UNIVERSITY OF DAR ES SALAAM

School of Law

LEGAL RESEARCH COMPENDIUM



Hamudi Ismail Majamba & Esther Mlingwa

2023



UNIVERSITY OF DAR ES SALAAM
SCHOOL OF LAW

Legal Research Compendium

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Published by
Dar es Salaam University Press (DUP)
P. O. Box 35182
Dar es Salaam

© Dar es Salaam University Press, 2023

ISBN: 978-9976-60-615-7

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ACKNOWLEDGMENTS

The initiative to update teaching materials was spearheaded by the Dean of School of Law with the mission to improve teaching materials and increase publications. We extend their appreciation to the Dean of School of Law for this drive. We acknowledge the assistance of staff members who participated in the preparation of this Compendium. The funding provided by the University of Dar es Salaam to support this initiative is also acknowledged. Lastly, we thank students who participated in the course of reaching out to stakeholders in compiling this Compendium for their comments and input. It is our hope that they will make this Compendium their reference point in the course of their practice and continue enhancing their legal research skills.

INTRODUCTION

This Compendium provides a collection of concise but detailed information and materials primarily targeted for the Legal Research Course offered to undergraduate students in the Bachelor of Laws (LL.B) Programme at the University of Dar es Salaam School of Law.[1] The materials include national legislation and policies, books, journal articles and cases from a wide range of branches of legal research. It also provides references to critical policies, guidelines and rules of the University of Dar es Salaam that have a bearing on research. Additional information on legal research issues reflected in various legal instruments, where applicable, at the international and regional levels are also provided.

It is hoped that the Compendium will make it easier for Law students and researchers in this branch of law to better understand this critical area for law studies and practice. This will, hopefully, enable them to easily trace critical references, sources and authorities in the course of understanding research in the legal discipline. Diligent students and researches should be in a position to follow up on the list of references provided for by the authorities on the subjects that are cited in the Compendium. This would certainly provide them with a more comprehensive understanding of the issues raised or discussed. It will also be useful to follow up and keep abreast of developments on the laws and cases to have an update on any changes to the laws and decisions in various jurisdictions that have a bearing on legal research.

[1] Students in the Bachelor of Arts (Law Enforcement) [BALE], Taught LL.M and Ph.D Programmes offered by the School would also greatly benefit from this Compendium, of course with adjustment to suit the specific requirements of the Course Outlines of their Programmes.

COURSE SYNOPSIS AND OBJECTIVES

Course Description

The Legal Research Course (LW 305) is a core course offered in the 3rd year of the LL.B. degree programme and it carries with it a field component that feeds into LW 400 (LL.B. Dissertation) in the fourth year. The course prepares candidates to write research proposals in preparation for the LL.B. Dissertation in the 4th year. Candidates shall be allocated research supervisors at the commencement of the 2nd Semester in the 3rd year of study. Candidates shall then develop the proposals with the assistance and guidance of the supervisors.

The coordinator of the course will ordinarily approve the proposal during the LW 305 (Legal Research) course and the supervisors will thereafter fine-tune the topics/areas subject to the approval of the coordinator. Students are encouraged to identify current problems (preferably issues that have a legal bearing during the last two years of their study) to address in the course of undertaking research. The Field component of the LW 400 LL.B. The dissertation shall ordinarily be carried out for eight (8) weeks during the long vacation of the 3rd year as part of LW 305 Legal Research.

The course is designed to equip 3rd year law students, who are about to commence fieldwork, with the basic research methodology skills and tools to enable them to conduct legal research in an interdisciplinary context. The methodological skills and tools will enable them to comprehend the intricacies of conducting research on pertinent matters and issues related to the operation of legal processes and the social, cultural, historical and economic context in which law operates and is perceived in the society. The course sets a foundation to enable the candidates to conduct research and eventually write their LL.B. dissertations in the fourth year of study. The LW 305 course is therefore a stepping-stone for LW 400 (LL.B. Dissertation).

At the end of the course, law students are expected to be capable of articulating research issues competently and write professional research reports to be

published in academic journals and provide guidance on legal research issues when called upon.

References: A comprehensive list of selected references has been provided in the Compendium. Most of these references are available on the website and (where indicated) in the general collection of the University Library. Students are strongly advised to read the reference materials provided for in this Compendium prior to lectures and follow up on further references in the bibliographical indexes provided for in the materials.

Grading: The course shall be administered in accordance with the University of Dar es Salaam and the School of Law's Examination Regulations available in the University of Dar es Salaam Prospectus website: (https://www.udsm.ac.tz/web/index.php/prospectus) as amended from time to time.

Continuous Assessment during the course will be administered through rapid tests, take home assignments, timed tests and other types of course work as determined by the course instructors and in accordance with the applicable University Regulations.

Students must read this Compendium with the Course Outline for this course issued to them.

1.0 SELECTED REFERENCES AND MATERIALS

1.1 Legislation/Policy on Research (International)

The Berne Convention for the Protection of Literary and Artistic Works, signed at Berne 9th September 1886, completed at Paris 4 May 1896, as revised at Paris 24 July 1971, 1161 UNTS 30.

1.2 Legislation/Policy on Research (Regional)

African Union

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SADC

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Shaban Khamis Mloo et al v. The Superintendent of Zanzibar Prisons et al [1991] TLR 21 at p. 33 – research is a Union matter.

Bihawa Mohamed v. Ally Sefu, Civil Appeal No. 9 of 1983, Court of Appel of Tanzania at Dar es Salaam. Available at: https://www.chr.up.ac.za/images/researchunits/wru/documents_/caselaw/bi_hawa_mohamed_v-_ally_sefu_9_of_1983.pdf - use of medical research from Medical Journal.

John Mwombeki Byombaliwa v. The Regional Commissioner and Regional Police Commander [1986] T.L.R 73. Citation of scholarly works to support decisions of courts. The Justice cited Prof. Shivji and Mr. Wambali's papers (See pp. 79 and 88-89 respectively).

