

The Informal Sector and the Law in Mozambique - A Case for Rethinking Teaching Methods

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Introduction

Since mid-June 1992, a group of Law Faculty teachers and students at Eduardo Mondlane University, with DANIDA sponsorship, have been engaged at varying degrees of commitment in a draft research project on "The Informal Economy and the Law in Mozambique". Right at the outset, the draft has stimulated considerations about how to make the Law Faculty training program more relevant to Mozambique. It has been conceived as a learning process with three interrelated objectives. First, it should provide a theoretical and methodological framework for testing specific hypotheses on the informal economy in Mozambique. Second, it should generate a debate on the relevance of the present day training methods which stress the exegesis of written statutes without questioning the latter's efficacy in the Mozambican social context. Third, it should furnish elements designed to translate policy into law. Three years have elapsed, without conclusive concrete results. Nevertheless, the draft research project stimulated many fruitful ideas about the Law Faculty creating a learning process to promote those goals. This paper discusses some of the possibilities and limitations that the project has revealed and suggests explanations and proposals to overcome the difficulties encountered. With that purpose in mind, the paper will first focus attention on the project design which led to a survey for

data collection in July 1992 followed by a preliminary data analysis in August 1992. It will argue that despite the initial deficiencies to elaborate detailed explanatory hypotheses, it generated a shared enthusiasm between teachers and students which subsisted until July 1993 (Section I). Then, the paper will discuss subsequent efforts designed to further deepen the initial hypotheses. Basically, it is argued, although some abandoned the project, others have deepened their quest for the theoretical framework with which to approach this period of research as a valuable learning process (Section II). The paper will then try to explain some of the difficulties that have led to a poor research environment in the Law Faculty: they are related to the Law Course degree requirements and to the teachers' behavior (Section III). Finally, the paper will make some recommendations for future research (Conclusions)¹.

I. Project Design and Preliminary Data Analysis

Project Design

The draft project was a result of a desire to establish an alternative to teaching methods that emphasize the classroom interpretation of written statutes without questioning the latter's efficacy to change social behavior in present day Mozambique. The draft was premised on the following five theoretical premises.

First, H. de Soto's research findings in Peru, partly justified on World Bank comparative data, that suggested that institutional causes, just as much as resource allocations, lay at the root of the burgeoning informal sector/small-scale entrepreneurs in the Developing Countries (de Soto & Orsini, 1991:105-113). His research pointed out some contributing causes which, at a first analysis, seemed to obtain also in the Mozambican context, such as, lack of accountability and transparency in governance, and

¹ I would like to express my deepest gratitudes to Profs S. Arnfred e H. Petersen who took the initiative to organize this Conference and invited me to write on the results that had been obtained from our proposed experimental draft research. Also, I am particularly indebted to Professors Ann and Robert Seidman who have encouraged me when writing this paper. Their comments on an earlier version were very fruitful. The errors in this paper, however, are only mine.

corruption². The draft has considered them as causes which warranted inquiry in Mozambique.

Second, the draft relied on Prof. R. Seidman's thesis according to which a research on law and development begins not with a variable to be tested or an interest in developing a general theory, but with an existential problem that causes difficulty to someone (R. Seidman, 1978:49-50). The Mozambican street hawkers offered an example of an existential problem since they seemed helpless to confront the arbitrary and unpredictable evictions initiated against them by the State authorities. Street hawking was endemic almost at every corner in the urban areas, specially since the adoption of the IMF-sponsored Structural Adjustment Program (known as PRE in Mozambique). The following extract portrays a vivid image of some of the effects brought by PRE:

"The children on the streets of Maputo selling cigarettes one by one are surely the symbol of PRE... Before, there was no need for these children to sell; now the tiny amount of money they bring home helps to keep malnutrition at bay... And most Mozambicans do not earn a wage at all. In urban areas, many are self-employed or are in the "informal sector", like the children selling cigarettes." (Hanlon, 1991:145-46)

