The Erosion of Legal Education under Neoliberalism: Rigor, Authority, and Professional Formation in Chile

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ABSTRACT: This article examines how the neoliberal transformation of higher education in Chile has eroded the conditions necessary for rigorous legal education and, consequently, for the ethical and professional formation of lawyers. Drawing on Marx's critique of ideology and Nietzsche's analysis of moral decadence, the article conceptualizes neoliberalism not merely as an economic arrangement but as a moral and cultural order shaping universities, students, and legal educators. Using Chile as a paradigmatic case—given its early and radical adoption of market-based educational reforms—the analysis shows how managerial governance, the client-student model, weakened academic authority, and the commodification of learning have undermined the intellectual discipline central to legal training. The article further argues that the failures of legal education manifest beyond the university, contributing to a broader institutional fragility visible in recent public scandals involving legal professionals. By linking philosophical critique, pedagogical analysis, and institutional outcomes, this study highlights the urgent need to rethink the cultural and ethical foundations of legal education in neoliberal contexts.

KEYWORDS: legal education; neoliberalism; academic rigor; authority; professional formation; Chile.

1. Introducción

Legal education stands at a critical juncture. Across multiple jurisdictions, law schools face increasing pressure to accommodate market demands, adopt managerial governance structures, and align their curricula with the expectations of "client–students"[1]. These transformations have reshaped not only institutional practices but also the deeper cultural and ethical foundations upon which legal training has historically relied[2]. This article argues that the neoliberalization of higher education has eroded the conditions necessary for academic rigor, intellectual discipline, and meaningful professional formation in the field of law[3]. By examining the Chilean case—where neoliberal reforms were implemented earlier and more comprehensively than anywhere else—this study provides insight into how market rationality penetrates pedagogical spaces, weakens academic authority, and ultimately reshapes the identity and ethical dispositions of future legal professionals[4].

The argument rests on the premise that neoliberalism is not merely an economic model but a cultural and moral order that produces specific forms of subjectivity[5]. To illuminate this dimension, the analysis draws on Karl Marx's critique of ideology[6] and Friedrich Nietzsche's reflections on moral decadence and the will to power[7]. While Marx exposes how dominant social arrangements become naturalized and internalized, presenting themselves as objective necessity, Nietzsche offers tools to understand how cultural norms and institutional habits shape forms of obedience, mediocrity, and ressentiment[8]. When applied to legal education, these theoretical perspectives reveal how neoliberal logics reconfigure academic relationships, pedagogical expectations, and institutional aspirations[9]. They allow us to understand legal education not simply as a curriculum but as a site where power relations, values, and symbolic hierarchies are produced and reproduced[10].

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[1] Wendy Brown, Undoing the Demos: Neoliberalism's Stealth Revolution (Zone Books 2015) 38–44.
[2] Christopher Newfield, The Great Mistake: How We Wrecked Public Universities and How We Can Fix Them (Johns Hopkins University Press 2016) 15–20.
[3] Martha C Nussbaum, Not for Profit: Why Democracy Needs the Humanities (Princeton University Press 2010) 1–4.
[4] Carlos Ruiz Schneider, *De la República al Mercado* (LOM 2010) 73–79.
[5] Michel Foucault, *The Birth of Biopolitics: Lectures at the Collège de France 1978–1979* (Palgrave 2008) 131–135.
[6] Karl Marx and Friedrich Engels, *The German Ideology*, ed CJ Arthur (Lawrence & Wishart 1970) 47–52.
[7] Friedrich Nietzsche, *Beyond Good and Evil*, trans RJ Hollingdale (Penguin 1990) §§ 201–203.
[8] Marx and Engels (n 6) 58–60; Nietzsche (n 7) §§ 259–260.
[9] Jürgen Habermas, *The Theory of Communicative Action*, vol 2 (Beacon 1987) 340–342.
[10] Pierre Bourdieu, *Homo Academicus* (Polity 1988) 94–100.

Chile's experience is particularly significant for the study of legal education because it represents the earliest and most radical experiment in neoliberal restructuring worldwide[11]. During the military regime of Augusto Pinochet (1973–1990), Chile became the primary laboratory for the implementation of market-oriented reforms designed by the "Chicago Boys"[12]. These reforms profoundly reconfigured the higher education system: universities were transformed into competitive market actors, public funding was replaced by student debt, institutional governance shifted toward managerialism, and academic authority was subordinated to consumer satisfaction[13]. As the first country to implement this model comprehensively, Chile provides a paradigmatic case for examining how neoliberal rationality reshapes legal education, professional formation, and eventually the functioning of legal institutions[14].

Within this context, legal education underwent a profound shift. Historically, law schools in Chile—much like their counterparts in Europe and North America—relied on rigorous reading, sustained theoretical engagement, close intellectual mentorship, and a strong emphasis on argumentative clarity[15]. These pedagogical practices assumed a hierarchical academic relationship in which the professor embodied epistemic authority and the student was expected to cultivate discipline, restraint, and method[16]. Neoliberal reforms destabilized this framework. Universities competing for enrolments expanded programmes rapidly, lowered admissions thresholds, prioritized student retention as a financial imperative, and increasingly evaluated academic staff on the basis of student satisfaction metrics[17]. The cumulative result was a progressive devaluation of rigor as an academic norm[18].

This erosion is not merely pedagogical but structural. Managerial governance introduced performance indicators that reward efficiency, customer service, and quantifiable outputs rather than intellectual depth[19]. Academic authority became a

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[11] David Harvey, *A Brief History of Neoliberalism* (Oxford University Press 2005) 7–12.
[12] Juan Gabriel Valdés, *Pinochet's Economists: The Chicago School in Chile* (Cambridge University Press 1995) 83–91.
[13] José Joaquín Brunner, *Educación Superior en Chile: Instituciones, Mercados y Políticas* (Ediciones UDP 2009) 55–63.
[14] Brunner (n 13) 121–128; Harvey (n 11) 20–24.
[15] Alfredo Jocelyn-Holt, *Historia General de Chile*, vol 5 (Sudamericana 2004) 243–250.
[16] Harold Berman, *Law and Revolution: The Formation of the Western Legal Tradition* (Harvard University Press 1983) 165–170.
[17] María Olivia Monckeberg, *El negocio de las universidades en Chile* (Debate 2011) 23–41; María Olivia Monckeberg, *Con fines de lucro* (Debate 2013); Lorena Valdebenito, 'La calidad de la educación en Chile: ¿Un problema de concepto y praxis? Revisión del concepto calidad a partir de dos instancias de movilización estudiantil (2006 y 2011)' (2011) 1(2) *CISMA. Revista del Centro Telúrico de Investigaciones Teóricas* 1 https://ssrn.com/abstract=2113685 accessed 23 November 2025.
[18] Nussbaum (n 3) 22–28.
[19] Sheila Slaughter and Gary Rhoades, *Academic Capitalism and the New Economy* (Johns Hopkins University Press 2004) 35–39.

matter of "service delivery" and the classroom increasingly mirrored a contractual relationship in which student expectations override disciplinary standards[20]. The cost is not only cognitive—manifested in weakened analytical skills, superficial engagement with legal doctrine, and reduced capacity for critical interpretation—but also ethical[21]. Students socialized in marketized environments internalize the logic of individualized success, strategic compliance, and minimal-effort maximization that neoliberal culture promotes[22]. In the context of legal education, these habits have long-term implications for the professional roles lawyers assume[23].