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Jamii Media Company Ltd v the Attorney General and Inspector General of Police, Miscellaneous Civil Case No. 9 of 2016, High Court of Tanzania at Dar es Salaam [unreported]- anonymity, right to privacy and disclosure of personal data, right to seek, receive and disseminate information under the Constitution. Available at: https://thrdc.or.tz/wp-content/uploads/2019/09/JAMII-MEDIA-Judgment-20-Mar-2017.pdf.

7.0 ELEMENTS OF THE PROPOSAL

7.1 Statement of the Problem

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Research and Evaluation in Education and Phycology. (undated). Literature Review and Focusing Research, Sage Publications. Available at: https://www.sagepub.com/sites/default/files/upm-binaries/29986_Chapter3.pdf.

7.2 The Description and Justification of Selected Area of the Research

Research area identified must be described briefly after providing for its justification. The reader must also know why the area has been selected. (See Annexture G – Sample of Description of Selected Area).

8.0 TYPES OF RESEARCH DATA

8.1 Primary

Driscoll, D. L. (2011). Introduction to Primary Research: Observations, Surveys, and Interviews, in *Writing Spaces: Readings on Writing. Volume 1* / edited by Lowe, C and Zemliansky, P, Library of Congress, California, USA. Available at:
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9.0 Referencing and Citation

Approved University of Dar es Salaam School of Law (UDSoL) citation styles. Available at:
https://www.udsm.ac.tz/web/index.php/schools/sol/udsol-citation-styles (See Annexture B of this Compendium). **NB**: In the event of a conflict between this Annexture and the Approved UDSoL Citation Styles (Styles), the Styles shall prevail to the extent of the inconsistency.

Referencing/Citation. Available at:
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10.0 METHODS OF RESEARCH

10.1 Introduction

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10.3 The Field Diary

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http://www.stat.columbia.edu/~gelman/research/published/storytelling.pdf.

McCall B., *et al.* (2019). Storytelling as a research tool and intervention around public health perceptions and behaviour: A protocol for a systematic narrative review. *BMJ Open,* 9, e030597, doi:10.1136/bmjopen-2019-030597. Available at: https://bmjopen.bmj.com/content/9/12/e030597.

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Arkkelin, Daniel. (2014). Using SPSS to Understand Research and Data Analysis. *Psychology Curricular Materials, 1*. Available at: https://scholar.valpo.edu/cgi/viewcontent.cgi?article=1000&context=psych_oer.

Landau, S. & Everitt, B. (2004). *Handbook on Statistical Analysis using SPSS*. New York: Chapman & Hall/CRC LLC. Available at: https://www.academia.dk/BiologiskAntropologi/Epidemiologi/PDF/SPSS_Statistical_Analyses_using_SPSS.pdf.

14.0 FORMAT OF EXAMINATION COPY OF THE LL.B. DISSERTATION

The University of Dar es Salaam Regulations (contained in the University of Dar es Salaam Prospectus of each year) shall govern the LL.B Dissertation LW 400 with respect to the words, page numbers, font characters, type of paper and other matters. The final dissertation must be in hard bound form and in black cover.

The front cover of the examination copy of the dissertation shall have letters inscribed in Font size 14 Arial or Tahoma Font characters and be in the format provided for in Annexure C of this Compendium.

The preliminary pages in the examination copy of the LL.B dissertation shall be numbered distinctively roman numerals comply with the format provided for in Annexure D of this Compendium.

15.0 FINAL DISSERTATION: EVALUATION/GRADING

The dissertation shall be evaluated/graded on the basis of the indicators provided for in Annexure E of this Compendium. Students are strongly advised to familiarize themselves with the indicators.

Walser, T. M *et al*, (2016). 'Evaluability Assessment Thesis and Dissertation Studies in Graduate Professional Degree Programs: Review and Recommendation,' American Journal of Evaluation, Volume: 37 issue: 1, page(s): 118-138: https://eric.ed.gov/?id=EJ1089585

16. PUBLICATIONS: ARTICLES & DISSERTATIONS

Proquest. (undated). *Publishing Your Doctoral Dissertation with UMI® Dissertation Publishing.* Available at: *https://projects.iq.harvard.edu/files/umi_dissertation_publ.pdf.*

Bowen, G. A. (2010). From Qualitative Dissertation to Quality Articles: Seven Lessons Learned. *The Qualitative Report, Volume 15,* No. 4, pp. 864-879. Available at: http://www.nova.edu/ssss/QR/QR15-4/bowen.pdf OR https://files.eric.ed.gov/fulltext/EJ896175.pdf.

Cambridge Scholars Publishing. (undated). *Adapting Your PhD Thesis for Publication*. Available at: https://www.cambridgescholars.com/uploads/sbpub_sub/downloads/P3_Adapting_your_PhD_thesis_for_publication.pdf.

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ANNEXURE A

UNIVERSITY OF DAR ES SALAAM
OFFICE OF VICE CHANCELLOR – ACADEMIC
DIRECTORATE OF POSTGRADUATE STUDIES[2]



GUIDELINES AND REGULATIONS FOR PLAGIARISM

[2] These Guidelines have been adopted from the Guidelines and Regulations that have been approved by the Senate of the University of Dar es Salaam found on the UDSoL website at: https://www.udsm.ac.tz/web/index.php/schools/sol/guidelines-and-regulations-for-plagiarism-and-deployment-of-pg-students. In the event of a conflict, the Guidelines and Regulations approved by the Senate which are on the UDSoL website shall prevail to the extent of the inconsistence.

JANUARY 2016

FOREWORD

The University of Dar es Salaam (UDSM) Vision 2061 identifies expanding and modernising postgraduate training and internationalisation of teaching programmes and learning experiences as one of the key priority areas. Postgraduate training is potentially a high growth area for UDSM and the thrust of the University needs to move in this direction. In conformity to the vision, UDSM is taking measures to ensure that it maintains standards of producing quality graduates. This handbook presents Postgraduate Guidelines on Plagiarism and Deployment of Postgraduate Students for Teaching or Technical Assistants.