Third, as matter of principle, the project also recognized the utility of Prof. Seidman's research agenda, premised on the proposition that a role occupant will probably obey the law if, and only if:

- (i) - a rule prescribes his/her behavior;
- (ii) - he/she has the opportunity to obey;
- (iii) - he/she has the capacity to obey;
- (iv) - the rule is communicated to him/her;

² Lack of transparency and accountability were persuasive causes since at the time Mozambique was a one-party State, although multipartyism per se may not suffice to herald a culture of public participation at all levels of decision-making. Corruption, on the other hand, had been admitted by the State General-Prosecutor by March 1992 in a speech he delivered to the Assembly of the Republic.

(v) - his/her interest (including threats of sanctions) induce him/her to act according to the behavior prescribed by the rule;

(vi) - he/she decides to obey or to disobey as part of a public participatory process;

(vii) - his/her ideology (beliefs, values, tastes) are in accordance with the behavior prescribed in the rule³.

Fourth, again as a matter of general principle, the project was justified on the general assumption that empirical falsification was the crux for testing the proposed hypotheses. The project, therefore, should endeavor to collect data which should either corroborate the existing hypotheses or, better still, provide evidence that showed that they were wrong (Seidman, 1978:50). A failed attempt to test the initial hypotheses does not add to or subtract from their heuristic value. This broad principle has acted as a safety-valve for the researchers who in the implementation phase might feel frustrated if the project did not yield the intended scientific results.

Fifth, the project was predicated on a four-step problem solving methodology which comprises: problem definition; explanation of the causes; solutions; and implementation (Seidman, 1978; Seidman & Seidman, 1994:75-84).

Under the project, therefore, both the substantive hypotheses and the general methodology had been identified. The question then was how to implement the research. Our assumption was that we should develop a data-collection framework providing as many indicators as possible on the social, economic and cultural profile of the street vendors whom we had elected for study. In the initial stage, that should take the form of a survey in the major urban centres involving both teachers and students.

³ See, R. Seidman, "Drafting for the rule of law: a general theory", a paper distributed as part of the reading materials during IDLI Development Law Course, Rome, 1986. The proposed categories (Rule, Opportunity, Capacity, Communication, Interest, Process and Ideology - ROCCIP) are warranted since a rule of law can only address a person's behavior who, within a range of constraints and possibilities, decides either to obey or to disobey. Those categories are designed to help generate explanatory hypotheses about those constraints and possibilities in any specific case where the question is whether a person (role occupant) will obey or disobey. For an elaborate presentation of the proposed ROCCIP categories, see also A. and R. Seidman, 1994:122-126.

With that objective in mind, we devised a questionnaire that was as inclusive as possible⁴. In a sense, the all encompassing nature of the questionnaire underscored our dismay and lack of confidence at whatever data the State authorities might provide⁵. After all, all along they had seemingly acted as part of the problem by their unpredictable behavior to remove the street vendors from sight. A last minute debate with fellow researchers from the Faculty of Arts (Faculdade de Letras) was instrumental in improving the questions included in the questionnaire focused on the difficulties experienced by the street hawkers in procuring their products. The debate led to the inclusion of product-manufacturing as a separate category, since some street hawkers are probably producers as well and not merely retailers. Attention, therefore, should be devoted to them particularly because, as producers, they probably had a better opportunity to contribute to the overall economic growth, failing which the poverty and the informal sector would persist. The questionnaire, therefore, included a question about the difficulty in obtaining raw-materials. However, that did not help very much in collecting data related to the specific class of small-scale manufacturers because all the other questions had been framed with the retail street hawker in mind. In the end, however, even for the retail street hawker, the questionnaire proved inadequate in that it did not elaborate detailed hypotheses for each area of activity.

