

B O O K S

Rubin, N., & Cotran, E., ANNUAL SURVEY OF AFRICAN LAW, VOLUME II, 1968. London, Frank Cass & Co. Ltd., 1971. xxvii, 383 p. \$27.50

In several ways, this volume, which surveys legal developments in some thirty-five countries of sub-Saharan Africa during 1968, is an exciting work. Not only does it offer a general view of the legal and constitutional problems attracting the attention of a variety of African countries of varying legal traditions, but it also offers a rare view of the vast range of legal problems being dealt with by legislatures and courts within individual states.

Although those interested in such jurisdictions as Ethiopia, the Portuguese Territories and the countries of French-speaking Africa will be disappointed by the somewhat limited scope of coverage of these countries, those interested in Ghana, Nigeria, Botswana and many of the other English-speaking African countries will find much of interest. The section on Nigeria, for example, ranges over such topics as the creation of the 12 new states, the Military Courts (Special Powers) Decree 1968, the Robbery (Special Provisions) Edict, 1968, the (northern) Area Courts Edict (repealing the Native Courts Act, 1956), a first instance case on the admissibility of illegally obtained evidence, the Companies Decree, 1968, the Pioneer Companies (Temporary Taxation Provisions) Decree, 1968, and a series of cases on family law, land law, and choice of law problems. Here one gets a rather full flavor of the legal developments in Nigeria in 1968.

Country specialists will profit from an examination of developments in other countries. The exposition of family law developments in Botswana, Ghana, Kenya, Nigeria, Rhodesia, Sudan and Tanzania offers some interesting comparisons and contrasts. Those familiar with the "guidance" concept as applied to criminal law and procedure in Uganda and Northern Nigeria will be interested in the introduction of this concept in Botswana.

In addition to the country treatments, there is a 35 page bibliography - organized by country - on books, articles and government reports relating to Africa. There is a good index

organized by subject as well as country, although the subject index could be usefully expanded.

Both Volumes I and II of this series suffer from their rather dry style and the editors might benefit from a look at the lively country studies in the three volumes of Africa Contemporary Record¹ which have been published to date. (See, for example, the discussion of the revival of Traditional Courts in Malawi in the 1969-70 and 1970-71 A.C.R. Volumes). The scope of the coverage of various countries in the Annual Surveys is uneven and one does not get - even from the perspective of two years - a sense of which developments are most significant. The creation of the 12 states of Nigeria, for example, is coming to be recognized as one of the most important developments of the Civil War.² Yet we must recognize that the editorial job facing the editors of these volumes is a tremendous one. It is difficult to communicate with some 20 correspondents scattered over Africa. Access to court reports and legislation is notoriously difficult. As in the case of the singing elephant of Burundi, the wonder is not that the job is not done perfectly, but that it can be done at all.

David N. Smith

Secretary, International Legal Studies
Law School of Harvard University

1

1968-69, 1969-70, 1970-71, edited by Colin Legum and John Drysdale (Rex Collings, London, 1969, 1970, 1971).

2

See Panter-Brick and Dawson, The Creation of New States in the North, in S.K. Panter-Brick, ed, Nigerian Politics and Military Rule: Prelude to Civil War (1970).