Plagiarism is a widespread problem in many Universities worldwide and University of Dar es Salaam is not an exceptional. Eliminating academic dishonesty including plagiarism at the University of Dar es Salaam could help nurture original thinkers and intellectuals who are suited to enhance UDSM academic profile if all UDSM stakeholders including lecturers and students are built in strong measures to combat widespread plagiarism, which is hampering the production of quality graduates. As a step towards addressing the problem, the University of Dar es Salaam has developed guidelines on plagiarism. These guidelines intend to: firstly, warn students about plagiarism ant its consequences in their academic carrier; secondly, eliminate the plagiarism practices by detection and penalties; thirdly, to build capacity among supervisors and students on detecting plagiarism in their academic works; and fourthly, to encourage students to model themselves on the best thinkers and, at the same time, think critically and originally.

These Guidelines have been tailored along the lines that are similar to plagiarism policies or related guideline of other higher learning institutions in different jurisdictions but have been fine-tuned to take into account local circumstances. Turnitin software will be the main tool for detecting plagiarism.

On the other hand, the Guidelines provide mechanisms to deploy postgraduate students in teaching and performing technical activities. In recent years, UDSM has increased a number of students enrolled at both

undergraduate and postgraduate levels and degree programmes. At the same time, there has been a significant and rapid decrease in a number of senior staff. These factors have led some Colleges, Schools and Departments to assist in teaching and provision of technical services. This, however, has been generally sporadic and un-coordinated, which necessitated the need to provide guidance to the Units in deploying postgraduate students in teaching and technical related activities. The mechanisms also highlight incentive packages for those who will be involved in teaching or undertaking technical activities.

It is our hope that these guidelines and regulations will impact positively on the University through producing quality students, research and publications.

The Directorate of Postgraduate Studies
January 2016

A. PLAGIARISM

1. Introduction

Plagiarism is the act of presenting another person's works (published or not), ideas or creation from any source as if they were one's own. Plagiarism by students at the University of Dar es Salaam is increasingly becoming a problem that needs urgent intervention. Acts of plagiarism amount to fraud and academic dishonesty whose consequences are serious. The University of Dar es Salaam has put in place a mechanism to ensure that students are exposed to methods of avoiding plagiarism while reminding students that the responsibility of avoiding plagiarism is ultimately theirs. These Guidelines are intended to assist students to avoid plagiarism and provide guidance for examiners to identify and ensure that cases of plagiarism are reported to relevant authorities for appropriate action.

2. Objectives of the Guidelines

The primary objectives of these Guidelines are to:

1) Maintain academic integrity and quality;
2) Ensure a clear definition of the concept of plagiarism, so that all Units at the University of Dar es Salaam operate on the same understanding of plagiarism;
3) Encourage all Units at the University of Dar es Salaam to commit themselves in educating students thoroughly about the nature of plagiarism as well as conventions that apply to research and presenting academic materials in their respective disciplines;
4) Provide for the use of plagiarism detection mechanisms, such as the Turnitin Software, to assist academics in detecting and preventing incidences of plagiarism; and
5) Put in place various procedures for discipline and related appeals and other measures for dealing with students who plagiarise.

3. Preventing and Detecting Plagiarism

The University of Dar es Salaam has installed the Turnitin Software (and may install other software; in the event of the use of other software, the Guidelines shall operate *mutatis mutandis* to those stipulated herein for the Turnitin Software) to detect plagiarism and will provide training in the use of this or other plagiarism detection software and the interpretation of the automatically

generated originality report. Once an assignment is submitted by a student, it will be uploaded to the software by the supervisor. The software generates the originality report showing the parts of assignment that may have been plagiarised, together with a list of probable sources used by the student.

There is no clear threshold percentage for defining the safe cut-off point of plagiarism. However, as a guide, a returned percentage of below 15 from the Turnitin originality report may indicate that plagiarism has not occurred. A returned percentage of 25 and above could be considered that plagiarism has occurred.

Table 1 below provides a benchmark for detecting plagiarism:

Table 1

Category/Percentage Level	*% of percentage plagiarism material*
High-scale plagiarism	70-100
Medium-scale plagiarism	35-69
Low-scale plagiarism	1-34
Legitimate research	0

4. Plagiarism Tolerance Level

For the University of Dar es Salaam the cut-off point is set at 30% which falls within the low-scale of plagiarism. This means that a dissertation or thesis with the plagiarism report of more than 30% shall indicate that plagiarism has occurred.

Before any dissertation/thesis is sent to the External Examiners, it must be subjected to anti-plagiarism test (Turnitin) and the dissertations/theses together with the Turnitin test reports must be submitted to DPGS for approval. Final dissertations/theses submitted to the Directorate of Postgraduate Studies by the Units shall incorporate the anti-plagiarism report.

5. Disciplinary Measures and Appeals

The following disciplinary measures shall be taken for plagiarism offence:

(a) Supervisors who would have failed to detect plagiarism should be required to provide an explanation in writing why disciplinary

measures should not be commenced against them with the disciplinary procedures of the University of Dar es Salaam.

(b) Students: Where students submit dissertations or theses for examination and they are found to have been plagiaried, their case shall be presented to the relevant Examiners Board of the Unit where the students are registered and the Board shall make recommendations to the Directors of Postgraduate or Undergraduate Studies for the matter to be dealt with as an examination violation in accordance with the established Regulations of the University of Dar es Salaam.

(c) Where a student is found to have a plagiarised coursework assignment or test, the examiner shall enter a Zero grade and direct the student to submit another assignment provided that upon re-submission, the highest grade to be awarded shall be a 'C'.

6. Revision

These Guidelines may be revised by directives issued from time to time by the Deputy Vice Chancellor (Academic).

ANNEXURE B

UDSM School of Law Citation and Referencing Guidelines, January 2021

UNIVERSITY OF DAR ES SALAAM

UDSM SCHOOL OF LAW

CITATION AND REFERENCING GUIDELINES[3]

Approved in January, 2021

[3] These Guidelines have been adopted from the Guidelines that have been approved by the Senate of the University of Dar es Salaam found on the UDSoL website at: https://www.udsm.ac.tz/web/index.php/schools/sol/udsol-citation-styles In the event of a conflict, the Guidelines which have been approved by the Senate available on the UDSoL website shall prevail to the extent of the inconsistence.

