

**Abstract:**

The attempt to revive African customary law has been persistent throughout the history of legal education in Kenya. Today more than ever before the country shall have to reconsider the role and importance of studying customary law of the Kenyan people in order to strike a balance of rights for the dispensation of justice. This research aims to look at the balance between natural rights, legal rights and social rights. In the look of things more attention is now drifting towards human rights more than national legislations and this is in favor of the cultural rights or the customary rights of the minority groups when it concerns land law. However, this does not exclude what is termed as historical social injustices that Kenya has suffered from since her independence and the need to resolve them is quite urgent.