decline in exports, creating a backlog of raw materials. The then Ecuadorian president Isidro Ayora resigned and Neptalí Bonifaz was nominated as the new president after democratic elections, but was not able to take office due to a blockade by the liberal-headed national congress. After armed conflicts in several cities of Ecuador, landowners and bourgeois got back to power (Mora 2008).

This internal political conflict was crucial for Oswaldo Guayasamín, as he witnessed disputes and violence in his own city — friends and acquaintances were killed and piled up on the sidewalks of Quito (Brümmer 2000). He entered the *Escuela de Bellas Artes* at that time and, after taking part in student movements and militating with organised workers, Marxism and other leftist ideologies influenced his political perspectives. This eventually led him to be expelled for two times, but he was later reinstated after changes in the institution management (Brümmer 2000) and due the recognition of his artistic capabilities (Oña 2013).

Oswaldo Guayasamín progressively distanced himself from traditional academic art and adopted modernist and expressionist approaches: to “reach large public” and “to communicate historical and political subjects”, it was necessary “the use of clear, strong chromatic contrasts and delineated profiles, an effective, high-impact composition” (Cuvi 2013, 19). Mexican muralism was one of his major inspirations: derived from the Mexican Revolution (1910-1920), it aimed to portray Mexican reality, social struggles, and other aspects of Mexican history (Buitrón 2008) — “elements which had all been present [...] in the innovative billboards of the Russian Revolution, later prolonged by the Cuban Revolution” (Cuvi 2013, 19).





His artworks have also other three influences. First, the history of Latin American indigenous peoples and their oppression, in order to dignify them, to value their practices, beliefs and history, and to make explicit how ethnocentrism and colonialism affected identity in Latin America and implied several social exclusions (Cuvi 2013; Gaard 2019). Second, the Cuban Revolution (1953-1959), which reinforced anti-imperialist sentiment in Latin America and the fortification of indigenous communities against ethnocentric approaches of neoliberal initiatives. Third, the rejection of *coups d'état* in Latin America, usually backed by the US under the pretext of preventing the spread of communism in the continent (Mora 2008).

### **Latin American Motifs in El Toro y el Cóndor**

*El Tóro y el Cóndor* (1998) is an image represented on an acrylic mural (600 x 1200 cm) at the main hall of the lower level of the *Capilla del Hombre*. This is the largest mural of the entire building and is based on a first sketch oil painting produced in 1952.

In a blue-black background, a fierce struggle between two animals (a bull and a condor) is depicted (Cuvi 2013). While representing a local ritual of some Peruvian communities (*Yawar Fiesta*), the image also indicates the struggle between European colonialism and Latin American peoples. By depicting a violent struggle between an exotic animal brought to Latin America by Spaniards during colonial times (the bull) and the typical animal associated to the Andes (the condor), the mural can be interpreted as “two forces that collide, violently and desperately, in the heart of the mestizo” (Cuvi 2013, 77). This interpretation is reinforced *in situ* due to other artworks displayed in the same main hall.

The artworks in this part of the *Capilla* present to the visitors the symbols of Pre-Columbian American civilizations and their silent and marginalized influence on the social foundations of Latin American peoples (Cuvi 2013). Such curatorship choice denounces that the immaterial rejection of these local traditions by the mestizos led also to the material exclusion of indigenous descendants: the outcome of such violent encounter is a permanent oscillation between *ira* (anger) and *ternura* (tenderness) — each one represented on side rooms at the lower level (Descalzo 2013).

This additional information helps to understand the images and themes presented in two other artworks with which *El Tóro y el Cóndor* establishes a direct dialogue: *Lágrimas de Sangre* (Tears of Blood) and *Ríos de Sangre* (Rivers





of Blood). Located at the side room dedicated to the *ira*, these two paintings emphasize the local social consequences of international interventions and *coups d'état* in favour of dictatorships in Latin America and, by doing this, they “loudly call attention so that people [...] become aware of the horrors of war, the ignominy of misery, the rottenness of exploitation and abuse” (Oña 2013, 134).