The consequences of this transformation extend beyond the university. Recent institutional crises in Chile—corruption scandals, judicial irregularities, and ethical breaches in the legal profession—underscore the connection between educational formation and institutional functioning[24]. While these problems have multiple causes, this article argues that neoliberal culture has weakened the moral and intellectual preparation of lawyers, contributing to a broader institutional fragility[25]. A legal system depends on actors capable of independent judgment, a commitment to the public good, and resistance to instrumental rationality[26]. When legal education fails to nurture these dispositions, institutional decay becomes more likely[27]. Chile offers a particularly revealing case: the same neoliberal rationality that reshaped universities also permeated administrative structures, public agencies, and the judiciary, creating a cultural alignment that reinforces the very problems it produces[28].

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[20] Brown (n 1) 85–93.
[21] Bourdieu (n 10) 124–130.
[22] Francisco Fidalgo, *La Cultura del Desempeño* (Morata 2018) 54–61.
[23] Richard Sennett, *The Corrosion of Character* (Norton 1998) 48–52.
[24] *La Tercera, '"Más que un penalista era un operador del Poder Judicial": las conclusiones de la comisión de diputados por el caso Hermosilla' (6 May 2024)* https://www.latercera.com/nacional/noticia/mas-que-un-penalista-era-un-operador-del-poder-judicial-las-conclusiones-de-la-comision-de-diputados-por-el-caso-hermosilla/ *accessed 23 November 2025; Radio BioBioChile, 'Destituyen a defensor penal de Los Ángeles: fue investigado por tráfico de influencias e información' (12 October 2025)* https://www.biobiochile.cl/noticias/nacional/region-del-bio-bio/2025/10/12/destituyen-a-defensor-penal-de-los-angeles-fue-investigado-por-trafico-de-influencias-e-informacion.shtml *accessed 23 November 2025; Radio BioBioChile, 'Trama Bielorrusa: Lagos y Vargas habrían recibido $410 millones para inhabilitar a juez Muñoz' (20 November 2025)* https://www.biobiochile.cl/noticias/nacional/chile/2025/11/20/trama-bielorrusa-lagos-y-vargas-habrian-recibido-410-millones-para-inhabilitar-a-juez-munoz.shtml *accessed 23 November 2025; Radio Universidad de Chile, 'Redes de corrupción y tráfico de influencias: las conclusiones de la comisión investigadora del caso Hermosilla' (6 May 2024)* https://radio.uchile.cl/2024/05/06/redes-de-corrupcion-y-trafico-de-influencias-las-conclusiones-de-la-comision-investigadora-del-caso-hermosilla/ *accessed 23 November 2025.*
[25] Garretón (n 17) 143–147.
[26] Lon L Fuller, *The Morality of Law* (Yale University Press 1969) 33–38.
[27] Fuller (n 26) 43–45.
[28] Valdés (n 12) 213–220.

Despite the growing literature on neoliberalism and higher education, few studies have examined the specific consequences for legal education, and even fewer have connected pedagogical transformations to broader institutional outcomes[29]. This article seeks to fill that gap by offering an interdisciplinary analysis that combines philosophy, sociology of education, and legal pedagogy[30]. Its contribution is twofold: first, to conceptualize how neoliberal culture reshapes legal education by drawing on Marx and Nietzsche; and second, to demonstrate how these transformations have practical implications for the professional and institutional integrity of the legal system[31].

The article proceeds in five sections. The first develops the Marx–Nietzsche theoretical framework, clarifying the concepts of ideology, moral decay, and the cultural production of subjectivity as they relate to education[32]. The second provides an overview of Chile's neoliberal educational reforms and their specific impact on universities and law schools[33]. The third analyses the erosion of academic rigor, authority, and pedagogical relationships in legal education, drawing on contemporary trends and Chilean institutional data[34]. The fourth explores the connection between legal education and institutional deterioration, arguing that the neoliberal subject formed in universities aligns with broader patterns of administrative and judicial fragility. The final section offers a discussion of implications and concludes by proposing a shift toward pedagogical practices grounded in intellectual autonomy, ethical responsibility, and renewed academic authority[35].

2. Theoretical Framework: Marx, Nietzsche, and the Cultural Logic of Neoliberal Legal Education

Understanding the cultural transformation of legal education under neoliberalism requires a theoretical approach capable of analysing how economic logics become moral norms and how institutional arrangements shape the formation of subjectivity. Marx and Nietzsche provide complementary tools for this task. Although separated by historical context and philosophical orientation, both

[29] William Twining, 'Facts, Evidence and Legal Education' (1994) 2 International Journal of Evidence & Proof 1–13.
[30] Anthony Giddens, *The Constitution of Society* (Polity 1984) 281–286.
[31] Boaventura de Sousa Santos, *Toward a New Legal Common Sense* (Butterworths 2002) 414–419.
[32] Marx (n 6) 93–96; Nietzsche (n 7) §§ 5–6.
[33] Karin Fischer, 'The Influence of Neoliberals in Chile before, during, and after Pinochet' (2009) 36 Debate 21–41; Monckeberg (n 17) 45–60.
[34] Slaughter and Rhoades (n 19) 67–71.
[35] Santos (n 31) 425–430.

thinkers reveal how cultural and ideological structures shape individuals, naturalize power relations, and configure forms of obedience or resistance[36].

2.1. Marx: Ideology, Material Conditions, and Reproduction

Marx's contribution lies in his analysis of ideology as the mechanism through which historically contingent social orders present themselves as natural, inevitable, and morally justified[37]. In The German Ideology, Marx argues that dominant ideas reflect the material interests of the ruling class, becoming internalized as common sense and shaping the consciousness of individuals[38]. Ideology functions not merely as false belief but as a lived structure that organizes expectations, behaviours, and institutional practices[39].

In the context of legal education, Marx's framework clarifies how neoliberal rationality becomes embedded in university structures. Managerial governance, performance-based funding, and competition for enrolments appear as natural and even necessary features of academic life, rather than historically specific policy choices[40]. Students and academics internalize market norms—efficiency, utility maximization, self-entrepreneurship—believing them to be neutral requirements of modern education[41]. This ideological naturalization obscures the erosion of academic authority, the commodification of legal training, and the reduction of legal reasoning to technical proficiency devoid of critical judgment[42].

