

FEMINIST CONSTITUTIONALISM

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Feminist constitutionalism is a movement that brings together professors and researchers of constitutional law from various countries, intending to reinterpret the epistemological, theoretical, methodological, and dogmatic canons of constitutionalism in the contemporary tradition. Traditional constitutionalism was – and still is to some extent – a movement without women. We were excluded, marginalized, made invisible, and silenced. Constitutional law has been, since modernity, constructed and designed for an abstract subject of well-defined sex: male. The constitutional discourse was born in the context of the liberal revolutions of the late eighteenth century and has remained so to this day, indifferent to the differences reflected in the disparate treatment of access to services and goods, work, security, political participation, and even structure and formation of law. Classic constitutional law is, therefore, a right of exclusions. It is a field to be transgressed – in the sense of being crossed, explored beyond its limits. The challenge of feminist constitutionalism is precisely to break the silence imposed on women for so long in constitutional theory and in the spaces of power that define the Constitution. We need to build a constitutional history that includes women, a constitution that our history can be told in the first person. The rebuke that contemporary paradigms are inadequate and insufficient for the 21st century because it places only a portion of humanity - men, whites, rich, and colonizers - as a universal reference of successes and merits is already set. However, it is still urgent to raise awareness among citizens that equality, especially gender equality, as a fundamental structuring principle of our constituted society. Finally, to build feminist constitutionalism, the role of women is necessary. After all, nothing about us will be thought of without our position. Thus, it is essential to highlight and celebrate the works gathered in these works. Their intention has always been and will always be to highlight the women who made and do constitutional law in each historical phase and each geopolitical situation.

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