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This book consists of six related but separate parts combined in thirteen continuous chapters of land law. The thirteen chapters are fundamentally concerned with the development of the customary land law through the Ghanaian courts. In the first part, the main concepts underlying land law as well as the general characteristics of land are traced and analysed. The second segment deals with the law relating to interests in land, including modes of acquisition and loss of title. Tenancies and pledges are examined in their own right. Part 3 considers the nature of the customary law family, focusing on the composition of the family, the rights of members and the role of the head of family. In Part 4, rules regarding transfer of interests are considered within the general body of case law. This is followed logically by a consideration of the applicable doctrines of English law in Part 5. The final segment directs analysis at the impact of state legislative activity on customary law.The rules of customary law were developed from pre-colonial times. It might be thought that the rules might be full of hoary anachronisms. The continuous decisions of the courts and the full impact of legislative activity have been the guiding hand in steering the customary land law in consonance with social and economic developments. No one argues that the customary law is in need of purgation. Principles derived from English equity jurisprudence have steadily worked their way into customary notions, particularly in the form of acquiescence, introducing equity's peculiar element of fairness into the relevant customary law rules. Some of the perceived harshness or inadequacy of the customary land law have also been cured by legislation.The present work is not a mere rearrangement of emphasis of the land law. I have attempted to bring into one coherent view the ideas expressed by the established jurists. The law we work with is constantly changing. It is constantly between the hammer and the anvil, changed and reshaped by judicial and statutory intervention. New answers are found as problems without judicial precedent press for statutory solution. Where authoritative answers cannot be found for such problems, I have relied on the evidence of actual social practice. Overall this book captures the restlessness of the indigenous law and the constant push for change. Several of the topics that dominated the old texts are receding. Statute law now overshadows many areas of the customary law.There is considerable imbalance in the rendering of the customary land law of Ghana. Although this is a book on the customary land law of Ghana, a disproportionate number of both actual examples and case-law are drawn from southern Ghana. It reflects the general

lacuna in current literature. This deficiency points to the urgent necessity of prosecuting a similar task in relation to the customary law of northern Ghana. This study, in nineteen chapters, deals with the various issues pertaining to land law in Nigeria. Namely: Concept of ownership; ownership and communal land holding under customary land tenure; individual land ownership; family land ownership; alienation under customary law; nature of customary tenancy; pledge; the law of property; an overview of the effect of the Land Use Act on customary ownership of land; The Nigerian Land Use Act; Land Use Act 1978; ways of declaration of title to land; legal mortgage; the position of landlord and tenant; the procedure for recovery of premises under the recovery of premises law; classification of right of occupancy; nature of prescription; march towards the reform of the Land Use Act. The monograph covers the issues related to the evolution of land tenure systems, land reforms, the main features of formal land law that is in force in the various legal systems of the countries of South, East, and Southeast Asia, and customary land rights. The current state of land law in Asian countries: land rights, the provision and suspension of these rights, the relationship between formal law and customary land tenure systems, the problems of recognizing customary communal land rights are analyzed. For students, graduate students and teachers of law schools, employees of legislative, executive and judicial authorities, as well as for all those interested in issues of land, civil law and comparative jurisprudence. Peace-building in a number of contemporary contexts involves fragile states, influential customary systems and histories of land conflict arising from mass population displacement. This book is a timely response to the increased international focus on peace-building problems arising from population displacement and post-conflict state fragility. It considers the relationship between property and resilient customary systems in conflict-affected East Timor. The chapters include micro-studies of customary land and population displacement during the periods of Portuguese colonization and Indonesian military occupation. There is also analysis of the development of laws relating to customary land in independent East Timor (Timor Leste). The book fills a gap in socio-legal literature on property, custom and peace-building and is of interest to property scholars, anthropologists, and academics and practitioners in the emerging field of peace and conflict studies. This study, in nineteen chapters, deals with the various issues pertaining to land law in Nigeria. Namely: Concept of ownership; ownership and communal land holding under