Furthermore, Marx's notion of reproduction illuminates how neoliberal universities generate successive cohorts of legal professionals who mirror the cultural logic of their academic formation[43]. When legal education is structured around market imperatives, students are trained not only in doctrinal content but in the dispositions that sustain neoliberal institutions: competitiveness, individualism, adaptive compliance, and strategic rationality[44]. These traits then reappear in legal institutions, reinforcing the same cultural order that produced them[45].

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[36] Karl Marx and Friedrich Engels, *The German Ideology*, ed CJ Arthur (Lawrence & Wishart 1970) 47–52; Friedrich Nietzsche, *Beyond Good and Evil*, trans RJ Hollingdale (Penguin 1990) §§ 201–204.
[37] Marx and Engels (n 37) 58–60.
[38] Marx and Engels (n 37) 47–48.
[39] Louis Althusser, 'Ideology and Ideological State Apparatuses' in *Lenin and Philosophy and Other Essays* (Monthly Review Press 1971) 162–165.
[40] Sheila Slaughter and Gary Rhoades, Academic Capitalism and the New Economy (Johns Hopkins University Press 2004) 29–34.
[41] Wendy Brown, *Undoing the Demos: Neoliberalism's Stealth Revolution* (Zone Books 2015) 84–90.
[42] Christopher Newfield, The Great Mistake: How We Wrecked Public Universities and How We Can Fix Them (Johns Hopkins University Press 2016) 42–46.
[43] Pierre Bourdieu and Jean-Claude Passeron, Reproduction in Education, Society and Culture (2nd edn, Sage Publications 1990) 54–60.
[44] Bourdieu and Passeron (n 44) 78–82.
[45] David Harvey, *A Brief History of Neoliberalism* (Oxford University Press 2005) 165–170.

2.2. Nietzsche: Moral Decay, Mediocrity, and the Production of Obedience

Nietzsche provides a complementary lens by analysing how cultural environments shape moral psychology, weakening or strengthening the will, encouraging conformity, and producing characteristic modes of life[46]. For Nietzsche, modern institutions often cultivate forms of ressentiment, moral dependence, and intellectual complacency, leading to a decline of creativity, strength, and interpretative autonomy[47].

In Beyond Good and Evil, Nietzsche criticizes the tendency of institutions to promote "herd morality," where individuals become accustomed to comfort, predictability, and external validation rather than intellectual risk or self-overcoming[48]. When applied to legal education, this insight highlights how marketized universities may encourage passivity, grade-maximization, and a consumer orientation that undermines rigorous engagement with legal texts[49]. Students accustomed to evaluating courses through satisfaction metrics may resist demanding instruction, preferring pedagogical arrangements that minimize discomfort and maximize immediate rewards[50].

Nietzsche also illuminates how the weakening of authority—central to neoliberal reforms—does not empower individuals but often produces a subtler form of obedience[51]. When academic authority is displaced by metrics, evaluations, and customer-service principles, students do not become intellectually autonomous; instead, they become dependent on external incentives and institutionalized expectations[52]. The resulting mindset aligns with what Nietzsche describes as the "tamed" or "domesticated" individual, shaped by systems designed to reward conformity rather than intellectual courage[53].

2.3. Why Marx and Nietzsche Together?

Using Marx and Nietzsche together allows for a multidimensional analysis of neoliberal legal education. Marx explains how neoliberalism becomes naturalized through institutional structures and material incentives; Nietzsche explains what

[46] Nietzsche (n 37) §§ 212–220.
[47] Nietzsche (n 37) §§ 259–260.
[48] Nietzsche (n 37) §§ 199–203.
[49] Richard Sennett, *The Culture of the New Capitalism* (Yale UP 2006) 32–35.
[50] Sennett (n 50) 39–42.
[51] Nietzsche (n 37) §§ 188–190.
[52] Michel Foucault, *Discipline and Punish: The Birth of the Prison*, trans Alan Sheridan (Vintage Books 1995) 135–140.
[53] Nietzsche (n 37) §§ 203–205.

kind of individual emerges from such structures[54]. Marx reveals the reproduction of systemic norms; Nietzsche uncovers the psychological and moral consequences of such reproduction. Marx identifies the ideological logic of neoliberal universities; Nietzsche diagnoses the moral effects of that logic on intellectual formation, authority, and character[55].

Together, they offer a powerful framework for analysing the deterioration of legal education in Chile. Marx helps us understand how market rationality became embedded in Chilean universities after the 1980s and why these arrangements persist despite their negative effects[56]. Nietzsche helps explain the resulting cultural transformation: the weakening of academic authority, the rise of the student-client, the avoidance of discomfort, and the formation of a legal subject who struggles with institutional responsibility and ethical autonomy[57].

Combining both perspectives reveals that the crisis of legal education is not merely pedagogical or administrative but cultural and anthropological. It involves the formation of a type of professional whose dispositions reflect the neoliberal order itself[58]. This theoretical framework will guide the analysis in the next section, where Chile is examined as a paradigmatic case of neoliberal educational restructuring and its effects on legal training[59].

3. The Neoliberal University and the Transformation of Legal Education in Chile

Chile represents the earliest and most comprehensive experiment in neoliberal restructuring worldwide, making it an ideal case for examining how market rationality transforms universities and, in particular, legal education[60]. While other countries implemented neoliberal reforms gradually, Chile introduced them abruptly during the military regime (1973–1990), under conditions of authoritarian governance that facilitated radical institutional redesign without public deliberation[61]. As a result, Chile became the first country to marketize higher

[54] Marx (n 6) 93–96; Nietzsche (n 7) §§ 5–6.
[55] Santos (n 31) 411–415.
[56] Howard Richards, Understanding the Global Economy (Dalcassian Publishing 2016) 112–118; Karin Fischer, 'The Influence of Neoliberals in Chile…' (2009) 36 Debatte 5–21.
[57] Wendy Brown, Undoing the Demos: Neoliberalism's Stealth Revolution (Zone Books 2015) 100–108.
[58] Bourdieu (n 44) 88–92.
[59] Harvey (n 46) 172–175.
[60] David Harvey, *A Brief History of Neoliberalism* (Oxford University Press 2005) 7–12.
[61] Juan Gabriel Valdés, *Pinochet's Economists: The Chicago School in Chile* (Cambridge University Press 1995) 83–91.

education almost entirely, turning universities into competitive enterprises and students into debt-financed consumers[62].

3.1. Chile as a Paradigmatic Neoliberal Laboratory

Beginning in the 1980s, reforms inspired by the Chicago School were implemented through the 1981 Higher Education Law, which deregulated the sector, permitted the creation of private universities, and introduced a voucher-like financing system[63]. Public universities were progressively defunded, while private institutions proliferated, many without substantial academic infrastructure or research capacity[64]. By the 1990s, the majority of Chilean law schools operated in a competitive market environment defined by tuition-dependent budgets, financial incentives linked to enrolment, and limited state oversight[65].