Data collection and preliminary analysis

During three weeks in July 1992 a group of 5 teachers and 25 students set out to conduct the survey by interviewing as many street hawkers as possible. Six out of ten provincial capitals and two districts were chosen for this study. The survey was followed by a two week Research Methodology Seminar in

⁴ Some of the items raised in the questionnaire: age; sex; place of origin; his/her attitude toward rural/ancestral land if he/she were to return back to the countryside once the war had finished; difficulties in obtaining the products on offer; methods for overcoming disputes with the local police.

⁵ Even today, reliability of employment statistics is disputed. Thus, for instance, the "African Economic Digest", January 30, 1995, suggests that the rate of unemployment is more than 90%. The Mozambican Television Station, on the other hand, quotes a figure of unemployment between 60% and 70% (BBC Monitoring Service: Africa, January 16, 1995).

August 1992, jointly conducted by Visiting Professors from Denmark and USA.⁶

The Seminar was an occasion to complement some of our perspectives on the informal sector. Thus, for instance, it was noted that just as much as focusing on the street vendors' perceived vulnerability vis-à-vis the State, their internal social relationships and relationships with their dependants should also deserve attention. Also, two important suggestions were made to improve future questionnaires. First, a small-scale pilot-test is warranted to experiment with the questionnaire itself with a view to amending it where necessary and thereby increasing its efficacy in the real data-gathering fieldwork. Second, even prior to starting the survey, it will assist the inquiry if the researcher has a pre-established framework to interpret the findings that the data suggest.

Finally, but not the least important, to the extent that evidence was lacking regarding the functioning of specific legal rules bearing on the informal sector, the researchers concluded that they should pursue further inquiry. This inquiry should go hand in hand with writing a memorandum (or research report) justifying the need for whatever legislative change was warranted through the empirical data. In this context, since there were more than one set of legal norms affecting the street vendor's behavior, there would probably be as many draft research memoranda/reports.⁷

Despite the initial enthusiasm shared during the seminar, however, the draft research project did not produce much in the way of follow-up research reports. Instead, some students used the 1992 fieldwork findings when writing their essays in the academic year 1993/94 in the few subjects where they had found further teachers' encouragement.

2. The Intervening Years: Deepening the Initial Hypotheses

For reasons that I shall try to explain in the next section, most of the teachers' and students' initial enthusiasm has given way to scepticism. Many would prefer to devote themselves to the

⁶ They were: Profs S. Arnfred (Roskilde University), H. Petersen (Copenhagen University), Profs A. and R. Seidman (Boston University).

⁷ Although several sets of substantive norms would be warranted, it might be useful to consider a bill creating a specific agency with powers to coordinate policies over the street vendors' activities.

routine teaching-learning process. Essentially, they consider that research activities are a luxury and a time-consuming exercise that eventually leads to uncertain results. Falling back on the safety-net of the traditional teaching methods was the only sensible measure for them.

Others, however, would rather complete the initial inquiry. Indeed, on the one hand, the subject under consideration (ie: the small-scale entrepreneur or street hawker) has not disappeared. On the other hand, the safety-valve premise⁸ together with the problem-solving methodology warrant not abandonment but resumption and constant reassessment of the proposed research project, eventually culminating in legislation likely to assist them.

In this endeavor, however, there have been cases where the learning process has been taken over by events stemming from the on-going conflict between the street vendors and the State authorities. As yet unable to contribute with policy propositions warranted by empirical data, nevertheless the researchers at least could work with both sets of role occupants to better understand each others' behavior. The next subsection illustrates this point by discussing a recent attempt by the State authorities to relocate some informal markets in Maputo.

On the other hand, some have made efforts with a view to deepen the initial theoretical hypotheses and, hopefully, adopt improved methods that would better suit the study and improvement of the informal sector in Mozambique. In this case, they have adopted a proactive attitude.⁹

Trying to relocate the street vendors

The inadequacies of the "informal"s legal status and fears thereof have recently surfaced in Mozambique in what could be called the "Praça de Touros" case. Late last year and earlier this year, news have circulated in the local media according to which the Mozambican authorities were considering relocating the street vendors from the "Estrela Vermelha", "Mandela" and "Museu" informal markets to a new inner space adjacent to a stadium ("Praça de Touros"). According to the reports, the

⁸ See above the fourth stated principle which lay at the conception of the draft research project.