*Lágrimas de Sangre* (1973) is in an oil on canvas painting (220 x 110 cm). In a black background, a person's head is depicted. While the mouth is shut by his/her own hands, his/her petrified/petrifying eyes stare horrified to the spectator and cry a red liquid (blood). In the bottom right corner, besides Oswaldo Guayasamín's signature, there are two inscriptions: *Homenaje a Salvador Allende, Pablo Neruda, Victor Jara* (Tribute to Salvador Allende, Pablo Neruda, Victor Jara) and *Nosotros los pueblos* (We, the peoples).

The image is a direct reference to the *coup d'état* led in 1973 by Augusto Pinochet in Chile, which culminated with: the violent assault on Chile's Presidential Palace (*La Moneda*), the murder of President Salvador Allende (a democratically elected socialist), and the persecution of political opposition by Chilean dictatorship — such as the singer Victor Jara, murdered the day after Pinochet's authoritarian regime took office. In the same year, Chilean poet Pablo Neruda also died in controversial conditions (Cuvi 2013; Oña 2013). But there is more: the fall of Chilean democracy also represented the suffering of Chilean peoples and of all Latin Americans under military dictatorial regimes at that time. Thus, it also represented ultimately the death of democratic regimes in the whole continent — an issue thematized by the other painting in the same side room: *Ríos de Sangre* (1976) (Oña 2013).

In a triptych oil on canvas painting (137 x 187 cm each), *Ríos de Sangre* (1976) presents in a crimson background three twisting upper parts of skeletal human torsos. The open black eyes and mouths in hairless and genderless human heads and bodies present signs of human desperation towards horrifying red (blood) surroundings. This artwork is a direct protest: it criticizes the suffering of people from Brazil, Chile and Uruguay, whose dictatorships persecuted leftist opponents by torture, forced disappearance, and extrajudicial murder. As some authors put, ‘we see — and almost feel and hear — those who are being martyred’ (Cuvi 2013, 106).

By denouncing violence and crimes throughout the twentieth century in Latin America — foreign interventions, wars, genocides, dictatorships, and torture (Cuvi 2013), Oswaldo Guayasamín's artworks provide a fruitful material





for teaching international law and international relations in Latin America. This will be discussed in the following section, based on three concrete experiences.

## Challenges and Possibilities for Critical Local Pedagogy in International Legal Studies

### El Toro y el Cóndor in the Undergraduate Discipline

*El Toro y el Cóndor* (1998) was the very first artwork presented to the GTS class. Before the discussion concerning the artwork itself, Oswaldo Guayasamín's lifetime and personal and professional trajectories were duly presented. This was crucial for at least two reasons: first, to give time for students to prepare before the discussion. As it was their first experience in using Arts to study academic topics, they felt anxious to learn via such 'unusual' initiative — as a student emphasized in a separate email; and second, the professor assumed that the painter and his artworks were not familiar to the students. This assumption turned out to be correct<sup>8</sup>. This tried to reduce their initial anxiety of 'not knowing what to say'.

After this initial step, they were invited to discuss possible meanings concerning the artwork. Even though they were hesitant to 'say something wrong', they started by discussing the violence of the scene — the struggle between the bull and the condor and the terrified eyes of the bull before the condor's attack. The class was held remotely and one of them randomly looked for additional information on the internet and shared it with the others. They finally reached a consensus that the animals were broad references to the struggle between Europe (bull) and Latin America (condor) in colonial times.

This first conclusion seemed to have led the discussion to an end. The political emancipation of Latin American countries could be understood as the end of such struggle — the final victory of Latin America (condor) over Europe (bull). All students agreed with the initial interpretation that — as one of them pointed out during the class — 'the sacred character of the condor [for the Andean peoples] and of their traditions were being represented and dignified in the artwork'.

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<sup>8</sup> It is not the place to discuss the reasons for such unfamiliarity: whether from their individual conditions (youth, regional residence or geographical origins in Brazil), or from a broader structural condition (Brazilian usual self-exclusion from Latin American culture).





But the professor and the assistants asked the students to go further. By introducing issues related to the contemporary history of Latin America before and during the Cold War, they were then motivated to deepen their comprehension about the painting. The idea was to present the argument that “the struggle was not yet over”: the subversion of the colonial system did not lead the fight to an end between both cultural traditions represented in the artwork.