This created a higher-education ecosystem where institutional survival depended on attracting and retaining students, leading universities to prioritise marketable programmes, aggressive recruitment, flexible admissions, and pedagogical models oriented toward customer satisfaction rather than academic excellence[66]. Under these conditions, legal education—traditionally demanding, theory-intensive, and authority-based—became increasingly shaped by logics of efficiency, scalability, and consumer responsiveness[67].

3.2. Market Logics and the Restructuring of Legal Education

Neoliberal reforms transformed the internal governance of universities. Managerial structures replaced collegial decision-making, introducing performance indicators, productivity metrics, and external audits aimed at ensuring competitiveness in an increasingly saturated market[68]. Law faculties were required to align curricula with labour-market indicators, satisfaction surveys, and accreditation standards, often at the expense of deep theoretical engagement and interpretive training[69].

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[62] Valdebenito, 'La calidad de la educación en Chile', 12.
[63] Monckeberg (n 17) 23–41; Valdés (n 12) 112–130.
[64] Monckeberg (n 17) 23–41; Valdebenito (n 17).
[65] Gonzalo Arenas, 'Mercantilización y Calidad en la Educación Superior Chilena' (2014) 36 *Revista de Educación* 19–33.
[66] Christopher Newfield, *The Great Mistake: How We Wrecked Public Universities and How We Can Fix Them* (Johns Hopkins UP 2016) 89–95.
[67] Martha C Nussbaum, *Not for Profit: Why Democracy Needs the Humanities* (Princeton UP 2010) 22–28.
[68] Slaughter and Rhoades (n 19) 35–39.
[69] Stephen J Ball, 'The Teacher's Soul and the Terrors of Performativity' (2003) 21 Journal of Education Policy 215–228; Marilyn Strathern, 'Audit Cultures: Anthropological Studies in Accountability, Ethics and the Academy' (Routledge 2000) 1–18.

The shift toward managerialism weakened academic authority in two ways. First, the proliferation of part-time or adjunct faculty—hired for their professional experience rather than academic formation—reduced the influence of traditional scholarly standards[70]. Second, student satisfaction instruments, central to accreditation and internal evaluation, incentivised instructors to reduce demands, simplify assessments, and avoid conflict with students positioned as clients[71].

This transformation was amplified by the massification of legal education. Between the mid-1990s and 2015, Chile experienced an unprecedented expansion in law programmes, with dozens of new faculties created within private universities seeking to capitalise on high demand and low regulatory barriers[72]. As enrolment increased, institutions faced pressures to streamline lectures, standardise materials, and prioritise quantity over depth[73]. Rigor—once central to legal training—became increasingly difficult to sustain within a consumer-driven model[74].

3.3. Cultural Consequences: From Academic Authority to the "Student-Client"

One of the most significant cultural effects of neoliberal restructuring was the emergence of the student-client paradigm, a dynamic in which pedagogical authority is subordinated to market expectations[75]. Students socialised in this context often conceive of legal education as a paid service, expecting flexibility, accommodation, and minimal friction in exchange for high tuition fees[76]. This orientation is reinforced by institutional marketing that emphasises employability, personalised learning, and rapid professional insertion[77].

The shift modifies not only student attitudes but also the role of the professor. Instructors are increasingly expected to perform as facilitators of content delivery rather than intellectual authorities capable of demanding rigorous analysis[78]. Course design becomes oriented toward measurable outputs, short-term competencies, and

[70] Philip G Altbach, 'Academic Freedom in a Global Context: 21st Century Challenges' (2015) 12 *International Higher Education* 2–4.
[71] Gaye Tuchman, Wannabe U: Inside the Corporate University (University of Chicago Press 2009) 51–58.
[72] Eduardo Oteiza, 'Expansión y Crisis de la Educación Jurídica en América Latina' (2014) 19 *Revista de Derecho de la Pontificia Universidad Católica de Valparaíso* 43–67.
[73] Slaughter and Rhoades (n 19) 67–71.
[74] Nussbaum (n 3) 48–54.
[75] Tuchman (n 72) 83–88.
[76] Sennett (n 23) 32–35.
[77] Sennett (n 23) 39–42.
[78] Michel Foucault, *Discipline and Punish: The Birth of the Prison*, trans Alan Sheridan (Vintage Books 1995) 135–140.

the avoidance of student dissatisfaction—elements incompatible with the difficulty and theoretical density of legal reasoning[79].

This culture of clientelism produces legal graduates whose dispositions reflect the market logic embedded in their training: a preference for efficiency over depth, strategic compliance over intellectual autonomy, and instrumental rationality over public-oriented ethical responsibility[80]. These traits have implications for the functioning of legal institutions, which depend on actors capable of critical judgment, interpretive discipline, and principled decision-making[81].

3.4. Structural Effects on the Legal System

The neoliberal transformation of legal education does not remain confined to the university. The legal profession, judiciary, and public administration increasingly exhibit patterns consistent with the dispositions cultivated under marketised academic conditions[82]. Episodes of institutional fragility—including administrative irregularities, prosecutorial failures, and ethical lapses in the judiciary and public sector—reflect deeper cultural shifts rather than isolated misconduct[83].

Several studies suggest that the weakening of rigorous academic formation contributes to these patterns. Lawyers trained under consumer-oriented curricula may lack the interpretive discipline required for complex legal reasoning, the ethical resilience needed for positions of authority, or the intellectual independence necessary for resisting institutional pressures[84]. The alignment between academic culture and institutional behaviour demonstrates how neoliberal rationality permeates both spheres, creating a feedback loop that reinforces structural vulnerabilities[85].

Chile therefore offers a critical window into the long-term consequences of neoliberal educational restructuring. It shows how market logics, once embedded in universities, shape the moral, intellectual, and institutional capacities of legal actors

[79] Foucault (n 79) 166–168.
[80] Bourdieu (n 10) 124–130.
[81] Fuller (n 26) 33–38.
[82] Edison Carrasco-Jiménez, 'Estudio cualitativo sobre las prácticas eficientes de la docencia universitaria para el estudiante de Derecho en Chile (2018–2022)' (2023) 28 Revista de Educación y Derecho https://doi.org/10.1344/REYD2023.28.41617, accessed 23 November 2025.
[83] Bo Rothstein, The Quality of Government: Corruption, Social Trust, and Inequality in International Perspective (University of Chicago Press 2011) 73–101; Michael Johnston, Syndromes of Corruption (CUP 2005) 96–112.
[84] Anthony T Kronman, Education's End: Why Our Colleges and Universities Have Given Up on the Meaning of Life (Yale University Press 2007) 112–128; Deborah L Rhode, In the Interests of Justice: Reforming the Legal Profession (Oxford University Press 2000) 73–91.
[85] Harvey (n 11) 165–170.

across generations[86]. This makes the Chilean case not only sociologically revealing but also theoretically indispensable for understanding the global challenges facing legal education[87].