⁹ The term "proactive" has been borrowed from A. and R. Seidman, 1994:135, where the discussion focuses on the role of courts as implementing agencies.

authorities had reached an agreement with the street hawkers whereby the Government would fence the piece of land at "Praça de Touros", apportion it in small plots and make them available to the "informals" presumably at affordable rents. The understanding was a welcome development in that it would give the "informals" a comparatively more stable legal status. At the same time, it would be a contribution to the urban development of Maputo, the capital of the country. Eventually, it might be an initiative from which lessons could be learned for similar cases of land and urban development elsewhere in Mozambique. Also, as it appears, the understanding had some backing from the international community which had injected funds for that purpose.

As it turned out, however, and while mobilisation campaigns and some negotiations were still going on involving the interested parties, some land speculator acting behind the scenes aborted the initiative. Indeed, today, the price/rent for moving into the intended site has rocketed beyond the "informals'" financial capacity, even though they were the intended beneficiaries of the whole exercise. On the other hand, it would seem, nobody is raising the issue of what to do next, as though nothing had happened. As a result, it is always "business as usual" in the "informal markets".

In an effort to clarify the issue, and understand the perspective each role occupant had of the other, we interviewed, first, some middle-level bureaucrats at the Maputo City Council (May 1995), and, later, the street vendors' leaders from the "Mandela" informal market (September 1995). Both interviewees agreed that the news reports were accurate. Also, they seemed to share the same view that they were both victims of deceit from some higher ranking State official at the Municipal Council or Central Government level. The interviews suggest that there is a co-operation and coordination relationship, rather than confrontation, between the street vendors and the middle-level Municipal Council authorities.

Apart from the common ground, however, the Municipal authorities revealed that they had no working relationship with any of the job-creation and fund-channelling agencies that had been set up by the Central Government ¹⁰ despite the fact

¹⁰ These agencies are: the Employment Promotion Office (GPE) and the Institute of Local Industrial Development (IDIL), any of which had been

that street hawking takes place inside the urban areas. Also, they noted that there must be clarity as to the legal status of the Maputo "Neighbourhood Districts" (Distritos Urbanos)¹¹ which, since their de facto inception by the authorities, have had a daily role in implementing State policy vis-à-vis the "informals" in some cases duplicating what the Municipal Council has been doing (for instance: in levying taxes). Failure by the Central Government to clearly define the legal status of the Neighbourhood Districts only strengthened the Municipal middle level bureaucrats' perception that the former does not care about the street hawkers' local problems nor does it have a coherent policy on that respect.

In sum, by interviewing the middle-level bureaucrats at the Municipal Council, we obtained a better picture of one set of role occupants. The State does not act as a homogeneous body in its relationship with the street hawkers. Future research inquiry, therefore, will have to take that aspect in consideration.

On their part, the street hawkers' leaders told us that they had succeeded in mobilising their peers inside the "Mandela" informal market to refrain from moving to the promised new site. In fact, they told us, from time to time one or another street hawker would receive a personal offer from a shadowy entrepreneur eventually acting as a proxy for a hitherto unknown land speculator, to sign a statement under which he/she formally agreed to move to the new site on a specified date. Acceptance of the individual offers, they argued, would break their ranks, since the State authorities (not the middle-level bureaucrats) would point to those who had agreed to leave as an example of a co-operative behavior. Those who had refused, on the other hand, would be singled out as culprits who would have to be dealt with severely, even though the price for renting a vending place in the new site has risen to unaffordable levels for most of the street hawkers. As a result, they have not budged an inch from their present premises.

