

# THE LEGAL FRAMEWORK GOVERNING A CHILD'S RIGHT TO EDUCATION FOCUSING ON A PREGNANT GIRL-CHILD STILL IN PRIMARY AND SECONDARY SCHOOL IN TANZANIA

Written by *Ronald Shubis*

*2nd year LLM student, St. Augustine University of Tanzania, Mwanza Tanzania*

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## ABSTRACT

Tanzania is a young nation which attained her independence 59 years ago from Britain. As a young nation, Tanzania is still evolving in social, political, and economic spheres of development. Development entails a lot. This includes among many things upholding and respect of people's rights. The right to education has been globally recognized as a human right. However, in Tanzania, this not the case. The right to education does not form part of the bill of rights in Tanzania. Statutory law in Tanzania does however provide that a child has the right to education. However, not every child does enjoy this right. Among those affected are the pregnant girls still in primary and secondary school. This is because, as a matter of practice, pregnant girls are expelled from school with little or no chances of being re-enrolled. This practice has denied such children the right to education. One of the major reasons for this enigma is the lack of a specific provision in the laws stipulating that a pregnant girl-child too has the right to education a problem addressed by this study. This study examines the laws governing the right to education for a child particularly for a pregnant girl-child in Tanzania but also the legality of the practice of expelling pregnant girls from school. Being qualitative research, the study used documentary review and interview methods of data collection. The study found out that the majority of girls that get pregnant while still in primary and secondary school are denied the right to education not only because the laws governing the right to education are silent on the issue of pregnant girls having the right to education but also the fact that expulsion of pregnant girls in Tanzania is a practice which has a legal foundation supporting it.

## INTRODUCTION

Over the years, there have been criticisms of the laws governing the right to education in Tanzania. Mostly, this is because the right to education does not form part of the bill of rights making it impossible for courts of law to enforce the right to education in Tanzania.

There are several laws and policies (national and international) governing a child's right to education in Tanzania<sup>i</sup>. However, despite all these laws, not every child enjoys the right to education in particular a pregnant girl-child still in a primary and secondary school in Tanzania.

The legal framework governing the right to education for a child has for long been under scrutiny in Tanzania. This is because it has been observed as not to cater for all children. This is mainly because there is no specific provision that expressly provides that even a pregnant girl-child has the right to education. As a result, many pregnant girl-child in Tanzania have been expelled from school and denied re-enrollment into school even after they have given birth.

## BACKGROUND TO THE RIGHT TO EDUCATION FOR A CHILD IN TANZANIA

At this juncture, it is prudent to decipher who a girl-child is about this paper. It is a combination of two words namely girl and child. A girl means any female child. A child in Tanzania is understood to mean any person below the age of eighteen years.<sup>ii</sup> In other words, a girl-child about this paper is any female of the age of eighteen and below.

To understand the genesis of rights in Tanzania, it is pragmatic to take a journey back in time. Tanzania was colonized by first the Germans and later the British as a protectorate of the League of Nations. During the colonial era, Tanzanians had no rights whatsoever. It was not until 1961 after Tanzania, when Tanganyika gained her independence that the first glimpses of rights were observed mainly because the country was now in the political, social, and economic control of Tanzanians.<sup>iii</sup>

With gaining independence, independence came along bearing fruits such as a new constitution. The 1961 constitution did not however have a bill of rights. Despite the 1961 constitution going through several amendments, it was not until 1984, that for the first time a

bill of rights was included in the constitution as a result of the fifth amendment.<sup>iv</sup> It is thus right to say that the fifth amendment ushered a new era in the understanding of rights in Tanzania.

In Tanzania, some laws govern children's right to education which shall be the major focus of this paper and in particular a pregnant girl-child still in primary or secondary school. These laws can be categorized into three namely, national laws, regional laws, and international laws. This paper shall further provide an insight on the policies adopted by the government of Tanzania that govern children's right to education more specifically a pregnant girl-child still in primary and secondary school.

National laws are those laws that operate within the borders of Tanzania. Regional laws are those that operate at a regional level but only those that Tanzania is a party to. International laws are those rules and norms that are generally accepted in relations between nations. It is important to note that Tanzania is only bound to observe those international instruments that she is a party to and has ratified.

