

"THE DUNG BEETLE EFFECT" : TAKING LAW TO THE PEOPLE IN SOUTHERN AND EASTERN AFRICA, WITH AN EMPHASIS ON ZIMBABWE

Paper presented at the Law Libraries' Section, IFLA, at WLIC 2007, Durban, South Africa, 19 August.

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Abstract

This paper presents the Southern and Eastern African Regional Centre for Women's Law, at the University of Zimbabwe, which is running a masters degree programme in Women's Law. The paper touches into contents and methodologies of the course, the role of the library, north-south cooperation, and plans for the future. The future of SEARCWL depends of course very much on the developments in Zimbabwe, so a short description of everyday's challenges and lack of infrastructure is also given.

Introduction

This is the story of a long time running academic programme, and its effects on people and the law, and of the libraries' role in it.

Maybe you wonder what the dung beetle is doing here - in the North, it is normal to talk about a "snowball effect" for something that develops bigger and bigger. There is little snow here in southern Africa (even if there has been some this year, even in the Namibian desert!!), but we know how the dung beetle constantly compile balls of animal dung to lay their eggs in.

History

A postgraduate diploma course in women's law for African scholars was first established by the University of Oslo, Institute of Women's Law in 1987. The course relocated to the University of Zimbabwe (UZ) in 1990, where it has been held since. The last Diploma course was held in 2000, in what was called the *Women's Law Centre* in the Department of Private Law. Plans were then already established for expanding the course to a Masters Degree.

In 2002, the Women's Law Centre moved out of the UZ Campus to a separate building. In fact, a villa, with a huge garden and swimming pool!! The centre also changed its name to *Southern and Eastern African Regional Centre for Women's Law* - SEARCWL. This was mainly done to emphasise that it is not a programme for Zimbabweans only, but is offered to candidates from the whole region. (Actually, "southern and eastern Africa" has in some cases been interpreted quite widely, as we have had two students from Cameroon, and one from Ethiopia.)

In times where bilateral cooperation state to state with Zimbabwe has been withdrawn, it is also important for SEARCWL to "fly the regional flag" as high as possible, as the programme is fully financed by NORAD, the Norwegian Agency for Development, and the UZ of course is a governmental institution.

Now, in 2007, we are running the 3rd masters degree course. Some people ask if the course is for women only, but no, men are most welcome! We have had 5-10 male students in each group of 30 - this year 9, among them 3 men from the Zambian Police

Force.

Women's Law Programme: contents and methods

The programme runs for approximately 15 months. Students start in January one year, and finish by the end of March the following year. The first semester, the core courses are mandatory for all students, and comprises:

- Theories and perspectives in women's law
- Research methodologies and methods in women's law
- Practical paper.

Theories and perspective in women's law covers a range of sub-topics, from feminism to customary law, comparing African realities with "western" standards, and comparing law and legal systems based on comparative law. Defining limits of the law. Asking questions like: "Whose law?" "Whose standards?" "Who is the victim? - and Who the perpetrator?" "Which women?"

During this course the students are presenting seminars on topics from their own countries, proposing reforms to the present legislation where they see it is unjust for women.

Research methodologies and methods has a very practical approach, and the main textbook is *Pursuing grounded theory in law: North-South experiences in developing women's law*. Here "grounded theory" is defined as:

"(...) an iterative process in which data and theory, lived reality and perceptions about norms are constantly engaged with each other to help the researcher decide what data to collect and how to interpret it. The interaction between developing theories and methodology is constant, as preliminary assumptions direct the data collection and then the collected data, when analysed, indicated new directions and new sources of data. In the Northern hemisphere this approach is often referred to as 'the snowball method'. However, in a region where there is little, if any snow, a new metaphor needed to be found. The metaphor we (i.e. the authors) find most apposite is that of the dung beetle. (...) The 'dung beetle method' that is described in this book is a grounded research process in which the researcher collects data, sifts and analyses it, considers the implications of her findings, determines what to collect next to meet her needs, and continue her collections and analysis cycle. Through this process new methodologies, perspectives and theories are hatched."

In this course we include teaching ICT. Many of our students are not very computer literate when they come to us, but we force them to learn, by demanding all assignments sent as soft copies to various folders on our intranet, by giving most information as emails instead of on a wall notice board, etc. Use of and rules of the library, UZ library online resources, evaluation of information found on the Internet, and how to make bibliographical references, is also included here.

Lectures on the use of film and drama as a way of communicating women's rights to people are also included in this course. This year some of the students used this way of communication in one of their "assignments" in the 2nd term - one group making a small drama of women's right to housing; another making a video/DVD on the right to pregnancy and birth health care.

The last part of the first semester is a *practical paper*. The students work in groups on various topics related to the lives of women in rural areas. They then go on a field trip to another part of Zimbabwe, doing interviews with women, local authorities etc. For the non-Zimbabweans, 3rd year undergraduate law students (who take women's law as an optional course) are hired as interpreters. A positive side-effect of this is of course that the undergrads get a wider personal network.

During the second semester, the students take 2 different in-depth courses, each ending with a full day exam. The courses are taught by a range of guest lecturers from several countries. Topics are:

- Women, law reform and social justice strategies
- Women, human rights, constitutions and the international arena : an African perspective
- Men, law and gender : a masculine perspective
- Gender, law and sexuality
- Women and criminal law, criminal procedure and punishment
- Women, employment and the law
- Women, commerce and law in Africa
- Women, access to resources and the law

A topic like *Women, access to resources and the law* has several subtopics, e.g. access to education, access to health care, access to land, access to water.