In sum, the interview with the street vendors' leadership at the "Mandela" informal market has revealed that they are not a helpless community. Not only have they been able to forge a

allocated funds to lend to small-scale enterprises (Cf. Rachel Waterhouse, Reuter Textline/African Business, September 1, 1992).

¹¹ The Neighbourhood Districts are administrative agencies inside the urban areas which were set up, apparently without a legal framework, to provide services to the population under their geographical jurisdiction. Maputo City has six neighbourhood districts.

good working relationship with the middle-level bureaucrats at the Municipal Council, but they also have closed ranks to frustrate the unwarranted offers from shadowy entrepreneurs.

From a lawyer's point of view, the case may raise at least the question of whether the "informals" could not seek a legal solution virtually by beginning proceedings against the government in a local court. If the written norms are ambiguous (or they underscore a policy incoherence), then could the "informals" derive some remedy from the doctrine of "acte apparent", under which the State would be precluded from evicting the street hawkers since it has condoned their activities, namely by collecting taxes? Can those remedies be of any use for a lawyer who has to defend his client's legal status (ie: an "informal") in a Mozambican court?

It is submitted that reliance on the courts would not be an adequate solution. Indeed, they seem plagued by the same deficiencies that have undermined the courts as implementing agencies elsewhere in the third world, such as: slow, rigid and complex procedures; lack of resources to pay the fees; etc. (A. and R. Seidman, 1994:131-137). The inadequacies of the existing legal remedies coupled with the underlying incoherent policies vis-à-vis the "informals", as demonstrated by the recent "Praça de Touros" case, make necessary a fresh approach not through the courts but by recourse to improved law-making and -implementing institutions. The ultimate objective of the proposed research is to contribute to the creation of such institutions. In other words, the "informals" problem requires a solution, but it has to be a *good solution*.

To sum up, these further interviews underscored the necessity of improving legislative theory and methodology to guide a more effective research directed to formulating a legislative solution to the problems like those confronting the informal sector.

Improving the theoretical framework to better understand the informal sector

In an effort to improve the theoretical framework ever since preliminary analysis, we have been able to do further readings about Professors Seidman's legislative theory as a guide to help in drafting legislation appropriate to induce the desired behavior (A. and B. Seidman, 1994:126; R. Seidman, 1992). Also, we have learned that there is some divergence in the literature on the elements that characterize the "informal sector".

Elements for the Definition of a Small-scale Enterprise (SSE)

Christian Morrison, Henri-Bernard Lecomte and Xavier Oudin's categorization of a Small-scale enterprise (SSE):

Size	Physical and/or human capital	Degree of informality	Degree of modernisation
Less than 20 workers	Exclusion of capital-intensive activities	Flexibility in assessing compliance with the legal requirements ¹²	The percentage of enterprises exceeding a given amount of physical capital per worker or a certain average educational level

Note: This table is a summary of the main criteria discussed by Christian et al. in "Micro-Enterprises and the Institutional Framework in Developing Countries", OECD, 1994, at 231-233.

The model suggested together with the problem solving methodology should provide a favorable theoretical environment to pursue the proposed research project. Improvement in the theoretical framework, however, will not be enough if a whole set of other factors are not taken into account. It is necessary therefore to discuss the causes of factors operating in the Law Faculty that may pose an obstacle to carrying out the proposed draft research project. This is the subject of the next section.

3. Explaining the Difficulties for Research Activities at the Law Faculty

For an understanding of the difficulties faced in undertaking a research endeavor like this one at the Law Faculty, I suggest two sets of explanations. The first group, which I would denote environment causes, focuses on the the structure of the Law Course and the teaching-learning requirements through which students and teachers interact. The second set of explanations addresses the behavior of the teachers as one of the most

¹² The fact, for instance, that "an artisan is registered and pays the trading licence fee does not necessarily imply that he knows and complies with the labor law or the environmental regulations".

important sets of role occupants who have a primary responsibility in helping improve the teaching-learning methods.