All these laws serve almost a similar purpose but mainly, that is to say, they provide for the right to education by all children and this includes a pregnant girl-child. Discussed and analyzed below are the distinct laws governing children's right to education in Tanzania.

## **ANALYSIS OF THE LEGAL FRAMEWORK GOVERNING CHILDREN'S RIGHT TO EDUCATION IN IN PARTICULAR A PREGNANT GIRL-CHILD IN TANZANIA**

### ***Constitution of the United Republic of Tanzania 1977***

The current constitution stems from the 1961 constitution of then Tanganyika. The fifth amendment ushered in a new era that is to say a bill of rights was enacted in the constitution 1984 after undergoing several amendments.<sup>v</sup>

In analyzing the Constitution,<sup>vi</sup> it was found out that there is no specific provision that expressly provides that a child has the right to education including pregnant school girls. Therein, it provides that everyone has the right to education. In other words, it generalizes that education in Tanzania is to be pursued by all. Under Article 11 (2) & (3), it stipulates that all citizens

basing on their merits and abilities are free to access and pursue an education of their choice to the highest levels possible.

This provision indicates that everyone is entitled to pursue an education in Tanzania however, it does not specifically provide that pregnant girls have the right to pursue education. This was found out to be a weakness in the drafting as it leaves room for discrimination, especially among pregnant girls.

Another finding was that the right to education as stipulated under the Constitution<sup>vii</sup> falls under part II of chapter one of the constitution (Article 11). This part of the constitution is not enforceable under a court of law as it does not form part of the bill of rights and hence court cannot be held accountable for not enforcing it.<sup>viii</sup>

In other words, the constitution only recognizes education as a declaration of the fundamental policy of the government and not a right. In this situation, no one can hold the government liable for any wrongdoing in case a child fails to access education in Tanzania.<sup>ix</sup>

In other words, article 7 (2)<sup>x</sup> is a clawback clause in its entirety to Article eleven.<sup>xi</sup> With this, education through constitutionally provided for in Tanzania, at the same time it is not recognized legally and hence cannot be enforced in court. This is so as it does not form part of the bill of rights which are the only rights that can be enforced in court in Tanzania.

The failure to include the right to education in the bill of rights is a major weakness in the legal framework governing the right to education in Tanzania. The bill of rights in Tanzania is narrow, selective, and is held back with clawbacks. If this is not checked, referring to the 2025 development goals which among them is having an educated and literate Tanzania, the right to education should be included in the bill of rights otherwise this objective will never be achieved in Tanzania.

In a nutshell, for any right to be meaningful, it has to be afforded the respect it so deserves and when such right is violated its enforceability must not be up for discussion. In this case, education does not form part of the bill of rights. Thus, one could argue that Education is not afforded the reverence it so deserves in Tanzania. What is worse is the fact that courts of law cannot enforce the Right to Education in Tanzania thus making its enforceability also a mystery. Education as a right, therefore, needs protracted legal construction to ensure its guarantee in Tanzania.

### ***Law of the Child Act***

Before 2009, there was no single statute protecting the rights of a child in Tanzania. The legal protection of children was scattered among many statutes which laws were also outdated. This is because such laws were derived from the colonialists. But with Tanzania signing the CRC and ratifying it, a bill was passed in parliament on 6<sup>th</sup> November 2009. This was the bill of the law of the child Act 2009. This statute domesticated most international instruments governing the rights of a child all in one statute.<sup>xii</sup>

Under the Act,<sup>xiii</sup> a child's right to education has also been generalized and does not specifically stipulate that education as a right can also be enjoyed by a pregnant child.<sup>xiv</sup> Therein it stipulates that; a parent shall provide every child with several rights such as the right to life, shelter, leisure, and education among others.

The Act<sup>xv</sup> further imposes a duty upon the child's parents or guardians to maintain a child and in maintenance, making sure a child gets an education is highlighted. The same is highlighted further under Section 8 (1) (e).<sup>xvi</sup>

This provision is in itself too general as well in its construction. Yes, it refers to a child but does not specifically provide for a pregnant girl-child still in primary and secondary school.

The lack of a specific provision providing those pregnant girls basing on their abilities have the right to continue with their studies under the Law of the Child Act also indicated the poor drafting and construction of the statute which too leaves room for discrimination.