1. INTRODUCTION

1.1. Objectives

Regulation 14 of the Postgraduate Regulations of 2018 entails the guidance for postgraduate students for the purposes of preparation and submission of theses, dissertations and other forms of academic research papers. The guidance concentrates on the formal requirements of such academic writings. Students are required to adhere to the Regulations.

Regulation 14.11 contains specific provisions on referencing. It reads as follows:

> 14.11.1. All sources cited in the text should be included in the list of references. References should be arranged in alphabetical order at the end of the thesis/dissertation, beginning with the authour's name. Departments may differ in the specific referencing styles and candidates are advised to consult their respective Schools, Institutes or College Authorities for appropriate referencig styles in their Units. Where there is no guidence, the Harvard Style of referencing should be used.
>
> 14.11.2. Where a Unit decides to develop its own referencing system, the new format shall be approved by the DVC – Academic.

In line with the provisions above, the University of Dar es Salaam School of Law (UDSoL) has developed these Guidelines to be referred to as *The University of Dar es Salaam School of Law Citation and Referencing Guidelines*. They are meant to guide UDSoL students when writing their assignments, research proposals, advanced papers, graduate essays, dissertations, theses, etc., with a view to ensuring unformity and consistency in terms of citation and referencing. No other citation and referencing styles shall be accepted.

Note:

These Guidelines shall apply mutatis mutandis to undergraduate Dissertations.

1.2. Important Formal Requirements (additional to those in the Postgraduate Regulations)

1.2.1. *Quotations*

Use doube quation marks ("…") when directly quoting a text from a source. In the main text (not in the footnotes), quotations that are more than 4 lines long in text should be indented (1 cm) on both sides and presented without quotation marks. Do not use ellipses or dots (…) at the beginning or end of an indented quote. To indicate where words or phrases have been omitted within a quotation, use only three dots "…"

Note:

Unless they are truly inevitable, direct (verbatim) quotations are highly discouraged. Supervisors shall, where such quotations are not required, direct candidates to remove them.

1.2.2. Punctuation

Punctuation marks should be "outside" quotation marks (unless the punctution mark is clearly part of the quatiation). Footnote superscript numbers should come after punctutation marks.

1.2.3. Numerals

- In the main body of the text, numbers and ordinals from one to ten (inclusive) should be spelled out; after that, use digits. E.g.
  - One, two, three, … ten, 11, 12….
  - First, second, … tenth, 11th, 12th
- Use the longer dash to separate groups of digits for page numbers and dates
  - E.g. 20 - 24; 125 - 28

- When citing page numbers, abbreviate figures in the hundreds or thousands as appropriate.
  - E.g. 125 – 28 (instead of 125 – 128); 1923 - 25 (instead of 1923 - 1925); 2345 - 51 (instead of 2345 – 2351)

- Always use digits (not words) for footnotes, percentages and references to sections or pages of a document. Examples:
  - 2 per cent (do not write "two percent"); or 6% (do not write "six percent")
  - Page 7 (not "page seven")
  - S. 12 of the Law of Marriage Act (not "section twelve of …….")

1.2.4. Footnotes

- Use footnotes, and not endnotes. DO NOT use supra, op cit, loc cit, infra, etc. Follow the style that is shown hereinafter.
- Heavy footnoting is discouraged. Unless it is truly necessary, avoid putting long texts in the footnotes. All relevant information should be placed in the main text.

1.2.5. Abbreviations

Use the following abbreviations: p/pp. (for page/pages); para/paras. (for paragraph/paragraphs); s/ss. (for section/sections of a law); art/arts. (for article/articles of a law, treaty, constitutions, etc.).

1.2.6. Multiple Authors

When citing a source written or edited by mulitiple authors, observe the folowing:

- If the number of authors/editors is three or less, cite all authors or editors.
- If the number of authors/editors is four and above, only cite the first author and add "et al." (meaning "and others") for the rest of the authors/editors.

1.2.7. Artificial Persons as Authors

If a publication is issued by an artificial person (e.g. government, organisation, association, commission, corporation, NGO, etc.) and has no personal author's name on the title page, list the organisation itself as an author even if it is also given as a publisher.

2. CITATIONS IN FOOTNOTES

Adhere strictly to the following formulae when citing your sources in the footnotes. Any work that does not adhere to the style provided here will be returned to students or candidates.

Note:

Observe the use and place of pnt of items, etc. in each category of sources.

2.1 Books

- Authors' Surnames and Initials, *Title in Italics* (edition, if any), Place of Publication: Publisher, Year (no brackets), Page Number of a Quote/Where the idea is found.
  Examples:
  - Malanczuk, P. *Modern Introduction to International Law* (7th Revised Edn.), London: Routledge, 1997, p. 23.
  - Turabian, K. L. *A Manual for Writers of Research Papers. Theses and Dissertations* (7th Edn.) Chicago: University of Chicago Press, 2007, p. 25.

2.2. Chapters in Edited Books

- Author's Surname and Initials "Chapter Title" in Editor's (or editors') Surname(s) and Initials (ed./eds.), *Book Title in Italics,* City of Publication: Publisher, Year (without brackets), Page Pumber or Numbers of Quote/where the idea is found.
  Examples:
  - Materu, S. F. "A Strained Relationship Reflections on the African Union's Stand towards the International Criminal

Court from the Kenyan Experience", in Werie, G., Fernandez, L. and Vombaum, M. (eds). *Africa and the International Criminal Court*. The Hague: T.M.C Asser Press, 2014, p.223.

- Majamba, H. I. and Longopa, E. E.. "Post-2015 Legislative and Policy Reforms for Oil and Gas", in Kweka, O. L. and Majamba, H. I. (eds). *Scientific, Legal and Economic Aspects of Oil and Gas in Tanzania*, Dar es Salaam: University of Dar es Salaam, 2018, pp. 53-7.

2.3. Journal Articles

- Author's Surname and Initials. "Article Title", volume (issue, if any). Title of Journal (in full) in Italics, year, page number of beginning of article, page number of quote/where the idea is found.