Bearing in mind the specific purposes of the discipline, the discussion was led to conclude that such struggle reached our own lifetime. The proposed argument was that the depicted struggle was not merely a representation of a material neo-colonial relationship of European countries over their former colonies in Latin America within a persistent economic and political dependence (Cardoso and Faletto 1975). Rather, it was argued that this struggle continued in a more subtle way: the symbolic contest for the cognitive categories to ‘create reality’ (Giannattasio 2018; Onuma 2016) — that is, to name, understand, speak about, and conduct the world (Bourdieu 1989; Bourdieu 2004).

In this sense, the mural was understood as the representation of a continuous contest between European political organisation (‘state-like societies’) — and its state-based international legal system — and the diversity of Pre-Columbian local political organisations (‘against-state societies’) — with distinct legal frameworks for international relations (Clastres 2003; Clastres 2004; Lévi-Strauss 1942). The artwork could thus be associated to a different continuous interplay between both animals: the persistence of a cognitive dependence of Latin America towards European legacy due to a permanent automatic adherence to traditional foundations of the GTS itself and to a state-based international law (Giannattasio 2021a).

To sustain this interpretation, students were reminded that, even though the colonial system was rejected, Latin American elites adopted the same political organisation patterns originated in Europe (Obregón 2006). By refusing alternative local organisational standards (Giannattasio 2021a) and by striving in international arena for legal and political recognition as equals by European powers (Lorca 2014), local elites were responsible for progressively sowing in Latin America the seeds of European civilizational patterns.

*El Toro y el Cóndor* (1998) was presented in the very first class for critical pedagogical purposes: to raise an alert that, first, state political organisation is not a historical necessity; second, the origins of state and its theoretical framework can be associated to European political disputes; and, third, Latin American states were a by-product of a cognitive dependence established by local elites towards





European legacy — which undermined and still undermines the flourishing of local political organisation standards. Finally, the mural was proposed to be kept as permanent alert for the whole semester that, as GTS is a Eurocentric discipline, teaching it in a traditional way in Latin America is a continuous attempt of taming the cognitive standards of future local generations within European political standards. That is, it was an opportunity to make students aware that the classroom and their own mindset were spaces within which political and cognitive struggles between the bull and the condor were still taking place.

## El Toro y el Cóndor in Extension Disciplines

*El Toro y el Cóndor* (1998) was also discussed in the first classes of both extension disciplines. The audiences had the opportunity to enjoy the artwork before the class and were instructed to freely research information about the mural and the painter previously. The idea was to give them conditions to share their own research outcomes, impressions, and experiences.

Differently from what occurred with undergraduate students, some of the elderly already knew Oswaldo Guayasamín's artworks. While some of them had contact with paintings exhibited in Brazil (FBISP 1989) or abroad, others remembered that one of his paintings — *Madre y Niño* (Mother and Son) — is located since 1992 in São Paulo (Brazil) at the ancient headquarters of the Latin American Parliament (Oña 2013). Only one of the participants got in touch with his artworks in a recent travel to Ecuador. But not all of them knew beforehand *El Toro y el Cóndor* (1998).

The contrast of colours in the image caught the attention of the participants. It was clear that the painter represented the physical domination of the bull by the condor: a retired piano teacher argued that, focusing on the birds' 'hands', one could immediately perceive the strong domination of the condor over the bull due to the ferocious and tenacious depiction of the condor's claws; a veterinarian remembered that condor feeds only on carcasses and, for this reason, the depicted bull could only be already dead to entice the condor; for him, the bull represented a decaying strong tradition, while the condor represented a living tradition striving to nourish from the other within a structure of its own; and a retired ballet dancer, focusing on the condor's wings (a grey right-wing and a white left-wing), associated them to the struggle between swans in traditional repertoire ballets.





The enthusiasm of the participant who had already visited the *Capilla* touched everyone in CtA I. During his emotional presentation, he shared pictures he took to sustain his arguments and to illustrate the spatial location of the mural inside the building. Even though in CtA II no participant visited before the *Capilla*, two of them also described with passion their previous relations with other artworks authored by Oswaldo Guayasamín.