### ***The Education Act***

Under the Education Act,<sup>xvii</sup> there is no specific provision that stipulates that pregnant girls are entitled to an education. As a matter of fact, the Act<sup>xviii</sup> does not specifically stipulate that education is a right per se. However, it does stipulate that Education is compulsory for every child aged at least seven years shall not be denied admission to a school. This is stipulated under section 35 (1) (1 A).<sup>xix</sup>

In my opinion, this provision indicated that education is not a right per se but rather education is perceived as a duty for every child 7 years and above in Tanzania. In other words, one may argue that education is perceived as a national objective and policy but not a right.



This too is an indication of how feeble the Education Act <sup>xx</sup> is in governing the right to education in Tanzania as it too shows the generalization as it fails to specifically mention that a girl-child who gets pregnant also may not be refused enrolment in school.

### ***Guidelines On How to Enable Pregnant School Girls to Continue with Their Studies***

The guidelines were adopted in April 2009 as an improvement to the ETP of 1995.

Therein, the guidelines highlight the importance of education to all Tanzanians and that discrimination of any nature is against the laws and beliefs of Tanzania. Therein, it makes reference to, ETP of 1995 which empathized the access and equity to quality education for all Tanzanians. Sharpening skills, changing rigid cultural mind-sets in various fields of political social, and economic spheres by all Tanzanians which ultimately contributes to the national economy was one of the major goals.

The policy acknowledges, promotes and advocates for girls' rights and access to quality education as girls are mostly held back by customary and cultural constraints and stereotypes. The policy highlights one of the constraints to be the fact that the girl-child still in primary and secondary school may get pregnant leading to her expulsion from school which in turn has dire consequences.

The policy highlights that girls can re-enroll into school after they have given birth. But this comes with certain conditions that ought to be met first before they can re-enroll into school. The policy laid down conditions to be met by the stakeholders before a girl can be re-enrolled in school. The policy categorized the stakeholders as follows; impregnated school girls, school leadership, parents/guardians, society, religious leaders, and the government with each stakeholder having distinct responsibilities to enable the girl-child to re-enroll into school after giving birth.

The report further discusses possible ways of reducing and finally eliminating pregnancies among school girls. Last but not least, the policy also addresses what ought to be done regarding the men responsible for the pregnancies.

The research shall thus build on the policy's recommendations and findings from a legal point of view making reference to distinct laws both domestic and international.

### *Convention on Rights of the Child (CRC)*

In 1948 after the declaration of Human rights, the UN thought it prudent to protect children's rights. In 1959, the UNO published the ten points of the UDHR<sup>xxi</sup>.

It was established that children were a fundamental part of society and that the future of humanity depended on their care.

The CRC became law in 1990 after being signed by 20 countries.<sup>xxii</sup> The United Republic of Tanzania signed the treaty on 1st June 1990 and ratified it on 10th June 1991. Below are some of the provisions that provide for education as a right for all children.

The convention defines a child to mean any person below the age of eighteen years unless, under the law applicable to the child, majority is attained earlier.<sup>xxiii</sup> Therefore, any girl-child below the age of eighteen that gets pregnant while in primary or secondary school in Tanzania is protected by this convention.

The convention calls upon state parties to respect and ensure the rights outlined in the Convention without discrimination afforded to all children. It further provides that States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment based on the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.<sup>xxiv</sup>

This calls for state parties including Tanzania to endeavor that all children are treated equally in all aspects this includes the education sector as well. Pregnancies should not be a reason to deny a girl-child still in primary and secondary her right to Education.

In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities, or legislative bodies, the best interests of the child shall be a primary consideration is stressed by the convention.<sup>xxv</sup> As earlier mentioned, education is of vital importance to the child; hence it should be of primary concern that a child enjoys the right to education including a pregnant girl-child still in primary and secondary school.

Article 28 stresses that state parties should recognize education as a right for every child on an equal basis. This points out the fact that pregnant children should too be afforded equal opportunity in the enjoyment of the right to education.<sup>xxvi</sup>

Among the things stressed by the convention is free and compulsory primary education availed to all courtesy of the member states.<sup>xxvii</sup>

Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need.<sup>xxviii</sup>

State parties shall take measures to encourage regular attendance at schools and the reduction of drop-out rates.<sup>xxix</sup>

The covenant also encourages that children should be encouraged to pursue education to the best of their abilities and their fullest potential.<sup>xxx</sup>

Articles 28 and 29 when read together imply that the education of a child is important and should be given the utmost attention by all member states. The member states should do all that is necessary to ensure that a child gets education up to the highest levels possible considering the child's abilities and merits and no other aspects such as pregnancy should be used to hinder a child's right to education.