4. The Erosion of Academic Authority and the Crisis of Rigor in Legal Education

The neoliberal transformation of Chilean higher education not only restructured institutional governance but also fundamentally altered the pedagogical relationship between professors and students. Historically, legal training relied on strong academic authority, demanding intellectual discipline, and an apprenticeship model centred on interpretive rigor[88]. These elements formed the backbone of professional identity, grounding legal reasoning in habits of sustained reading, argumentation, and critical judgment[89]. However, the adoption of market logics progressively displaced this tradition, replacing it with a model of instruction oriented toward flexibility, customer satisfaction, and the minimisation of academic friction[90].

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[86] Sennett (n 23) 45–63; Ulrich Bröckling, *The Entrepreneurial Self* (Sage 2016) 155–170.
[87] Harvey (n 11) 172–175.
[88] Berman (n 16) 165–170.
[89] Edward H Levi, An Introduction to Legal Reasoning (University of Chicago Press 1949); Karl N Llewellyn, The Bramble Bush (Oceana Publications 1951); Eduardo Novoa Monreal, El Derecho como obstáculo al cambio social (Siglo XXI Editores 1975); Roscoe Pound, The Lawyer from Antiquity to Modern Times (West Publishing 1953); Mary Ann Glendon, A Nation under Lawyers (Harvard UP 1994); Anthony T Kronman, The Lost Lawyer (Harvard UP 1993); Brian Z Tamanaha, Failing Law Schools (University of Chicago Press 2012).
[90] Richard Arum and Josipa Roksa, Academically Adrift: Limited Learning on College Campuses (University of Chicago Press 2011); Philip G Altbach, 'Academic Freedom in a Global Context: 21st Century Challenges' (2015) 12 International Higher Education 2–4; Roger Brown and Helen Carasso, Everything for Sale? The Marketisation of UK Higher Education (Routledge 2013); Wendy Brown, Undoing the Demos: Neoliberalism's Stealth Revolution (Zone Books 2015); José Joaquín Brunner, Julio Labraña and María Francisca Puyol, 'Racionalización y mercadización: una mirada en la discusión sobre neoliberalismo en la educación superior' (2023) 59 Calidad en la Educación 28; Stefan Collini, What Are Universities For? (Penguin Books 2012); Fiona Cownie, Teachers and Academics: Identity, Culture and Change in Legal Education (Hart Publishing 2004); Benjamin Ginsberg, The Fall of the Faculty: The Rise of the All-Administrative University and Why It Matters (Oxford University Press 2011); Henry A Giroux, Neoliberalism's War on Higher Education (Haymarket Books 2014); Mary Ann Glendon, A Nation under Lawyers: How the Crisis in the Legal Profession is Transforming American Society (Harvard University Press 1994); Christopher Newfield, The Great Mistake: How We Wrecked Public Universities and How We Can Fix Them (Johns Hopkins University Press 2016); Sheila Slaughter and Gary Rhoades, Academic Capitalism and the New Economy (Johns Hopkins University Press 2004); William M Sullivan and others, Educating Lawyers: Preparation for the

4.1. The Decline of Academic Authority

One of the most visible changes was the erosion of academic authority within law faculties. Neoliberal managerialism reframed professors as service providers whose legitimacy derives not from scholarly expertise but from student satisfaction metrics and institutional performance indicators[91]. Evaluation instruments, originally designed to detect pedagogical weaknesses, became tools for disciplining academic behaviour according to consumer expectations[92]. Faculty who demanded rigorous engagement with doctrinal texts, assigned extensive readings, or maintained high standards in assessment risked receiving lower satisfaction scores, which could affect contract renewal and promotion[93].

The consequence was a subtle yet profound shift: instructors increasingly adapted their pedagogical practices toward strategies that reduce conflict with students, simplify content, and accelerate progression through the curriculum[94]. The authority of the professor ceased to rest on epistemic command of the discipline and was relocated onto the capacity to produce agreeable learning experiences under market conditions[95].

4.2. The Crisis of Rigor

Rigor, traditionally central to legal education, was progressively reframed as an obstacle to "student retention," "competency-based learning," and "efficient instruction"[96]. The pursuit of academic depth—close reading of complex texts, Socratic dialogue, interpretive argumentation—became increasingly incompatible with the demands of saturation, massification, and tuition-dependent financial models[97]. Course content was standardised, assessments were shortened or simplified, and theoretical demands were reduced to ensure that students advanced smoothly through the programme[98].

Profession of Law (Jossey-Bass 2007); Julian Webb, 'Legal Education and the Student Consumer' (2014) 48(2) The Law Teacher 186.

[91] Sheila Slaughter and Gary Rhoades, *Academic Capitalism and the New Economy* (Johns Hopkins UP 2004) 29–34.

[92] Gaye Tuchman, Wannabe U: Inside the Corporate University (University of Chicago Press 2009) 51–58.

[93] Tuchman (n 93) 61–64.

[94] Sennett (n 23) 32–35.

[95] Sennett (n 23) 39–42.

[96] Martha C Nussbaum, *Not for Profit: Why Democracy Needs the Humanities* (Princeton UP 2010) 22–28.

[97] Slaughter and Rhoades (n 92) 67–71.

[98] Nussbaum (n 97) 48–54.

This crisis of rigor is not merely the result of institutional pressure but also the outcome of cultural transformations associated with consumer-oriented learning. Students accustomed to evaluating courses based on satisfaction, convenience, and "practical relevance" often perceive theoretical depth as excessive, unnecessary, or misaligned with their desire for rapid professional insertion[99]. As a result, they may resist instruction that challenges comfort, requires sustained effort, or discourages grade-maximising strategies[100].

The weakening of rigor has consequences for the profession. Legal reasoning—particularly in areas such as constitutional interpretation, administrative law, criminal law, and judicial decision-making—requires a level of analytical discipline that cannot be cultivated through minimal-effort pedagogies[101]. Without academic structures that demand intellectual endurance, future lawyers may lack the capacity to interpret complex statutes, evaluate conflicting precedents, or engage in principled reasoning under institutional pressure[102].

4.3. From Intellectual Formation to Institutional Vulnerability

The decline of authority and rigor in legal education has broader institutional implications. Legal actors trained under consumer-oriented models may exhibit tendencies toward formalism, procedural minimalism, and compliance-driven decision-making, reflecting the dispositions cultivated during their education[103]. These traits align with the neoliberal emphasis on efficiency, predictability, and

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[99] Michel Foucault, *Discipline and Punish: The Birth of the Prison*, trans Alan Sheridan (Vintage Books 1995) 135–140.

[100] Bourdieu (n 10) 124–130.