customary land tenure; individual land ownership; family land ownership; alienation under customary law; nature of customary tenancy; pledge; the law of property; an overview of the effect of the Land Use Act on customary ownership of land; The Nigerian Land Use Act; Land Use Act 1978; ways of declaration of title to land; legal mortgage; the position of landlord and tenant; the procedure for recovery of premises under the recovery of premises law; classification of right of occupancy; nature of prescription; march towards the reform of the Land Use Act. This book investigates the effects of the 1999 Tanzanian land legislation on customary land tenure, particularly that of pastoralists. It is an original, empirical and theoretical critical study of the laws and their implementation in securing land tenure of customary landholders in the face of the changing social-political structures, and as such constitutes a contribution to the current debate about the future of customary landholders in the reformed Tanzanian economy. Among issues that receive particular attention in this study are: the development of pastoral land tenure, the main features of the new land laws, introduced land schemes for pastoralists, land dispute mechanisms, the certification of village lands, investments on village land, the inclusion of unused or unoccupied village lands into the category of general land, women's land rights and villager participation in the administration and management of village lands. The land is the heritage of the family, the lineage and the community; their ability to resist outside intrusions resides in the sustainability of the use of the land in the fight against poverty and for the increase of wealth. [...] P65 231 12/05/2006, 11:14 232 Law and Justice in a Multicultural Society: The Case of Mozambique is related to the division of the land in function of the multiplicity of networks which are established by means of blood ties, marriage and inheritance.3 Thus, for them, above any other interest group, the maintenance of inter-generational returns in the use of resources is of paramount importance, b. [...] While formal logic deals with the inferences and implications between premises and conclusion as the reasoning behind truth, the 'non-logic' of customary law deals with the establishment of premises, the criteria adopted for their selection, the methods employed for gathering them and the relationship between facts and forms of abstraction on the route toward rationalizing opinion. [...] The mono-causal explanation of an economic, technological or political nature so much in vogue in African academic circles evolved, out of the Aristotelian dualities taught in the universities, into the multi-causalities of a dialectical nature which orality

imposes by not recognizing the primacy of the conceptual definition over the construction of the notion revealed in the self-defining act of. [...] Conclusion The options available in planning the use of land confront each other and range from a technical vision of registered law, in the form of a land deed, as the only means of guaranteeing property rights (and, as such, in attracting investment), to the interpretation of the acceptance of current models of use requiring only compliance with the oral clause of the Land Law in order to recogn. The monograph studies the key aspects of land law of African countries, customary land tenure laws, customary rights to water, forest, cattle grazing; the influence of colonial epoch on customary land tenure systems, and the rights of African women to land. Characteristic features of land and water rights under Islamic law are provided. The current state of formal land law in the countries of North, West, Central, and East Africa is analyzed, including the following: the right of ownership to land and other natural resources, types of various rights to land and natural resources, and the relationship of formal law and customary land tenure systems. For students, graduate students and teachers of law schools, employees of legislative, executive and judicial authorities, as well as for all those interested in land, civil law and comparative legal studies. Study on the customary land ownership with an eye to economic development. Textbook and commentary on customary and non-customary legislation relating to land tenure and land ownership in Nigeria. Customary landholding generally connotes the various methods of acquisition and use including rights and duties that may accrue to any individual or group within a particular society in relation to land. Customary land law in Africa in general and Cameroon in particular has existed for centuries, serving as an integral part of traditional agricultural economies. African customary land law recognizes the fact that land in Africa is owned collectively by a family, village or community and not by an individual. Therefore, an individual's title to land is rare under African customary law in general and Cameroon in particular. Individual ownership of land under African customary land law is a feature of modernization. This paper investigates why land is still mostly held collectively by a family, village or community and not by an individual under customary law. The author accomplishes this by perusing records mainly from documentary and internet search. The data collected constitutes the sources from which customary and statutory law rules are drawn, stated and analyzed in the light of the stated aim of the paper. The results inter alia

identify that land is held principally by the family and community under customary law and that the genesis of individual ownership is a product of modernism. The results are significant because they expose the weaknesses of the customary law regarding individual ownership of land. Describes the precedent posed by the Ingonyama Trust in KwaZulu-Natal, and examines the Hermansberg (Hermannsburg) Mission Society v Commissioner of Native Affairs and Darius Mogale court case of 1906 to illustrate the problems that could be caused by erroneous construction of indigenous law, and the 'customary tenure' concept.

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