

Decolonisation: Meaning and impact for the profession

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Decolonisation

- a. Is there a need; and what are we de colonising?
- b. Definitions
- c. Theoretical framework(s) /enablers
- d. How and to what end?
- e. Impact for the profession?

Why?

What?

What: Change legal education and culture by:

- a. Decolonising content
- b. Epistemological changes – what should count as knowledge
- c. Need for deliberative interruption of the usual hierarchy of knowledge
- d) shift from legal domination to a law of justification

Therefore:

- a) Need to embed African epistemologies and African law in the curriculum
- b) De-link or disengage- moving away from the 'colonial' *by adopting a way of thinking and doing that points to an alternative world*
- d) *Relevance and context important*

Definitions

a. Africanisation:

- a) Usually regarded as a first step towards transformation, requires curriculum to have more local content
- b) In Africa this implies that the content must be 'African focused content'

b. Decolonisation

Involves a deep sense of recognition of and challenge to colonial forms of knowledge, pedagogical strategies and research methodologies

a) Have to:

- i) Engage with single stories –one dimensionality
- ii) Whose knowledge are we producing?

c. Transformation

An individual, collective, cultural & institutional change, aimed at high performance, effectiveness and excellence.

It entails improvement and continuous renewal guided by a sense of justice and ethical action, based on community engagement and achievement of a state that is demonstrably owned and controlled by the people

c. Curriculum

- a) A list of topics to be taught.
- b) It includes **what is taught, how it is taught and assessed**, as well as **who the teachers and students are**

c. Curriculum transformation

- a) Curriculum must have a **local content** and must take into account variables including equity, efficiency, access, integration and adaptability in the light of massification of Higher Education
- b) It must have clear values such as ***ubuntu, language, social justice, responsibility and agency***

Enablers

CONTEXT



National Context

South African Human Rights Report: Transformation at Public Universities in South Africa relating to Curriculum and transformation

CHE: Quality Enhancement Project: Phase 2 of the QEP: The QEP requires Institutions to address the following eg:

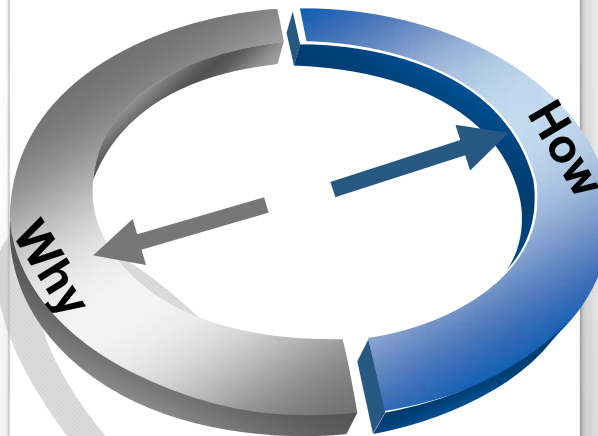
- a. What the institutions approach to addressing curriculum renewal and transformation entails?
- b. Show effects the changes are having...



Institutional Context

Unisa' vision: The African University shaping Futures in Service of Humanity

2011 CLAW Curriculum Transformation Statement



Values

**Ubuntu;
Humanisation of the law;
Social justice imperatives;
Transformative
constitutionalism...**

How and to what end?

How

- a. Address halo effect that surrounds the terms:**
 - i. Transformation
 - ii. Africanisation
 - iii. Decoloniality etc.

- b. Careful selection of curriculum content to avoid alienation from:**
 - i. Institutional contexts;
 - ii. Knowledge taught;
 - iii. Teaching approaches

How cont...

- c. Humanise the whole teaching enterprise, by considering:**
 - i. Cultural dimensions;
 - ii. Political dimensions
 - iii. Social dimensions...

To what end?

- a. Graduates who have skills to act as agents of humane social change
- b. Ability to see law as a core component that shapes the social and economic fabric of society

Impact for the legal Profession?

Impact

- a. Cohort of professionals with ability to see and interpret law as a transformative tool;
- b. Ability to act [efficiently] as agents of humane social change
- c. Ability to exercise own agency
- d. Cohort of professionals that appreciate the need for 'jurisprudential ambition and intellectual imagination'.

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Thank You