The number of students are expanded for the second semester, as past diploma students are invited to upgrade their diplomas to a masters degree. They choose two subjects, and in addition have to write what we call a "long essay".

After the second semester, the foreign students go home and start doing research for their dissertations. Dissertation topics must be related to their own countries. Between the second and third semester, the SEARCWL director and deputy director travel to the countries where we have students, and supervise them. Zimbabwean students are coming to us in Harare for supervision.

The third and last term is thus partly spent "at home", and only the last 6 weeks are spent in Harare for write-up of their dissertations.

All expenses are covered for the students: travels to and from Harare, accommodation, living allowances, book allowances, child-minders for those students who bring infants, medical insurance.

The course is highly rated by the students and graduates, both the contents and the methodologies used. Students are not only those with a law background or degree, but social scientists and educationalists have participated and achieved good results.

Partnership

Since the introduction of the first postgraduate diploma course, ties and cooperation have been strong between the UZ and the University of Oslo. The University of Oslo keeps

some of our funding, making it easier for us to pay invoices in forex - e.g. IT equipment, library books and subscriptions, air tickets.

We also have agreements with the University of Cape Town, the University of Malawi and Makerere University, and an agreement is under negotiation with the University of Nairobi.

We have lecturers coming from these universities, plus from University of Pretoria, from the universities in Warwick, Westminster, Edinburgh, from the National University of Lesotho. Our external examiner is from Warwick University. Of course we also use lecturers from Zimbabwe, some of them our ex-students.

Every second year we arrange a Colloquium, where SEARCWL staff, lecturers and librarians meet and discuss the experiences and further development of the course. Last year the focus was on teaching methods, resulting in a plan for making a textbook on the SEARCWL teaching methods and research methodologies. Clearly this is a good example of north-south two-ways cooperation and intellectual exchange for development.

The **libraries** are drawn into this cooperation as well. Some of the book funding has been allocated for partner libraries to develop collections in the topics that lecturers from their universities are responsible for. E.g. sexuality and law, and women and crime, for Makerere.

We inform each other of publications of interest, and participate in SEARCWL's Colloquium every second year. University of Cape Town has supplied us with a wonderful tool: a list of international, regional and national law websites, and good websites for gender studies and women's law.

The Law Library at UZ benefits from our subscriptions to law reports and statutes on CD-ROMs (access to the Internet is too unreliable, so we prefer the CD-ROMs in intranet). Sometimes books bought by SEARCWL are placed in the Law library for wider use.

Other parts of the UZ also benefit from the NORAD funding, as our library can afford to buy books from abroad. Our collection is not limited to material on law in a strict sense; we also have quite a lot on development, feminism, sociology, HIV/AIDS, education. By the end of this academic year a whole delegation of sociology students thanked me for letting them use the library over the past couple of years

Results and development

Students with a masters degree in women's law from SEARCWL often get promotions or better jobs. They boast of more self-confidence in their work, developing more alertness of gender aspects, and are often requested to sit as members of boards or commissions. We have a website, where dissertations and long essays produced by our students are available. Unfortunately, access to this website from outside Zimbabwe is often nearly impossible, and in any case extremely slow, so we are in process of placing a copy at the University of Oslo.

Plans are in an early stage for developing a PhD programme in women's law. After running three masters degree courses, the course is now institutionalised and running

smoothly - of course with all the challenges of Zimbabwe's present-day lack of infrastructure. PhD students could be studying at one of our partner universities but being coordinated and supervised from SEARCWL.

Of course I have to mention some of the present-day challenges in Zimbabwe. Our students these days say they are studying for an "MBC" - *Masters By Candlelight*!! The power-cuts are frequent and long, and even if SEARCWL has a generator and can afford diesel for it, it doesn't help when the UZ itself have no electricity - because the server with our links to the Internet and email is in the Faculty of Law! And of course when systems at the UZ library are down, I as librarian can use neither the catalogue nor the circulation systems. This is, to put it mildly, getting more and more frustrating. The afore-mentioned swimming pool, however, is coming in very handy: when there is no water in the taps, we can at least collect water in buckets from the pool and get our toilets flushed !!

The recent "slashes" in prices of basic commodities have resulted in more or less empty shops, so everybody depends on good connections to be able to buy food on the so-called parallel market. Not so easy for the foreign students, but the Zimbabweans help the foreigners, selling them meat and eggs when they have access to such luxury goods. It is really hard and challenging to operate an academic programme under such circumstances.

Time will show whether we will manage to start a new course in 2009. Of course we hope so - one of our evaluators this year claimed that only a civil war may stop the programme from being held in Zimbabwe.

Taking law to the people ...

By producing professionals in women's law, we produce lobbyists for law reforms and gender awareness in Africa, in societies where men usually have a much stronger position than women. Women can learn about their rights, and learn which institutions to turn to for assistance.

We also teach undergraduates at UZ. Interest for women's law among these is increasing - the class gets bigger every year. These are young Zimbabweans who will eventually work in local NGOs, in local law firms, etc. Female lawyers are active in Zimbabwe Women Lawyers' Association (ZWLA), which provides legal aid to women and children. E.g. after the government's horrible 'Operation Murambatsvina' in 2005, ZWLA handled a lot of cases for women who had lost their houses and/or informal business.

Conclusion

The regional women's law masters degree programme is important both for the increased improvement of women's rights in the region, and for the development of libraries. It has a clear north-south cooperation factor, which in fact goes both ways.

The future of Zimbabwe will very much decide the future of SEARCWL.

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