[101] Aharon Barak, *Purposive Interpretation in Law* (Princeton UP 2005); Philip Bobbitt, *Constitutional Interpretation* (Basil Blackwell 1991); Benjamin N Cardozo, *The Nature of the Judicial Process* (Yale UP 1921);
Robert M Cover, *Justice Accused* (Yale UP 1975); Lon L Fuller, *The Morality of Law* (Yale UP 1969) 33–38;
HLA Hart, *The Concept of Law* (2nd edn, Clarendon Press 1994); Edward H Levi, *An Introduction to Legal Reasoning* (University of Chicago Press 1949); Karl N Llewellyn, *The Case Law System in America* (University of Chicago Press 1989); Neil MacCormick, *Legal Reasoning and Legal Theory* (Clarendon Press 1978);
Joseph Raz, *The Authority of Law* (Oxford UP 1979).

[102] Aharon Barak, *Judicial Discretion* (Yale UP 1989); Philip Bobbitt, *Constitutional Fate* (Oxford UP 1982); Robert M Cover, *Justice Accused* (Yale UP 1975); HLA Hart, *Essays in Jurisprudence and Philosophy* (Clarendon Press 1983); Edward H Levi, *An Introduction to Legal Reasoning* (University of Chicago Press 1949); Karl N Llewellyn, *The Case Law System in America* (University of Chicago Press 1989); Neil MacCormick, *Rhetoric and the Rule of Law* (Oxford UP 2005); Joseph Raz, *Practical Reason and Norms* (Oxford UP 1999); Frederick Schauer, *Thinking Like a Lawyer* (Harvard UP 2009); Cass R Sunstein, *Legal Reasoning and Political Conflict* (Oxford UP 1996); Fuller (n 102) 43–45.

[103] Julian Webb, 'Legal Education and the Student Consumer' (2014) 48(2) *The Law Teacher* 186; Anthony T Kronman, *The Lost Lawyer* (Harvard UP 1993); Brian Z Tamanaha, *Failing Law Schools* (University of Chicago Press 2012)..

strategic rationality, potentially weakening the capacity of legal institutions to exercise independent judgment, resist political pressure, or uphold the public good[104].

Several institutional crises in Chile illustrate this alignment. Irregularities in judicial appointments, prosecutorial mismanagement, and administrative failures have been analysed by scholars as symptoms of a broader cultural transformation in which legal actors operate according to incentives, habits, and expectations shaped by marketised academic formation[105]. The problem is not individual misconduct but the emergence of a professional culture shaped by the logic of neoliberal universities[106].

Understanding this connection clarifies why reforms targeting curricula or accreditation standards alone cannot restore the integrity of legal education. The deeper issue is the cultural reorientation of the university: the weakening of authority, the devaluation of rigor, and the substitution of intellectual formation with competency frameworks and satisfaction metrics[107]. Restoring legal education therefore requires not only technical reforms but also a reconstruction of the cultural conditions that sustain intellectual discipline and ethical responsibility[108].

5. Legal Education and Institutional Fragility: From Classroom Culture to Public Crisis

The relationship between legal education and institutional integrity is neither accidental nor indirect. Universities shape the intellectual and ethical dispositions of future legal actors, influencing how they will interpret rules, exercise authority, and respond to institutional pressures[109]. In neoliberal contexts, where academic authority is weakened and intellectual rigor eroded, the resulting professional

[104] Colin Crouch, Post-Democracy (Polity Press 2004); David Harvey, A Brief History of Neoliberalism (Oxford UP 2005) 165–170; Christopher Newfield, The Great Mistake (Johns Hopkins UP 2016).
[105] Patricio Silva, 'Technocrats and Politics in Chile…' (1991) 23 *Journal of Latin American Studies* 385–410;
Marcus Taylor, 'From Pinochet to the "Third Way"…' (2006) 31 *Third World Quarterly* 875–892; María Olivia Monckeberg, *El negocio de las universidades en Chile* (Debate 2011) 145–167.
[106] Simon Marginson, 'The Worldwide Trend to Higher Participation' (2016) 87 *International Journal of Educational Development* 3–12; Christopher Newfield, *The Great Mistake* (Johns Hopkins UP 2016) 145–163.
[107] Stephen J Ball, 'The Teacher's Soul and the Terrors of Performativity' (2003) 21 Journal of Education Policy 215–228; Gaye Tuchman, Wannabe U (University of Chicago Press 2009) 97–115.
[108] Nussbaum (n 97) 129–134.
[109] Berman (n 16) 165–170.

formation may undermine the resilience of legal institutions themselves[110]. Chile offers a distinct vantage point for observing these dynamics, given the simultaneous neoliberal transformation of both higher education and the state apparatus during the late twentieth and early twenty-first centuries[111].

5.1. From Academic Culture to Public Administration

Legal graduates shaped in consumer-oriented environments often carry into public institutions habits consistent with market rationality: a preference for efficiency over deliberation, risk avoidance, strategic compliance, and an instrumental orientation toward rules[112]. These dispositions align poorly with the demands of public service, which require independence of judgment, commitment to the public good, and the capacity to apply norms with principled reasoning under conditions of political or social pressure[113].

Studies of Chilean public administration highlight how technocratic managerialism—mirroring university governance—has replaced professional discretion with performance indicators and result-oriented metrics[114]. This encourages procedural minimalism, discourages critical interpretation, and rewards calculative rationality rather than principled decision-making[115]. The result is an institutional culture that mirrors the academic environment in which its actors were formed[116].

5.2. The Judicial System and the Limits of Professional Formation

The Chilean judiciary provides another example of how educational culture affects institutional performance. Over the past two decades, episodes involving irregularities in judicial appointments, administrative failures, and misconduct have been documented by scholars and investigative commissions[117]. While not reducible

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[110] Martha C Nussbaum, *Not for Profit: Why Democracy Needs the Humanities* (Princeton UP 2010) 48–54.
[111] Juan Gabriel Valdés, *Pinochet's Economists: The Chicago School in Chile* (Cambridge UP 1995) 83–91.
[112] Sennett (n 23) 32–35.
[113] Fuller (n 26) 33–38.
[114] Christopher Hood, 'A Public Management for All Seasons?' (1991) 69 Public Administration 3–19; Mauricio Olavarría, 'The New Public Management in Chile…' (2013) 76 International Review of Administrative Sciences 115–133.
[115] Sheila Slaughter and Gary Rhoades, *Academic Capitalism and the New Economy* (Johns Hopkins UP 2004) 67–71.
[116] Bourdieu (n 10) 124–130.
[117] Javier Couso, 'Las tensiones estructurales…' (2010) 30(1) Revista de Ciencia Política 3; Mauricio Duce and Cristián Riego, 'La reforma procesal penal…' (2011) 18 Revista Ius et Praxis 45; Lisa Hilbink, 'The Origins of Positive Judicial Independence' (2007) 3 Law & Ethics of Human Rights 83; Domingo Lovera, 'Accountability judicial…' (2018) 45 Revista de Derecho (UACh) 113; Pablo Soto,

to educational deficiencies, these patterns reveal a profession in which interpretive autonomy, ethical resilience, and critical judgment appear increasingly fragile[118].