### ***Universal Declaration of Human Rights (UDHR)***

Through its third session, resolution 217 was adopted by the UN general assembly on 10th December 1948 in Paris France. For the first time in the world, fundamental human rights to be universally protected were set forth.<sup>xxxi</sup>

No direct legal obligation is created on countries by the UDHR as it is not a treaty but rather a resolution so adopted. The UDHR is had however adopted a status as customary international law since it has been cited and globally accepted for over six decades.<sup>xxxii</sup>

From 14th December 1961, Tanganyika has been a Member whereas Zanzibar has been a Member since 16 December 1963. However, with the union of Tanganyika and Zanzibar on 26th April 1964 the two countries became one in the United Republic of Tanzania and as such continued as a single member as of 1st November 1964.<sup>xxxiii</sup>

On becoming a member of the UN formally United Nations Organization, the Human Rights system established by the UDHR automatically applies and Tanzania was no exception to this.



In the preamble,<sup>xxxiv</sup> the UN calls upon party members to regurgitate their devotion to the fundamental human rights and equality of men and women determined to promote social progress, better standards of life and freedom.

This is an indication that for social progress to be promoted, equal rights between men and women should be promoted in all social aspects. This thus includes even pregnant girl-child in primary and secondary school ought to be afforded equal rights and opportunities.

Article 2<sup>xxxv</sup> provides that all rights and freedoms outlined in the declaration are without prejudice to be enjoyed by all without discrimination of any kind on lines of race, religion among others. This thus protects a girl-child to enjoy all fundamental human rights provided for under the said declaration. Among the fundamental rights provided for is Education stipulated under Article 26.<sup>xxxvi</sup> It further provides access to education based on merit should be afforded to all. The keyword being merit, therefore, pregnancy should not be used to prevent a girl-child to enjoy her right to education but rather their merits are all that counts.

The UDHR further stipulates that without any discrimination, before the law, all humans are equal and thus equally protected by the law.

In a nutshell, the UDHR is important as it outlines the rights every Human ought to enjoy. Among the rights in education for all without any sort of discrimination. Tanzania as a country therefore ought to endeavor that a girl child that gets pregnant while in primary or secondary school gets re-admitted in school after giving birth to enjoy her right to Education.

### ***African Charter on the Rights and Welfare of the Child (ACRWC)***

In July 1990 during the 26th Assembly of Heads of State and Governments of the OAU (now African Union) in Addis Ababa, Ethiopia, The ACRWC was adopted and It entered into force on November 29th, 1999.<sup>xxxvii</sup>

A child is defined in the charter to mean anyone below the age of eighteen.<sup>xxxviii</sup> Therefore, this statute is relevant to only the girl-child who get pregnant while in a primary or secondary school in Tanzania who are below the age of eighteen.

The charter further stipulates that in all actions concerning the child undertaken by any person or authority the best interests of the child shall be the primary consideration.<sup>xxxix</sup> In other words, the charter is calling upon state parties to always put the child's interests first.

Article 11<sup>xi</sup> provides for the right to education. It provides under sub article 1 that every child has a right to an education. Every child in this sense includes also a pregnant girl-child still in primary or secondary school as long as they are below the age of eighteen.

States Parties to the Charter are called upon to take all appropriate measures to achieve the full realization of the right to education providing free and compulsory basic education<sup>xlii</sup>, while also encouraging the development of secondary education to make it free and accessible to all.<sup>xliii</sup> Finally, state parties must take measures aimed at encouraging regular attendance at schools and the reduction of drop-out rates.<sup>xliiii</sup>

By this, the charter is calling upon state parties to encourage the education of a child in their respective states and that such education should be based on the merit and abilities of the child.