  Examples:

  - Tizeba, T. "The Symbiotic Relationship between Illicit Financial Flow and Money Laundering in Africa", 44(2). *Eastern Africa Law Review,* 2017, p. 14.
  - Werie, G. and Burghardt, B. "Do Crimes against Humanity Require the Participation of a State or a "State-Like" Organization?" 19(5). *Journal of International Criminal Justice*, 2012, pp. 1167 – 70.

2.4. Official Reports

- Name of Author/Institution Issuing the Report, *Title of the Report in Italics,* Place of Publication: Publisher, Year, Page Number of Quote.

  Examples:

  - Human Rights Watch, Ballots to Bullets: *Weapons Proliferation, Political Violence and Human Rights in Kenya, New York: Human Rights Watch, 2992, p. 16.*
  - Republic of Kenya, *Report of the Commission of Inquiry into Post-election Violence,* Nairobi: Government Printer, 2008, pp. 102-122.

2.5 Theses and Dissertations

- Author's Surname and Initials, "Title of Thesis/Disseration", PhD Thesis/LL.M Dissertation. Name of University, Year, Page Number of Quotes.
  Examples:
  - Peter, Y. "Prosecuting Money Laundering in Tanzania: Legal and Practicl Challenges", LL.M Dissertation, University of Dar es Salaam, 2018, pp. 34.
  - Mwanga, E. "Intergrating Indigenous Knowledge Systems into Climate Chang Strategies in Tanzania Examinination of Legal and Policy Challenges", Ph.D Thesis, University of Dar es Salaam, 2019, pp. 176-9.

2.6. Newspaper Articles (Print and Electronic)

2.6.1. Print Newspaper

- Author's Surname and Initials |Title of article|, Name of Newspaper in Italics, (Place of Publication), Date, Month and Year of Publication, Page Number Referred.
  Example:
  - Kolumbia, L. President John Magufuli: No Tenure Extension. *The Citizen*, (Dar es Salaam), 19 December 2019. pp.1.

2.6.2. Online Newspapers

- Author's Surname and Initials, "Title of Article", *Name of Newspaper in Italics,* (Place of Publication), Date, Month and Year of Publication. Available at: <URL/internet link>, (date accessed).
  Example:
  - Kolumbia L. "President John Magufuli: No Tenure Extension," *The Citizen* (Dar es Salaam), 19 December 2019. Available at:

<https//www.thezitizen.co.tz/news/1840340-5391630-9wru7b/index.html>(Accessed 20 December 2019).

2.7. Unpublished Papers (Conference Papers or Research Papers, etc.)

- Author's Surname and Initials, "Title of Paper", (Paper Presented at Name of Conference), Place, Date, Page Number of Quote.
  Example:
  - Amao, F. "Universalism and African Union Law: An Uncomfortable Synthesis of Universalism and African Traditions? (Paper Presented at the 114th Annual Conference on International Law and Universality), Manchester, 13 – 15 September 2018, pp. 7.

2.8. Electronic (Internet/Online) Sources

Use the phrase "available at <http://…?" when citing, and provide date it was last accessed in brackets. Remove all hyperlinks. Cite using the following formula:

- Author's Surname and Initials (or if authors is not a natural person, then name of the organisation/institution publishing the material), "Title of the Document", (Place of Publication (if available): Publisher (if available), Year (if available), Page Number of Quote (if available). Available at: <URL/internal link>, (Date Accessed).
  Examples:
  - OECD, "Money Laundering and Terrorist Financing Awareness Handbook for Tax Examiners and Tax Auditors", OECD, 2019, p. 15. Available at: <https://www.oecd.org/tax/crime/money-laundering-and-terrorist-financing-awareness-handbook-for-tax-examiners-and-tax-auditors.pdf> (Accessed 20 December 2019).
  - Ischebeck, J. "Money Laundering in Africa: What you Need to Know". Available at:

https://moguldom.com/211905/money-laundering-in-africa-what-you-need-to-know/ (accessed 18 December 2019).

Note:
Do not cite the URL/internet link alone; you must provide the full facts of the publication as far as they can be determined before placing the Internet link.

2.9. Cases

Cite cases, ruling, decisions and judgment in accordance with the normal practice in the relevant jurisdiction. If the case is reported, cite it according to the citation style of the respective Law Report.

Note:

Regardless of all other factors, when citing cases, consider the following:

- Names of parties to the case **MUST BE** italicised. The rest of the citation **MUST NOT** be in italics.
- When writing the parties, use v.
- **DO NOT** use "versus" or "vs".
  Examples:
  - *Bloggs v. Smith* [2001]3 XYZ LR76, p. 13.
  - Nicaragua Case (Admissibility & Jurisdiction) (*Nicaragua v. USA*), ICJ Reports, p. 60.
  - *Director of Public Prosecution v. Daudi Pete* [1993] TRL 22, p.21
  - *Okunda v. R.* [1970] EA 453, p. 461.
  - *Salomon v. Commissioner of Customs & Exercise* [1967] 2 QB 116, p. 143.
  - *Alex John v. The Republic*, Court of Appeal of Tanzania at Dar es Salaam. Criminal Appeal No. 129 of 2006 (Unreported), p. 12.

2.10. Interviews

- When the interviewer is the author: Surname and Initials of the Interviewee (if there is no anonymity), Interview by Author, (Date and Place of the Interview).
  Example:
  - Peter, C. M. Interview by Author, (20 March 2016, UDSM, Dar es Salaam).

- When the interviewer was not the author: Surname of the Interviewee (only if he/she does not prefer anonymity), Interview by …. (Name of the Interviewer, Date and Place of Interview).
  Example:
  - Peter, C. M. Interview by Roward T. (20 March 2016, UDSM, Dar es Salaam).

2.11. Legislation

- Local (Tanzanian) statutes must be cited in accordance with the guidance provided under part III (Section 20) of the Interpretation of Laws Act, Cap. 1 [R.E. 2002].
  Example:
  - Principal Legislation
    - ❖ Land Act, Cap. 113 [R.E. 2002], s. 20.
    - ❖ Drug Control and Enforcement Act, Cap. 95 [R.E. 2019], s. 29 (2).

  - Subsidiary/Legislation
    - ❖ Village Land Regulations, 2001 (GN. 86 of 2001), reg. 4.
    - ❖ The Tanzania Court of Appeal Rules, 2019 (GN. 368 of 2009), r.3.

