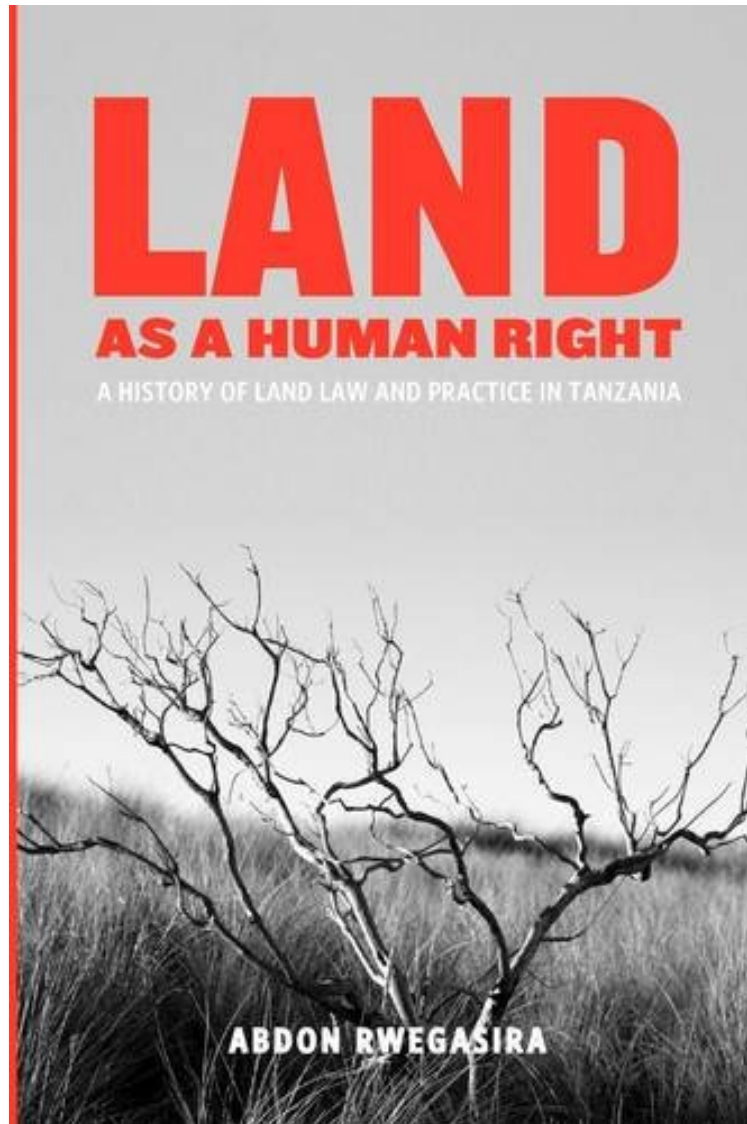


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Land as a Human Right. A History of Land Law and Practice in Tanzania

Abdon Rwegasira

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Abdon Rwegasira : Land as a Human Right. A History of Land Law and Practice in Tanzania before purchasing it in order to gauge whether or not it would be worth my time, and all praised Land as a Human Right. A History of Land Law and Practice in Tanzania:

Wherever there is a person's right, there is a corresponding duty imposed upon that person to respect the rights of others. This co-existence of rights and duties may be explained better by the principle of reciprocity of rights and duties. Such is the basis of Land as a Human Right: A History of Land Law and Practice in Tanzania. The esteemed author documents Tanzanian land law along its line of historical development (pre- and post-independence) whereby the thorny issues about 'rights' and 'duties' of the landed, landless and the intermediaries are elucidated. This volume is not limited to events in Tanzania, but includes jurisprudence of land law of other countries in order to tap some interpretative devices of our own by way of analogies. Various case types- reported and unreported, local and foreign- provide a tangible content to what would otherwise be pure theory. He also makes references to local newspapers as a way of tapping the public responses about land-related matters. His survey of such cases in and outside Tanzania led automatically to judgments touching on women's right to matrimonial property and inheritance; individual and collective rights to land; and the right to land of the indigenous peoples. It is the author's view that land law has remained poorly documented in Tanzania. There is plenty of literature about Land Law, yet these sources are not easily available or even accessible to every interested person. Equally, some of the available literature is so old that it may not always depict land law and/or practice as we tend to understand it today. This volume is a comprehensive text on land law in which all the necessary land law principles are highlighted with great precision. Advocate Rwegasira does this with a human rights approach, believing that it is through this approach that a person's right to land, whether individual or collective can best be explained, especially in this era when conflict over land is unabatedly becoming central in family, communal and societal relations. The language of human rights is for all of us to speak. It follows, therefore, that practitioners both of the bar and the bench will also find it useful for quick reference, much as will do policy makers, law reformers and the general public in and outside Tanzania.