The Law Course and the Teaching/Learning Methods

The Law Faculty offers a 5 year general Law Course leading to a degree ("Licenciatura"). For each of the 32 compulsory subjects making up the Course, the student is assessed through one or two written tests per semester and a final written exam per semester/year. Typically any of the above assessment methods requires that the student reproduces whatever he has been taught during the classes¹³. Also, he hardly has enough time to conduct independent study work because the average weekly compulsory class attendance is 24 hours.

The only subject for which a student may have to write an essay (ie: the "End-Of-Course" paper) is offered in the final semester of the 5 year Course. Predictably, having gone through an education that had stressed memorization throughout his 4 and a half years in the Course, he can hardly adopt new attitudes to the learning process. Since assessment is by written tests and examinations, the students do not feel enough motivation to engage in research activities. In addition to the limits of the Law Course, not all the teachers see the potential learning value of research. Consider, for instance, the need, identified during the 1992 Research Methodology Seminar, for a further inquiry into the existing commercial regulations and administrative procedures with a view to capturing empirical data to demonstrate the extent to which they have posed obstacles for the street vendors/small-scale entrepreneurs to enter the formal economy. With data, the student would then write a research report justifying his/her proposal for a bill to amend or replace those regulations and procedures. In this further inquiry, the student may have to seek advise and encouragement from the teachers of the relevant subjects where commercial regulations and administrative procedures are taught. If, however, the teachers themselves do not feel that research is a valuable teaching method, the student can hardly find an encouragement to pursue an inquiry which would not count

¹³ The prevailing teaching method is what has been called banking education: "Education thus becomes an act of depositing, in which the students are the depositories and the teacher is the depositor" (P. Freire, "Pedagogy of the Oppressed").

for his/her final credit. It is no wonder, therefore, that they have missed the 1992 challenge to write research reports pertaining to specific bills.

The draft research project on the informal economy and the law suggests, therefore, that the Law Course requires a change so that it can provide an adequate emphasis on research as a teaching tool. As a learning process, any other potential draft research project - and not just the one on the informal economy and the law - will face the same difficulty: absence of research as a necessary component of the teaching-learning process.

Explaining teachers' apparent reluctance to engage in research activities

In this section, the ROCCIPI categories (A. and R. Seidman, 1994:125) will be used to generate explanatory hypotheses about the teachers' reluctant approach to research activities.

Rule

Article 12 (1) of the Draft "Statutes of Eduardo Mondlane University" provides that:

"A Faculty shall carry out the essential functions of Eduardo Mondlane University through teaching, research and extension activities, and where possible through the provision of services to the Community."

Under this broadly defined mandate, the Law Faculty staff has implemented the above-discussed Law Course. The Course has been in force since the academic year 1992/93 after it was approved by the University Council.

Efforts are presently under way to improve the training provided under the Course, taking into account whatever lessons have been learned through its implementation. Proposals for its improvement will probably consider the major objective for which it was designed, ie. to provide law training so that the graduate can perform any one of the following roles: judge, State prosecutor, lawyer (for plaintiff or defendant). Eventually, new hitherto unnoticed social challenges and needs (eg: legislative drafting) may also bring some inputs towards the Law Curriculum revision.

T. L. Uate

Opportunity and Capacity

Teaching activities have usually taken place according to schedule in each academic year. The lecturing load for a teacher has varied from 3h/week¹⁴ to 6h/week, with some teachers taking extra administrative work. Most of the teaching staff have adopted "lectures" as the preferred training method.

Indeed, out of inertia from earlier years as undergraduates, the teachers themselves have not felt the challenge to try new teaching methods other than lecturing. In their routinely lecturing activities, they have probably succeeded in transmitting some "basic knowledge" about the law universe, most of which is the Portuguese received law statutes prior to June 25, 1975, to their students. The teachers have not had the opportunity to learn fresh teaching methods to engage the students in knowledge creation and -use to transform policy into law.