Note:

Citation of foreign national legislation shall comply with the citation style dictated by the guiding law, if any, of that respective jurisdiction, or by the specific law being cited.

- International and regional legal instruments should be cited fully and adequately. A short form of citation can be used only after a full citation has been provided as per part 3.0 below.

Note:

Some Treaties and Conventions provide for the manner of citation.
Examples:

- Vienna Convention of the Law of Treaties, 1969 (United Nations, Treaty Series, and Vol. 1155, p. 331). Alternatively; Vienna Convention on the Law of Treaties, 1969 (1115 U.N.T.S 331).
- Convention on the Law of the Sea, 1982 (1833 U.N.T.S 397).
- Rome Statute of the International Criminal Court, 1998 (U.N.T.S Vol. 2 187).
- African (Banjul) Charter on Human and Peoples' Rights, 1982 (OAU Doc. CAB/LEG/6713 Rev.5.21 I.L.M. 58).

3.0 ABBREVIATING AND CROSS-REFERENCING CITATIONS

When citing a source that has already been cited in a previous footnote, do not repeat the whole citation again. Abbreviate the citation in subsequent footnotes as follows:

- Author's Surname, Year of Publication, p…
  Examples:
  - First citation (assume it were in footnote 3)

Malanczuk, P. Modern Introduction to International Law (7th Revised Edn). London: Routledge, 1997, p. 23. Subsequent citation (e.g. in footnote 11): Malanczuk, 1997, p. 26.

- First citation (assume it were in footnote number 15) Materu, S. F. "A Strained Relationship: Reflections on the African Union's Stand towards the International Criminal Court from the Kenyan Experience, in Werie, G. Fernandez, L. and vormbaum, M. (eds). Africa and the International Criminal Court. The Hague: T.M.C Asser Press, 2014, p. 223.

  Subsequent citation (e.g. in footnote 22): Materu, 2014, p. 225.

- First citation (assume it were in footnote 20) Tizeba, T. "The Symbiotic Relationship between Illicit Financial Flows and Money Laundering in Africa, 44(2) Eastern Africa Law Review, 2017. p. 14

  Subsequent citation (e.g. in footnote 54):
  Tizeba, 2017. P.6.

Note:

- If the same author has two or more works with the same year of publication, add letters 'a', 'b', 'c' etc. immediately after the year of publication, do not leave any space to differentiate the works when citing them for the first time and also when abbreviating their citations.

- Use "ibid" to refer to an immediately preceding work with the same page number. Use "id" to refer to an immediately preceding work with a different page number.
  Examples (of consecutive footnotes):
  - Malanczuk, P. Modern Introduction to International Law (7th Revised Edn), London: Routledge, 1997, p. 23.

- Id, p. 28.
- Tizeba, T. "The Symbiotic Relationship between Illicit Financial Flows and Money Laundering in Africa", 44(2), *Eastern Africa Law Review*, 2017, p. 14.
- Ibid.

Note:

Do not use op cit, supra, infra to refer to other footnotes.

1.0. CITATIONS IN BIBLIOGRAPHY

A bibliography (or list of references) should be provided at the end of the work. It should only include sources that have been referred to in the work and cited in the footnotes. The bibliographical citation should follow the style used in the full citation of footnotes for the respective source **but without** page numbers. The only exceptions in this regard are chapters in edited books and **journal articles** whose bibliographical citation should include the page range indicating the **beginning** and the **end** of the chapter or article, as the case may be. For example:

Chapters in edited books

- Materu, S.F. "A Strained Relationship; Reflections on the African Unions' Stand towards the International Criminal Court from the Kenyan Experience", in Werie, G. Fernandez, L. and Vormbaum, M. (eds). Africa and the International Criminal Court, The Hague: T.M.C Asser Press, 2014, pg. 211-228.

- Majamba, H. I. and Longopa, E. E., "Post-2015 Legislative and Policy Reforms for Ol and Gas", in Kweka, O.L. and Majamba, H. I. (eds). Scientific, Legal and Economic Aspects of Oil and Gas in Tanzania, Dar es Salaam University of Dar es Salaam, 2018, pp. 40 – 69.

Journal Articles

- Tizeba, T., "The Symbiotic Relationship between Illicit Financial Flows and Money Laundering in Africa", 44 920 *Eastern Africa Law Review*, 2017, pp. 1 – 18.
- Werie, G. and Burghardt, B., "Do Crimes against Humanity Require the Participation of a State or a "State-Like" Organization?", 10(5) Journal of International Criminal Justice, 2012, pp. 1151-1170.

Note:

Entries in the Bibliography must be arranged in alphabetical order.

2. OTHER IMPORTANT INFORMATION

Other important things to observe in citation:

- Add a full stop at the end of every footnote.
- When citing authors'/editors' names, do not add a space between two initials; every author/editor's initial must be followed by a full stop. E.g. Peter, C.M., Fimbo, G.M.; Wambali, M.K.B.
- "Place" of Publication refers to the city and not the country where the publisher is located.
- If you cite any other type of sources not covered in these Guidelines (e.g. audio/video recordings, television programmes or other broadcast sources, live performances, etc.), choose the most convenient way of citation, which, to the extent possible, should be consistent with the citation style given for the sources covered in these Guidelines (e.g. in terms of arrangement/position of names, dates, year URL, etc.). You must strictly maintain consistency throughout.

3. ANTI-PLAGIARISM DECLARATION

All works that are submitted for examination must be accompanied by a declaration that no plagiarism has been committed. The University Anti-Plagiarism Regulations shall be applied in the event that plagiarism is detected. The standard format of the Anti-plagiarism declaration is appended hereto.

- **Plagiarism Check**

  The School will run each submitted thesis, dissertation, graduate essay, advanced paper, assignment, etc. through the anti-plagiarism software. If any plagiarism beyond the tolerable level is detected, the applicable Regulations shall be applied accordingly.

ANNEXURE C

DECLARATION

I…….. (Name of student/ candidate), who wishes to submit my work for examination, do hereby declare that the work has not been published nor has it been submitted or accepted for examination elsewhere. I also declare that this is my original work and that it has not been plagiarised.