These three participants were accidental factors which stimulated the others to look for additional aspects in every artwork until the end of the semester. Since this first class, the professor received emails from the participants declaring progressive enthusiasm and engagement for the course: ‘It surpassed my expectations [...] and corresponds with the best that the University can provide in every way [including the serious inclusion of the elderly]’. Participants from both disciplines declared that, since this first class, they were eager to discuss the topics and Oswaldo Guayasamín’s artworks with their family: partners, siblings, (adult) children and even grandchildren.

Be as it may, in the first class of both disciplines, after the personal contributions the audience discussed themes related to imperialism and political and cultural domination in Latin America-Europe relations. In CtA I, this analytical key was promptly raised by two participants (a pedagogy professor and a cultural consultant), while in CtA II, it was raised by a specialist in Information Technology. Consensus was that it was a clear depiction of the struggle between indigenous populations in the Andes and the Spanish colonizers until the end of the eighteenth century—not only in terms of force and territorial domination, but also a cultural opposition.

After this first conclusion, the next step was to gather the information and relate it to the main topic of the class: criticize the historical foundations of international law from a local perspective. The professor asked from participants who held a bachelor’s degree in law to share with the others what they remembered from their apprenticeship of international law during their own undergraduate studies. Such an invitation was based on a conscious strategy. First, it would probably disclose (as it really did in CtA II) a particular feature of Brazilian undergraduate law courses during the time that generation presumably attended Law School (probably between 1970s and 1980s). Second, it would be a fruitful departing point to compare their own representation of international law with the representation of this field held by those not graduated in law.





There were three participants who held a law degree: one in CtA I and two in CtA II. In both disciplines, only one lawyer studied international law in their regular law studies: in CtA II, the other lawyer did not attend international law classes. This is indeed a particular feature of Brazil during the time that generation attended Law Schools: from 1972 to 1994, international law was not a mandatory discipline, as Brazilian dictatorial regime (1964-1988) decided to keep at distance ‘subversive discourses’ related to political freedom, Democracy and Human Rights (Casella 2012).

Participants without legal background were astonished by the fact that an entire generation of lawyers was deprived of international legal background. Commentaries related to the social and economic consequences of this gap in legal formation were raised — but the professor asked them to keep such dissatisfaction for next classes: there was still a final step in this discussion.

The basic description of international law from the participants with a legal background was more or less: ‘rules responsible for regulating the relations established among states to achieve Peace’. It is not the place to discuss the accuracy or the limits of this description *vis-à-vis* contemporary changes of international law. The focus here is to understand the underlying representation beneath this description and the personal and collective reactions of the audiences after its enunciation.

In both classes the prompt reaction was that such description was to some extent naïve and ‘did not fit reality’. The main argument was that this common sense towards international law was unable to deal with the historical experiences and social criticisms raised after discussing *El Toro y el Cóndor* (1998). Participants without legal formation were surprised by the fact that their personal and professional trajectories enabled them to perceive, understand and discuss some of the limits with which traditional international law studies were not capable to deal. Participants who held a law degree were unable to justify, from their own legal background, the reasons why international law was not presented to them as something capable to deal with such criticisms. However, all participants agreed with the idea that this problem was one of the various enduring detrimental consequences derived from Brazilian dictatorship’s decision to ban international law from regular *curricula*.

Without denying the relevance of these conclusions, the debate was then driven back to Oswaldo Guayasamín’s mural and to the main purpose of the class: to understand the historical foundations of international law in accordance





with a critical local perspective. It was argued then that the problem was not only the political decision of the Brazilian dictatorship on teaching or not the discipline, but also the political foundations of international law itself.

As argued with both audiences, if one regards the history of colonialism of European countries towards Latin America (Eslava, Obregón and Urueña 2016), Africa and Asia (Onuma 2016) within the context of the so-called European overseas expansion, international law operated as a tool to establish legal foundations to authorise and to legitimate the political and economic domination of European countries over these territories and their respective indigenous populations. Such expansion occurred by an explicit disregard of local legal and political structures and dynamics (Alexandrowicz 2017; Giannattasio 2021a) and by a permanent legal justification to use force against them (Onuma 2016). It was then argued that the common legal discourse about international law was not capable to deal with the criticisms because — honestly — international law was not designed for non-European political organisations. Being regarded as ‘faithless, lawless, and kingless’ (Clastres 2003), they could not invoke the protection of European international law against European colonizers (Onuma 2016) — and even after that, during the discussions concerning the protection of indigenous peoples at the League of Nations (Giannattasio 2021a).

