

## ABSTRACT

This study has been inspired by the many pieces of recent legislation affecting the question of Carib rights to the land, tenancies, planning, conveyancing and tenure. These laws have been conceived in one form or another as reforms in the land law. It has thus been seen as opportune to analyse their content attempting to identify their contributions to an organised and relevant land tenure system and the extent to which they have taken account of developments and historical anomalies. The analysis could not have been conducted in a vacuum. Thus historical explanations are drawn upon while other elements which have contributed to the corpus of Dominica's land law are taken into account.

This study is divided into three parts in the Introduction, the question of reception of English law in the Dominican legal system is analysed. The issue of the existence of a French legal system prior to reception is also raised. Part I is divided into three Chapters which deal with various aspects of ownership of land. Chapters I and II examine the status of the Caribs. Their rights are analysed from the perspectives of custom, French law and English law. Their present legal rights are analysed within the framework of the Carib Reserve Act, 1978. Chapter III considers certain historical phenomena attempting to

rationalize them in conjunction with the dilemma which surrounded the institutionalization of the two types of estates in land. Part II relating to the question of social control of land in Dominica, comprises Chapters IV, V and VI. Chapter IV looks at the status of leasehold tenancies and appraises the law applicable. Chapter V reviews the law regulating alien land acquisition, while Chapter VI deals with the regulation of land use. Chapter VII and VIII form Part III of the study and deals with registration and conveyancing of land. Chapter VII focuses on the squatter in his dilemma to secure to himself an indefeasible title which the law recognises, while Chapter VIII seeks to determine the state of the law relating to tenure and conveyancing. The conclusion stresses that piecemeal reform does not provide for a coherent legal base for development of the land.