Signature…….…….

Declared at: ……..…

Date: ……...……

ANNEXURE D

Format for the Front Top Cover of the LL.B. Dissertation

UNIVERSITY OF DAR ES SALAAM SCHOOL OF LAW



DEPARTMENT OF PRIVATE LAW

SCHOOL OF LAW

Course Name and Code: **LL.B. Dissertation/LW 400**

Title of Dissertation:

Candidate's Name:

Candidate's Registration No:

Supervisor's Name:

Month and Year:

A Dissertation submitted in partial fulfillment of the requirements of the award of the Degree of Bachelor of Laws (LL.B.) of the University of Dar es Salaam.

ANNEXURE E

Format for Preliminary Pages in the Examination Copy of the LL.B. Dissertation

Cover Page.	(Must be similar to that of the Cover of the Dissertation. No page number is inserted)
Page i	Dedication
Page ii	Certification (to contain place for supervisor's signature and date of signature)
Page iii	Copyright page (centered)
Page iv	Dedication (not more than half a page)
Page v	Abstract (if any – one page maximum)
Page vi	Acknowledgments (not more than one page)
Page vii	Abbreviations and Acronyms (arranged in alphabetical order)
Page viii	Table of Statutes
Page ix	List of Cases/Precedents
Page x	Table of Contents

Appendix and to appear at the end, after References/Bibliography/ Annexures

ANNEXURE F

Evaluation/Grading Template for Final LL.B. Dissertations

	AREAS EVALUATED	**MAXIMUM SCORE**
A	**Background Information**	
1	Statement of the research problem and theoretical framework are clear (statistics/data provided to show that the legal problem identified is recent and indeed manifested in the society)	10
2	Significance of the problem clearly stated	4
3	Hypotheses/research questions are clearly stated and reflect the objectives of the study	4
4	Objectives of the study are precise, clearly stated and are realistic (targeted stakeholders are clearly stated)	4
5	Terms and concepts are clearly defined	2
6	Scope of the study is well defined	2
7	Limitations (if any) that were encountered in the course of undertaking the study are clearly stated. It must be shown how these were circumvented/addressed and their impact on the final report	2
B	**Methodology**	
8	Research design is described in detail	4
9	Research design is appropriate for the solution of the identified legal problem	4
10	Sample and choice of area of research of the study is described and justified	4

11	Data collection methods/procedures are fully described	5
12	Data collection methods/procedures and data analysis are clearly and appropriate for studying the identified legal problem	5
C	**Literature Review**	
13	Recent/up to date literature identified and critically discussed	5
14	Knowledge gap(s) in the existing literature clearly identified	5
15	The contribution of the study to the existing body of knowledge clearly stated	5
D	**Results and Analysis of Findings**	
16	Results clearly presented showing evidence of methodologies employed. Feedback from subjects/respondents targeted is clear, showing evidence of information/data obtained from the subjects/respondents. Discussion of results reflects the methodology provided	2
17	Data analysis methods are applied correctly	2
18	Results are well presented and analysed	4
19	Results of the analysis are clearly presented/discussed	5
E	**Conclusion and Recommendations**	
20	Conclusions are clearly stated and are practicable	5
21	Conclusions are substantiated by evidence presented and reflect the hypothesis/hypotheses stated	5
22	Generalisation is confined to the sample	2

F	**Other Pertinent Issues**	
23	Report is written clearly, proofread and edited	2
24	Report is logically organised	4
25	Citations (including footnotes and bibliography) comply with approved UDSoL Citation Styles	4
Total Marks/Grade Allocated		**100/A**

ANNEXURE G
Sample Questionnaire

TOPIC: ILLEGAL LOGGING IN DISTRICT D: AN ANALYSIS OF THE LEGAL FRAMEWORK

Introduction

A. My name is XYX; I am a third-year law student at the University of ……... In the third year of my LL.B studies at the University, I am required to conduct research. I am conducting research on the causes of forest depletion in District D. I am trying to see whether there is a relationship between illegal logging, knowledge of the law among the stakeholders and whether the penal provisions in the forest legislation are deterrent. This questionnaire is purely for academic purposes, but it will provide insights on solving illegal logging of timber in District D and also in most parts to the country where the practice is causing problems.

B. Kindly fill in the questionnaire. Feel free to omit any question that you may find offensive. Please feel also free to make additional comments that may assist me in my research. Let me take this opportunity to thank you in advance for your cooperation.

---

1. What is the rate of conviction of the offenders? (Mark the appropriate box.)

 Very high (>70%) High (>50%) Moderate (>30%)
 Low (<30%) Don't know.

2. In case your answer is 'moderate' or 'low', list reasons for not being able to secure a conviction of the offenders from the court.

a)
b)
c)
d)

3. What is the level of recovery of offences compounded? (Mark the appropriate box)

□ Very high □ High □ Moderate □ Low □ Not at all

4. In case your answer is 'moderate' or 'low', suggest measures that should be taken to improve the recovery.

a)
b)
c)
d)
e)

5. Do you think that punishment provided for in the legislation governing the harvesting of forest products is enough to deter offenders?

□ Yes □ Partly Yes □ No
□ You have a mixed reaction
□ Can't say anything

6. If your answer is not 'yes' then please suggest which laws should be amended? Also briefly mention the amendments to be made.

a)
b)
c)
d)

7. If you find existing forest laws not useful or have a mixed feeling, then give your suggestion for the changes you would like to be made in them (Name the law first and then suggest changes in each of them). Add Additional Pages as Necessary

Name the Law Changes Suggested

Number Suggested Change and Reasons for Suggestion

ANNEXURE H

Sample of Description of Selected Study Area

TOPIC: INCREASE IN JUVENILE CRIME RATES IN LINDI, TANZANIA

Lindi is a coastal town located at the far end of the beautiful Lindi Bay, on the Indian Ocean in southeastern Tanzania. The town is 450 kilometers south of Dar es Salaam and 105 kilometers north of Mtwara, the southernmost coastal town in Tanzania, and gives its name to the surrounding Lindi Region, one of the most sparsely populated areas of the country. The town population was 41,549 as of the 2002 national census.