The violent struggle between the bull and the condor in the mural is a material representation of a critical combat against Westerncentric foundations of international relations: the illusion of the universal character of international law flourishes only in environments in which local memories of exploitation and domination are erased. *El Toro y el Cóndor* (1998) is then a persuasive image capable to perform, not only a permanent remembrance of the violent occupation of Latin American territories by European countries, but also a continuous alert not to fall in the ingenuous trap of the universal and peaceful discourses of international law, and to always remember the local consequences of these discourses for Latin America.

But there is more. The enduring detrimental consequences of the political decision to exclude international law as a mandatory discipline in Brazilian Law Schools from 1972 onwards (Casella 2012) introduces an additional layer of interpretation: the struggle between the bull and the condor cannot be associated only to the violent encounter between Latin American indigenous people and European colonizers. Indeed, while the condor is traditionally associated to indigenous peoples, it also meant different US political and economic strategies





during the Cold War towards Latin American countries. In order to ensure that no Latin American government would adopt an official left-oriented policy (Braga 2014; Loureiro 2014), the US established alliances with national conservative elites, who claimed for themselves national symbols (such as the condor) to gather a sense of national unity (Chimni 2006; Lorca 2016). This was not different in Brazilian history at that time, as national conservative elites mobilised national and international legal symbols and systems to preserve their national hegemonic position by keeping away leftist or popular claims (Giannattasio 2021b).

In this sense, *El Toro y el Cóndor* represented something more than the fight between Latin America and Europe since colonial times. As the retired ballet dancer suggested in the beginning of the class, by focusing strictly on the gradient grey-white in the wings of the bird, the mural would depict the inner struggle within the condor itself (Latin America) to define which part of the domestic politics would attack, digest and absorb the bull (European legacy): the conservative elites — who claimed national identities in a dependent relationship with the US, or local exploited and excluded populations — indigenous people, slave descendants, among others.

## Conclusion

There are manifold positive pedagogical consequences of using Arts to teach international law. By analysing the use of artworks authored by Latin American painter Oswaldo Guayasamín at a Brazilian University, participants shared cultural repertoires and common political memories which enabled them to construct critical local interpretations of the artwork. The possibility to understand the foundational elements of the field within an alternative approach was not hindered by the differences of the audience in terms of age, previous background formation and geographical origins or residence in Brazil.

Oswaldo Guayasamín authored artworks bearing in mind challenges faced by Latin American countries. Even though these countries achieved political emancipation during nineteenth century, these former European colonies are still influenced by external agenda: social and political tensions derived from the exclusion of local indigenous communities, and the elitist preference for European mindset. *El Toro y el Cóndor* can be identified thus as an aesthetic protest against the persistence of a colonial legacy in Latin America in the twentieth century.





Using the mural to teach international law can be useful to develop alternative/third world approaches to the field. More than ‘just another testimony’ of international interventions in Latin America during the twentieth century, this artwork can be articulated with bolder pedagogical proposals: it represents an opportunity to discuss and to unveil the limits of the cognitive framework which is still responsible — here and now — for the basic structure of contemporary international law.

A local critical pedagogy is then capable of inviting different generations to think anew the foundations of international law itself and to reject a colonized and tamed mindset towards their own lives. Teaching international law through Arts can be regarded as a conscious pedagogical choice for transformative individual and collective capabilities. And resorting to Oswaldo Guayasamín’s artworks might be a provocative and fruitful starting point, as “[after entering] his paintings, [...] it will not be easy to come back”<sup>9</sup> (Neruda *apud* FBISP 1989, 141, our translation).

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9 “[depois] de ingressar em sua pintura, [...] não será fácil regressar” (Neruda *apud* FBISP 1989, 141)





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