This paper made references to several domestic laws governing education in Tanzania. To mention but a few, they included; the Constitution<sup>xliv</sup>, the law of the Child Act,<sup>xlv</sup> The education Act<sup>xlvi</sup> among others. It was found out that, there is no specific provision providing that a pregnant girl-child has the right to education in Tanzania. All provisions governing Education as a right are too general in their construction, that is to say, they provide that education is for all children but does not make an exception for pregnant girls as it made exceptions for children with special needs. This leaves a huge vacuum in the laws hence creating room for discrimination.

This paper also analyzed regional and international instruments that Tanzania is party too and it has concluded that the construction and drafting were also feeble save for the ACRWC as it explicitly stipulates that pregnant girls should be afforded the right to education after they have given birth.

## **CONCLUSION AND RECOMMENDATIONS**

### ***Conclusion***

Education's role in the development of mankind is without a doubt. This being the case, many a country has regarded education as a pivotal part of the growth and progress of her people and the advancement of the country at large so they have taken an effort to legally make it a right.

Development and education move hand in hand. Education is the pillar on which economic development rests on. Confucius, a Chinese thinker and social philosopher taught that if one's plan is for a year, then planting rice would be ideal and that planting trees would be fit for a decade plan. Finally, if the plan is for a century, then educating children is the best plan.<sup>xlvii</sup>

The idea of using education to develop a given people and a nation has long been accepted and believed in Tanzania. This is evident in the words of Julius Kambarage Nyerere,<sup>xlviii</sup> who believed that man could only liberate and develop himself and not by others and it is this trait in man that distinguishes him from other animals. This trait coupled with the power over himself, environment and society ultimately must lead to development. Nyerere believed education served one purpose and that is the development of man from the constraints of illiteracy and dependence. The increase of man's freedom physically and mentally, self-discipline over oneself, land, and society he lives in is the purpose education should serve. In other words, education's purpose is a liberating idea.

Education should be imparting skills aimed only at liberating men. Anything else contrary to this idea cannot properly be called education. Any teaching which brings about a dependent outlook or approach or logic of feebleness should not be termed as education at all. Education therefore should equip man with skills to progress themselves.

Education as a right has been recognized and declared under international law by several statutes which have declared and imposed obligations to member states to fulfill, recognize, enforce and ensure education is pursued and enjoyed by all but also domestic statutes in Tanzania have recognized education as a right.

With this said, a responsibility to ensure that all citizens are accorded equal opportunities to access to education falls on the government. This in other words translates to the fact that even a pregnant girl-child still in primary and secondary school deserves to enjoy the right to education without any sort of discrimination. It is thus prudent to educate the child for they are the future.

This paper set out to scrutinize the laws governing education in Tanzania both domestic and international laws in particular those affecting a pregnant girl-child still in primary and secondary school as the major objective.

The problem perceived in this paper is that despite many laws being governing the right education in Tanzania, the lack of a specific legal provision in the laws which provide for pregnant girls having the right to education stood out as a major predicament. Save for the ACRWC. This quandary coupled with that in Tanzania education as a right is not inclusive under the bill of rights also commiserated a major problem.

This paper also set out to find out the legality of the practice of expelling pregnant girls still in a primary and secondary school in Tanzania which was found out to have a legal foundation

To this end, this paper has illuminated the challenges facing the legal and institutional framework governing education as a right in Tanzania. Discussed below are some of the possible recommendations suggested by this paper basing on the findings to not perk up the current legal environment in Tanzania but also help change mindsets of policy and lawmakers, leaders, and the society at large.