Lindi is located at the mouth of the Lukuledi River. Its port facilities are still rudimentary, allowing one or two small cargoes and passenger boats at a time, and cannot accommodate ocean-going ships. The region was once an important sisal-producing plantation area, especially in Kikwetu, surrounding the Lindi airstrip, 25 kilometers north of the town. During the rainy season, Lindi is presently accessible only by air and sea, with roads open during the dry season. At present, there is a huge road building project going on, which aims to upgrade the whole road north towards Dar es Salaam to bitumen standards. Many parts of the project have already been finished, but the project is yet to be completed. An old tarmac road connects Lindi town to Mtwara, passing through Mikindani, an important Arab business settlement for explorers sailing along the east coast from Muscat, Oman, Malindi or Mombasa to Sofala.

Lindi is a fairly cosmopolitan town with Arab and Indian merchants owning the bulk of businesses, and Islam is the predominant religion. The town has a market, a bus station, a post office, an airstrip, primary and secondary schools, several banks (some with ATMs), an internet cafe and many guesthouses. The locals are mainly engaged in fishing in Lindi Bay and some in farming on the outskirts of the town. Employment opportunities are unfortunately very limited, as Lindi lacks any kind of major industry. From the coast, the land rises sharply to the escarpment hills of Mtanda, once a residential area for colonial civil servants, with striking views of Lindi Bay. During the colonial era, a transfer to Lindi amounted to a re-appraisal or demotion. This has not

changed today. (*Source*: Adopted (with slight modifications) from http://www.en.wikipedia.org/wiki/Tanzania - last accessed on 2nd March 2019).

ANNEXURE I

Sample of Key Informant Interview Guide/Semi-Structured Interview Guide

TOPIC: LEGAL IMPLICATIONS OF HIV/AIDS AT THE UNIVERSITY OF ..…

Objectives of the Guide

1. To involve the key stakeholders in the research process from the very beginning.

2. To get an insight about what is happening in the law (rules) and policy making circles.

3. To get an insight into how Leaders and key stakeholders perceive the problem of legal rights of people with HIV/AIDS at the institution.

Introduction

I/we am/are member(s) of a research team commissioned to do the study on 'Legal Implications of HIV/AIDS at the University.

The main objective of this study is to investigate how the University community perceives the rights of people living with HIV/AIDS at the University and what they identify to be the role of the University community in providing these groups of people with opportunities to ensure their rights are not compromised.

Leading question

Do you consider HIV/AIDS a problem in your School, College/ Faculty/ Department?

Checklist of issues

A

1. Do you perceive HIV/AIDS a big problem in organisation?

2. How is the problem affecting the day-to-day rights of workers in your Institute?
   (Probe for reasons and explanation for both YES and NO)

3. Do you think it interferes with the process of attaining organisational goal? How?
4. What do you think is the main reason behind the lack of recognition of the rights of people living with HIV/AIDS in your institution?

5. Being in your position, do you think that the rights of people living with HIV/AIDS are taken on board in your work? (Probe for reasons).

6. Do you think you have any role to play in addressing the problem in your organisation? (Probe for reasons, strategies and whether the mandate to do that is there, if not to propose how things could be made easier for people in different position to participate in the interventions).

7. Are there any specific programmes/interventions on HIV/AIDS that are being taken/implemented by your institution to accommodate the rights of those living with HIV/AIDS?

8. What is your opinion on the relevance and effectiveness of the steps/strategies (rules and regulations) adopted by your institution to ensure rights of people living with HIV/AIDS?

9. Do you think that the measures adopted are enough? Do you have any suggestion as to how more effective measures could be adopted?

B

1. You must be aware of the legislation which seeks to address rights of people living with HIV/AIDS. In your opinion, is the legislation relevant in addressing your Institutional needs?

2. In your opinion, what do you consider to be the most appropriate way to deal with the problem?

C

1. Being one of the leaders in the institution of higher learning, what do you think will be the best way to deal with the problem of enforcing rights of people living with HIV/AIDS at your Institution?

2. There are several intervention programmes adopted nationwide (VCT, IEC, support and care). What do you think of these approaches in terms of assisting people living with HIV/AIDS at your institution?

ANNEXURE J

Sample of a Focused Group Discussion Guide

TOPIC: LEGAL IMPLICATIONS OF PEOPLE LIVING WITH HIV/AIDS AT THE UNIVERSITY OF...

Introduction

We are members of the research team commissioned to carry out the study on the legal implications of people living with HIV/AIDS at the University of … The objective of this discussion is to get your perception on the magnitude of the rights of persons living with HIV/AIDS and related problems at the University. The second objective is to discuss your perception on the limitations on attaining rights by people living with HIV/AIDS at the University as well as strategies for managing the situation from a legal point of view.

Issue

Are the rights of people living with HIV/AIDS a problem in our community (campus, halls of residents)?

Checklist

1. What are the rights of people living with HIV/AIDS generally?

2. How could these rights be enforced?

3. What are the interactions that cause vulnerability among community members? (rights issues to be brought up).

4. Is the University community knowledgeable of the rights of persons living with HIV/AIDS?

5. So far, is the University community implementing the rights of those affected? (Probe how).

6. Comparing to the general population, what are the chances of members of the University being knowledgeable of the rights of those infected with HIV/AIDS?

7. Are they aware of any National programme, policy or legislative framework on HIV/AIDS?

8. What are their views concerning the legislation? Is the law useful or just wastage of time? (Try to probe for reasons).

9. Do they think that the laws have any relevance to the University community?

10. Are they aware of any initiative at the University level that reflects the law to ensure the rights of people living with HIV/AIDS? (Probe for examples).

11. Do they think that the laws have any influence on the behavioral change to the University community? (Probe on the reasons and specificity).

12. Do they think the University community has any contribution towards the implementation of the law that seeks to ensure the rights of people living with HIV/AIDS? (Probe for different contributions).

Note:
Thank the group for their time and request them if there is anything they would like to ask. Provide them with contact and inform them of the medium or avenue through which they can get feedback on results of the study.



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