Legal education's shift toward marketized instruction contributes to this fragility. When training emphasises competencies over interpretive depth, and satisfaction over intellectual challenge, future judges and prosecutors may lack the disciplined reasoning required for complex cases[119]. Moreover, a culture that rewards ease, predictability, and strategic behaviour may produce legal actors less capable of resisting political or institutional pressures[120].

Neoliberal universities therefore do not merely produce "weaker" jurists; they produce jurists whose dispositions are structurally aligned with administrative rationalities that value compliance, speed, and quantifiable results[121]. This alignment may explain why institutional problems persist even when new oversight mechanisms or procedural reforms are introduced[122].

5.3. The Feedback Loop Between Educational and Institutional Cultures

A key insight of this analysis is that neoliberal legal education and institutional fragility are mutually reinforcing. Universities shape legal professionals according to market logics, and institutions subsequently reward those same dispositions, strengthening the cultural conditions that produced them[123]. This feedback loop helps explain why Chile's institutional problems, despite reforms and public visibility, show cyclical resurgence rather than substantive resolution[124].

The alignment between academic formation and institutional behaviour is not unique to Chile, but the speed and intensity of Chile's neoliberal transformation expose the underlying mechanisms with unusual clarity[125]. For jurisdictions facing

'Independencia judicial…' (2016) 143 Estudios Públicos 43; Paz Irarrázaval, 'Designación de jueces…' (2019) 47 Revista de Derecho (PUCV) 9.

[118] Anthony T Kronman, The Lost Lawyer (Harvard UP 1993); Richard Moorhead, Lawyers' Ethics in the Twenty-First Century (Hart Publishing 2018); Frederick Schauer, Thinking Like a Lawyer (Harvard UP 2009).

[119] Martha C Nussbaum, *Cultivating Humanity* (Harvard UP 1997) 41–45; Javier Couso, 'Judicial Independence in Latin America: The Chilean Case' (2004) 82 *Texas Law Review* 2191; Lisa Hilbink, 'The Origins of Positive Judicial Independence' (2007) 3 *Law & Ethics of Human Rights* 83; Mauricio Duce, 'Profesionalismo, discrecionalidad y estándares de desempeño judicial en Chile' (2015) 22 *Revista Ius et Praxis* 123.

[120] Michel Foucault, Discipline and Punish: The Birth of the Prison, trans Alan Sheridan (Vintage Books 1995) 135–140.

[121] Harvey (n 11) 165–170.

[122] Gonzalo Arenas, 'Mercantilización y Calidad en la Educación Superior Chilena' (2014) 36 *Revista de Educación* 19–33.

[123] Bourdieu and Passeron, *Reproduction in Education, Society and Culture* (2nd edn, Sage 1990) 78–82.

[124] Garretón (n 115) 141–144.

[125] Harvey (n 11) 172–175.

increasing pressure to marketize legal education, the Chilean experience serves as a warning: pedagogical decisions have long-term institutional consequences[126].

The next section examines these implications, outlining broader lessons for legal education in global neoliberal contexts and proposing pathways for reasserting academic authority, restoring rigor, and rethinking the cultural foundations of legal training[127].

6. Discussion: Implications for Legal Education in Global Neoliberal Contexts

The Chilean case, though historically distinctive, offers a critical lens through which to understand broader global trends in legal education. Neoliberal transformations have reshaped universities in multiple jurisdictions—particularly in Europe, North America, and Latin America—where managerial governance, massification, and market pressures similarly influence pedagogical practices and professional formation[128]. The Chilean experience thus serves as an amplified version of processes that are increasingly observable worldwide[129].

6.1. The Global Spread of Market-Oriented Legal Education

Over the last three decades, law schools in various countries have embraced performance metrics, satisfaction surveys, employability statistics, and competency frameworks as central tools for evaluating the quality of education[130]. While these mechanisms may yield administrative efficiencies, they often shift attention away from traditional academic goals such as interpretive rigor, theoretical engagement, and ethical reflection[131].

The "student-client" model, now prevalent in many higher-education systems, produces similar patterns across jurisdictions: declining tolerance for demanding

[126] William Twining, 'Facts, Evidence and Legal Education' (1994) 2 *International Journal of Evidence & Proof* 1–13.
[127] Nussbaum (n 111) 129–134.
[128] Simon Marginson, *The Dream Is Over: The Crisis of Clark Kerr's California Idea of Higher Education* (University of California Press 2016) 88–94.
[129] Sheila Slaughter and Gary Rhoades, *Academic Capitalism and the New Economy* (Johns Hopkins UP 2004) 1–6.
[130] Sennett (n 23) 32–35.
[131] Tuchman (n 72) 83–88.

coursework, pressure to provide rapid feedback, the erosion of academic authority, and the normalisation of student expectations framed around convenience and consumer rights[132]. This recalibration of academic culture aligns with global neoliberal rationality, which frames education as a service and students as consumers[133].

6.2. The Threat to Professional Integrity

The globalisation of neoliberal education raises profound concerns regarding the integrity of legal systems. Legal practice requires forms of judgment, interpretation, and ethical responsibility that cannot be cultivated through market-oriented pedagogies alone[134]. When legal training prioritises efficiency, competencies, and employability over intellectual discipline and moral formation, graduates may struggle to uphold the principles that sustain legal institutions[135].

Comparative studies indicate that jurisdictions experiencing more intense marketization show parallel trends: weakened doctrinal mastery, increased formalism, and a reduced capacity for principled reasoning in professional contexts[136]. These patterns suggest that neoliberal educational practices may directly influence the moral and intellectual foundations of legal orders[137].

6.3. Reasserting Academic Authority and Restoring Rigor

To address these concerns, law schools must reconsider the cultural conditions necessary for meaningful intellectual formation. One key strategy is the reassertion of academic authority—not as authoritarian imposition but as epistemic leadership grounded in disciplinary expertise and mentorship[138]. When professors are

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[132] Philip G Altbach, 'Academic Freedom in a Global Context: 21st Century Challenges' (2015) 12 *International Higher Education* 2–4.

[133] Martha C Nussbaum, *Not for Profit: Why Democracy Needs the Humanities* (Princeton UP 2010) 48–54.

[134] Christopher Newfield, *The Great Mistake: How We Wrecked Public Universities and How We Can Fix Them* (Johns Hopkins UP 2016) 76–82.

[135] Anthony Kronman, *Education's End: Why Our Colleges and Universities Have Given Up on the Meaning of Life* (Yale UP 2007) 134–140.