On the other hand, with so many students enrolled, the teachers can not adequately pay the desired attention to everyone of them. In fact, there are limits beyond which a class can not serve the intended objectives of being a teaching/learning process. Beyond the prescribed limits, the teacher can "begin playing numbers" ¹⁵.

Interest

Some of the teachers have a genuine interest in becoming intellectuals in its noblest sense. Although material incentives are not always there to encourage an academic/teaching career¹⁶ some of them would probably not part with what has become to be known as "intellectual mercenaries". In other words, the academics at the Law Faculty have been under challenge between two incentives: to promote scientific knowledge -cumpeople involvement albeit under an adverse economic environment, or to become subservient to doubtful consultancies for the sheer sake of easy money.

¹⁴ From August 1995, the minimum teaching hour/week has been raised to 4h.

¹⁵ Cf. talk with Prof. Karen Boatman from Boston Univeristy School of Education.

¹⁶ Consider, for instance, the following observation: "However, they recognised that there are severe impediments... in particular, the shortage of teachers and their low salaries" in "DANIDA Draft Pre-Appraisal Mission on Assistance to the Legal Sector, Mozambique", March 1995, Annex 9, page 4.

Process

Presently, there is no formally established rules on the decision-making process in the Law Faculty, although work is under way to provide it with a Regulation¹⁷. In the event, training methods have been discussed through teachers' informal meetings, usually structured along the two prevailing ideologies. Unfortunately, power-based, rather than reason-informed-by experience arguments have fed the decision-making process to the dismay of those teachers who are willing to engage in a more creative teacher-learner interaction¹⁸.

Ideology

Despite the common commitment to carry out teaching activities, two distinct, if articulate, groups of Mozambican teachers have shared different intellectual values.

On the one hand, a fairly significant and vocal group genuinely believes that, since at Independence Mozambique has constitutionally (if not de facto) inherited heavily many Portuguese laws, the Faculty Law Course will best yield the intended results only if Portuguese teaching staff are necessarily co-opted into the Faculty training process. It is no wonder, therefore, that presently in some subjects no young Mozambican Assistant-to-lecturer (ie: "Monitor") has been hired to take over teaching duties! For that proportion of the Mozambican teaching staff, training methods should basically be focused on enabling the student to interpret and apply existing laws. Improvement in law teaching means hiring more Portuguese teaching staff.

On the other hand, some teachers have argued that it is not enough, if warranted, to teach the "law-in-the-books". Focus should also be on the "law-in-action". Research activities, therefore, have to be an in-built part of the training process.

In sum, from the above discussion, we can conclude that although the teachers have a mandate to conduct research, they have not always had the resources to carry it out, especially since ideologically most of them would prefer to keep the teaching methods attached to Portugal. In the event, however,

¹⁷ The "Regulation" is being drafted and is justified under the provision of Article 16(1) of the Draft "Statutes of Eduardo Mondlane University". At the time of writing this paper, the "Statutes" had been approved by the Council of Ministers in Mozambique "without substantial amendments" to the Draft.

¹⁸ This was the case, for instance, when the weekly teaching hours per subject were increased beginning on August 1995.

not all teachers would follow that ideology and would rather engage in research activities as a learning process.

Some Conclusions

The draft research project has proved a valuable learning process to help the researchers (teachers and students) understand the use of law to improve social conditions in Mozambique.

More needs to be done, however, in formulating specific hypotheses that can be tested on the field. In this respect, Prof. Seidman's problem-solving methodology, legislative theory and possibly Morrison's categories on entrepreneurs should prove instrumental.

On the other hand, the project has showed the need to restructure the Law Course to facilitate the development of research as a learning process. Hopefully, by July 1996 the Law Faculty should have a new draft Law Curriculum for critique and amendment before its effective introduction in the academic year 1997/98.

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