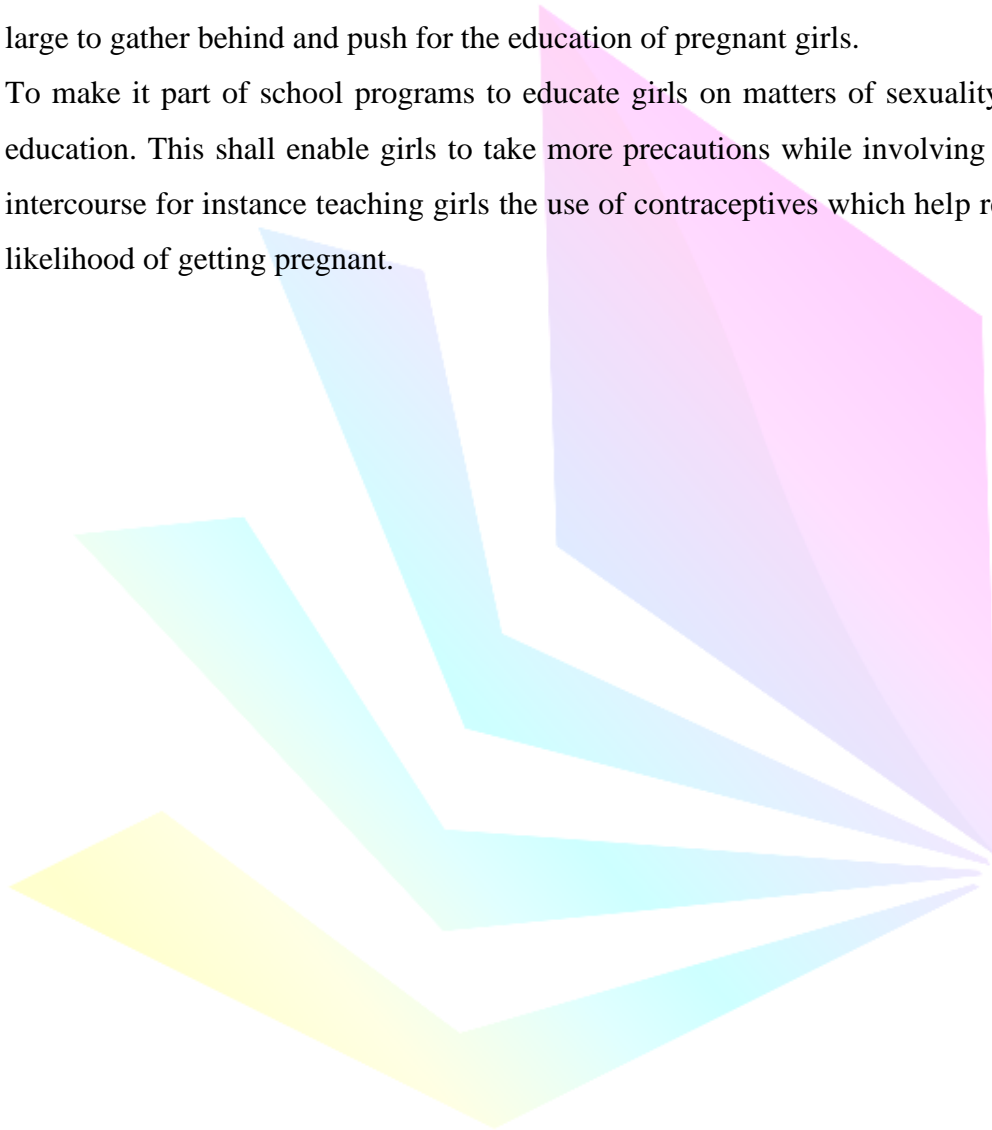
### ***Recommendations***

After a thorough evaluation of the current Tanzania legal structure and practice governing the education of a pregnant girl-child still in primary or secondary school, the researcher is compelled to give the following recommendations,

- ✓ Include a provision in the law that specifically provides that even a pregnant girl-child should have the benefit to the right to education in Tanzania with education being mandatory. This shall help reduce the rate of school dropouts.
- ✓ The bill of rights needs perking up and this means the inclusion of education as a right. This will improve the enforceability process of the right in courts of law in Tanzania.
- ✓ Without more ado bring to an end policy, and practices in schools that are discriminatory. It was found out that the expulsion of many a pregnant girl-child is discriminatory since pregnancy does not change the fact that a child below 18 years is still legally recognized as a child irrespective of the pregnancy.
- ✓ Take on board positive policies and laws inclined towards enrolling pregnant girls back into school after giving birth.
- ✓ Creating a stigma-free environment in schools and society for pregnant girls after giving birth. This can be done by educating and sensitizing people that pregnancies

among school girls should not warrant discrimination of such girls but rather such girls should be given all the moral support they so deserve during and after pregnancy.

- ✓ Counseling services in schools for all students but most importantly those that are pregnant should be encouraged. This will help young mothers and pregnant girls in the long run psychologically.
- ✓ Engage teachers, parents, religious leaders, government officials, and the society at large to gather behind and push for the education of pregnant girls.
- ✓ To make it part of school programs to educate girls on matters of sexuality and sex education. This shall enable girls to take more precautions while involving in sexual intercourse for instance teaching girls the use of contraceptives which help reduce the likelihood of getting pregnant.