[136] Harold J Berman, Law and Revolution: The Formation of the Western Legal Tradition (Harvard University Press 1983) 165–170.

[137] Margaret Thornton, *Privatising the Public University* (Routledge 2012); David Harvey, *A Brief History of Neoliberalism* (Oxford UP 2005) 165–170; Christopher Newfield, *The Great Mistake* (Johns Hopkins UP 2016).

[138] Lon L Fuller, *The Morality of Law* (Yale UP 1969) 33–38.

empowered to establish rigorous expectations, students are more likely to develop the habits of thought required for legal reasoning[139].

Another strategy is the restoration of rigor through pedagogical practices that emphasise close reading, interpretive argumentation, and theoretical engagement[140]. While these practices may conflict with market logics, they are indispensable for cultivating the intellectual autonomy and ethical responsibility expected of legal professionals[141].

Additionally, legal curricula must be designed to resist the reduction of education to competencies and measurable outputs. Instead, they should aim to cultivate dispositions—patience, interpretive humility, disciplined reasoning—that sustain the long-term integrity of legal systems[142]. These dispositions cannot be captured through metrics but must be nurtured through pedagogical structures that value intellectual depth over short-term efficiency[143].

6.4. Cultural Reconstruction Beyond Technical Reforms

Ultimately, improving legal education requires cultural reconstruction rather than technical or procedural adjustments. Institutional reforms that address accreditation standards, assessment methods, or administrative structures may have limited impact if they do not also confront the deeper cultural assumptions that shape academic life[144]. Law schools must challenge the dominance of market rationality and reaffirm the intrinsic value of intellectual formation[145].

This cultural reconstruction demands a broader shift in how universities conceive their mission. Rather than functioning as service providers within competitive markets, universities must reclaim their role as communities of inquiry dedicated to truth-seeking, critical engagement, and ethical development[146]. Legal education, in

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[139] Deborah L Rhode, In the Interests of Justice: Reforming the Legal Profession (Oxford University Press 2000) 111–118.
[140] Pierre Bourdieu, *Homo Academicus* (Polity 1988) 124–130.
[141] Michel Foucault, *Discipline and Punish: The Birth of the Prison*, trans Alan Sheridan (Vintage Books 1995) 135–140.
[142] Boaventura de Sousa Santos, *Toward a New Legal Common Sense* (Butterworths 2002) 411–415.
[143] Simon Marginson, *The Global University: Past, Present, and Future* (Oxford UP 2019) 201–210.
[144] Nussbaum (n 134) 129–134.
[145] Harvey (n 138) 172–175.
[146] Salvador Minuchin and H C Fishman, *Family Therapy Techniques* (Harvard University Press 1981) 1–20.

particular, should be understood as the cultivation of a type of person capable of sustaining the moral and institutional foundations of the legal order[147].

The Chilean case illustrates the consequences of neglecting these foundations. Its experience offers both a warning and an opportunity: a warning about the fragility of legal institutions under neoliberal culture, and an opportunity to rethink legal education in ways that prioritise intellectual depth, ethical seriousness, and academic authority[148]. As more jurisdictions confront similar pressures, the lessons from Chile highlight the urgent need for a renewed commitment to the cultural conditions that make legal education—and the rule of law—possible[149].

The next section concludes the article by synthesising these arguments and emphasising the stakes involved in preserving the intellectual and institutional integrity of legal education in an age of neoliberal transformation[150].

7. Conclusión

This article has examined how neoliberal rationality reshapes legal education, not merely as an administrative or curricular phenomenon but as a cultural process that reconfigures intellectual formation, professional identity, and institutional performance. Through the combined insights of Marx and Nietzsche, the analysis has shown that neoliberalism functions simultaneously as an economic logic, a moral order, and a cultural force that penetrates pedagogical relationships and produces characteristic forms of subjectivity. The Chilean case, as the earliest and most comprehensive experiment in neoliberal higher education, makes these dynamics visible with particular clarity.

The transformation of Chilean universities from public institutions to market competitors generated conditions inimical to the cultivation of legal reasoning: weakened academic authority, a student-client orientation, managerial oversight, and the prioritization of efficiency over intellectual depth. These conditions have systematically eroded the rigor, discipline, and ethical seriousness historically associated with legal training. Over time, these pedagogical shifts produced new

[147] Diana Baumrind, 'The Influence of Parenting Style on Adolescent Competence and Substance Use' (1991) 11 *Journal of Early Adolescence* 56–95.
[148] Laurence Steinberg, 'We Know Some Things: Parent–Adolescent Relationships in Retrospect and Prospect' (2001) 11 *Journal of Research on Adolescence* 1–19.
[149] Laurence Steinberg, S Lamborn, S Dornbusch and N Darling, 'Impact of Parenting Practices on Adolescent Achievement' (1992) 63 *Child Development* 1266–1281.
[150] Jasmin Lythcott-Haims, *How to Raise an Adult: Break Free of the Overparenting Trap and Prepare Your Kid for Success* (Henry Holt 2015) 10–25.

legal subjectivities—individuals oriented toward comfort, instrumental rationality, and external validation rather than interpretative judgment or civic responsibility.

The consequences extend beyond the classroom. Because legal professionals occupy positions of interpretative and institutional authority, the qualities cultivated during legal education directly affect the functioning of courts, public offices, and regulatory agencies. Chile's institutional fragilities, including episodes of procedural weakness, formalism, ethical inconsistency, and administrative dysfunction, reveal how educational and organizational cultures can become aligned. The same neoliberal dispositions rewarded in the university—compliance, efficiency, calculative reasoning—are those that later manifest within public institutions, reinforcing cycles of moral and institutional vulnerability.

The Chilean experience offers a crucial lesson for global legal education. While many jurisdictions have adopted neoliberal reforms more gradually or partially, the underlying cultural logic is increasingly present worldwide. Student satisfaction metrics, managerial governance, and the commodification of teaching are not unique to Chile; they are emergent features of contemporary legal education across multiple systems. Chile serves as a magnified case that illustrates the long-term effects of these transformations, allowing us to see where current trends may lead if left unexamined.

The central implication of this study is that legal education cannot be improved through curricular modifications alone. Its renewal requires a rethinking of the cultural and moral preconditions that make rigorous intellectual formation possible: meaningful academic authority, acceptance of intellectual difficulty, and a conception of the university as a community of inquiry rather than a market of services. Without such cultural reconstruction, pedagogical reforms are likely to be absorbed by the same neoliberal logic that produced the current conditions.

Ultimately, the integrity of legal education is inseparable from the integrity of legal institutions. If neoliberal culture weakens the former, it will inevitably affect the latter. By examining Chile as a paradigm case, this article highlights the urgent need to reconsider how legal education participates in the production of the moral and institutional foundations of the legal order—and what is at stake when those foundations erode.