

Engendering and Decolonising Legal Education: A South-North Perspective

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The questioning of legal education as gendered and unequal is a post-cold war and post-colonial phenomena. The need for critical examination of the role of law, lawyers and legal institutions in maintaining colonial vestiges and upholding unequal race, class and gender relations formed a significant part of critical legal scholarship in the 1970s and 1980s. Feminist jurisprudence in the Nordic countries set out to explore the relationship between gender-neutral law and the skewed distribution of power and resources between women and men (Dahl 1986). Southern and Eastern African researchers realised that it was not enough to extend Western law into African contexts where colonial laws remained intact and denied other legal forms recognition and spaces for expression (Stewart and Armstrong 1990). The realization of the need to 'transform the normative tradition of law to recognise what law traditionally treated as "otherness" prompted a long term North-South partnership in building women's law as a legal discipline that took the lived realities of different groups of women in different social, cultural and economic contexts as starting point (Hellum, Stewart, Ali and Tsanga 2007; Mbote Hellum, Stewart, Kanyongolo and Mullella 2019). Research findings led to new courses in women's law, gender and the law and equality and anti-discrimination law at African, Asian and Scandinavian universities (Mehdi and Shaheed 1997). This paper addresses the longstanding efforts to mainstream knowledge on women, gender and equality in legal education at the Faculty of Law at the University of Oslo which started with the study reform in 2003. It situates the process of gender-mainstreaming in context of a collaborative North-South research program setting out to engender and decolonize legal education in four partner faculties in Kenya, Zimbabwe, Malawi and Zambia. This program, which is funded by the Norwegian Programme for Capacity Building in Higher Education and Research in Middle and Low Income Countries (NORHED), is premised on the assumption that development of higher education in the South is a process that involves transfer of knowledge from the North through equitable university cooperation. However, on turning attention to the ongoing struggle regarding the implementation of the Oslo Law Faculty's Equality Policy, aiming at gender balance in academic staff and leadership as well as the integration of a women, gender and equality perspective in the compulsory and elective courses, the paper question this assumption and shows how academic cooperation with partner universities in the South can draw important lessons with a view to develop a strategy to both engender and decolonize legal education.