## ENDNOTES

<sup>i</sup>Examples of such laws includes the constitution of the United Republic of Tanzania 1977, the law of the child Act, The Education Act are examples of domestic laws. International laws include; Universal Declaration of Human Rights, Convention On Rights of the Child, The Convention Against Discrimination in Education, The African Charter on Human and People's Rights, African Charter On the Rights and Welfare of the Child among others

<sup>ii</sup> Section 4 Law of the Child Act CAP 13

<sup>iii</sup> Available at <https://www.britannica.com/place/Tanganyika>

<sup>iv</sup> HON D.Z Lubuva, (1987) *Reflection on Tanzania's bill of rights*.

<sup>v</sup> HON D.Z Lubuva, attorney general of Tanzania, Reflection on Tanzania's bill of rights 16th October 1987

<sup>vi</sup> CAP 2 of the laws of Tanzania

<sup>vii</sup> Ibid

<sup>viii</sup> Article 7 (2) of CAP 2 laws of Tanzania

<sup>ix</sup> Elias Michael Machibya, (2009) Realizing The Right to Education in Tanzania in the Context of the CRC

<sup>x</sup> CAP 2 of the laws of Tanzania

<sup>xi</sup> Ibid

<sup>xii</sup> Available at [https://www.unicef.org/policyanalysis/tanzania\\_51662.html](https://www.unicef.org/policyanalysis/tanzania_51662.html) - Accessed December 2020

<sup>xiii</sup> CAP 13 of the laws of Tanzania

<sup>xiv</sup> Section 9 (1) CAP 13 of the laws of Tanzania

<sup>xv</sup> CAP 13 of the laws of Tanzania

<sup>xvi</sup> Ibid

<sup>xvii</sup> CAP 353 of the laws of Tanzania

<sup>xviii</sup> Ibid

<sup>xix</sup> CAP 353 of the laws of Tanzania

<sup>xx</sup> Ibid

<sup>xxi</sup> Available at <https://www.profuturo.education/en/2017/11/23/the-history-of-the-convention-of-the-rights-of-the-child/> - Accessed October 2020

<sup>xxii</sup> Ibid

<sup>xxiii</sup> Article 1 CRC

<sup>xxiv</sup> Article 2 CRC

<sup>xxv</sup> Article 3 CRC

<sup>xxvi</sup> CRC

<sup>xxvii</sup> Article 28 (1)(a) CRC

<sup>xxviii</sup> Article 28 (1) (b) CRC

<sup>xxix</sup> Article 28 (1) (e) CRC

<sup>xxx</sup> Article 29 CRC

<sup>xxxi</sup> Available at <https://www.un.org/en/universal-declaration-human-rights/> - Accessed on August 2020

<sup>xxxii</sup> Available at <https://humanrights.gov.au/our-work/what-universal-declaration-human-rights> - Accessed on August 2020

<sup>xxxiii</sup> Available at <https://www.un.org/press/en/2004/ORG1360.rev.1.doc.htm> - Accessed on August 2020

<sup>xxxiv</sup> UDHR

<sup>xxxv</sup> UDHR

<sup>xxxvi</sup> Ibid

<sup>xxxvii</sup> Available at <https://www.ihrda.org/2012/10/african-charter-on-the-rights-and-welfare-of-the-child/> - accessed September 2020

<sup>xxxviii</sup> Article 2 ACRWC

<sup>xxxix</sup> Article 4 (1) ACRWC

<sup>xl</sup> ACRWC

<sup>xli</sup> Article 11 (3) (a) ACRWC

<sup>xlii</sup> Article 11 (3) (b) ACRWC

<sup>xliii</sup> Article 11 (3) (d) ACRWC

<sup>xliv</sup> CAP 2 of the laws of Tanzania

<sup>xlv</sup> CAP 13 of the laws of Tanzania

<sup>xlvi</sup> CAP 353 of the laws of Tanzania

<sup>xlvii</sup> Available at <https://www.goodreads.com/quotes/79127-if-your-plan-is-for-one-year-plant-rice-if> - Accessed October 2020

<sup>xlviii</sup> Regarded father of the nation and Tanganyika's first president.