Professor Patrick McAuslan

A Personal Tribute

I shall greatly miss Patrick. As with others who have written about him, he was a mentor whose intellectual strength and personal commitment have been a great inspiration.

Dar

University of East Africa, Dar es Salaam Law Faculty staff and students. Patrick at top left.

I first met Patrick at the Conference on East African Law at Cumberland Lodge in 1965. I was a Tanzanian undergraduate at King’s College, London. Patrick was at the Conference with William Twining and students from the Law Faculty of the then University of East Africa, Dar es Salaam. The stimulating exchanges with Patrick,
William and their students made me realize the amazing and unique manner in which law could be taught. Patrick’s approach to everything involved doing things differently but always with an open mind which enabled him to adapt to the particular environment. At Dar, he and colleagues took their inspiration from Nyerere to develop a law school which was not an English law school in Africa but one which met the needs of the people of Tanzania, Kenya and Uganda. Patrick became famous for his incredible work ethic. Students developed a term *KuMcauslan* (to do a McAuslan) which meant locking yourself up in your room for many hours until the task was done. I was envious of those students, many of whom went on to do great things. This was the spark for my enduring interest in transforming legal education but also in development and a desire to return to teach in Dar.

*50 Year Celebration, University of Dar es Salaam*

When in 2011 I met Patrick at the 50th anniversary celebrations of the University of Dar es Salaam, I realized not only the great affection with which he was held by all
his former students but also the enduring ties Patrick had with many of these students, and the general appreciation of Patrick’s commitment to social justice in the transformation of land law in East Africa. I did not always agree with him on policy issues, especially in relation to Tanzania, but knew that whatever he did was done with a thorough understanding of the issues based on unstinting research both academic and empirical and an attempt at understanding the political dynamics. At a personal level I greatly appreciated the work he did for the preservation of Zanzibar stone town where I grew up and its conversion to a World Heritage Site. However, Patrick would quip that perhaps it was not such a good thing after all as all the beautiful buildings had been turned into a curio shopping museum and lost their lively human character.

**Warwick**

Patrick became my colleague when I came to Warwick from Papua New Guinea in 1979. My decision to go to Warwick was based largely on the exciting contextual approach to legal education and research which was being developed by Patrick and others, but which included among other things an approach to law school governance which encouraged colleagues to be innovative. One of the enduring innovations has been the LLM programme in Law in Development (now International Development Law and Human Rights Programme). Patrick, Yash Ghai, Jill Cottrell, Francis Snyder, Sol Picciotto and I met to discuss ways in which developing country academics and professionals in government and private practice could have an intellectual education which enabled them to question orthodoxies such as the US based ‘Law and Development’ movement. Patrick’s major contribution was to ensure that the course did not become a mere theory course, but also focused on pragmatic
and practical approaches to legal development. Equally significantly, from the beginning there was an emphasis on student independent learning in that students brought to the class their own experiences of issues and also wrote them up in their project work. Thus we learnt from the students as much as they learnt from us.

Patrick’s exciting course on Land Development and Planning Law was therefore a teaching/learning exercise to which he not only brought his already great store of knowledge and experience but also enabled him to enhance this store.

**Post-Warwick**

*Law and Global Justice Conference Warwick 2006*

Patrick remained a friend of the Warwick Law School after leaving. During this period he had a great many achievements in his academic work, of which *Land Law Reform in East Africa: Traditional or Transformative?* Routledge, 2013 is the latest.
He became the ‘go-to’ person for land and planning reform worldwide. In spite of his heavy commitments, he was always willing to bring his practical insights to the Warwick International Development Law and Human Rights students by doing Law in Development Practice Workshops.

Patrick’s great quality, supported by an enormous work ethic and responsiveness, was the ability to sustain and be sustained by enduring relationships, whether with a country or with people. This was most noticeable on the occasion of the Birkbeck celebration of *Patrick McAuslan's Odyssey 1961-2011*. The most enduring of these relationships has been with his wife Dorrette and daughter Fiona as acknowledged in Patrick’s moving tribute at the Birkbeck conference.

Abdul Paliwala