REVIEWS

Introduction to the Criminal Law of Nigeria (excluding the Northern Region). By R. Y. Hedges. London: Sweet & Maxwell. 1962. xiii and 324 and (index) 8 pp. £1 18s. 6d. net.

As former Chief Justice of the Western Region of Nigeria Dr. Hedges is particularly well qualified to write this book. As a former Professor of Law in the University of Queensland he is doubly so qualified—for the Criminal Code of Nigeria (except in the Northern Region) is based upon the famous Queensland Criminal Code of 1899. It is appropriate that it has fallen to him to produce the first textbook of criminal law in tropical anglophonic Africa.

Dr. Hedges has chosen to present a readable survey of the main principles of the Criminal Code in the first half of his book, and to reprint the full text of the Code itself without comment in the second half. This is undoubtedly valuable for the student, who would need to have the text of the Code before him throughout his studies; but it does mean that the actual original discussion, in less than 150 pages, is very much an introduction. Principal topics are outlined clearly, with discussions of, and often quotations from, carefully selected cases. But of necessity, with the limitations of space, other important topics are dealt with very briefly indeed, although the essential principles are carefully stated. One may respectfully doubt whether it was necessary to reprint, in the text of the introduction, sections of the Code which appear in the latter part of the book and might have been merely cited in the first part (except where a case under discussion turns upon the precise words of a particular provision).

There is no discussion of the context in which the Criminal Code applies (the nature of the criminal courts, or criminal procedure, or the constitutional provisions which may be relevant). Dr. Hedges might well have expanded his introductory survey to include a further comparative discussion of the sources of particular sections of the Code. And he does assume throughout at least a nodding acquaintance with English law on the part of his reader. However, it is probably a virtue for a student's textbook to be terse and accurate, especially where the subject matter of the work is a code of law which itself has to be studied. One can well imagine with what relief teachers of criminal law at the new university law faculties in Nigeria will have welcomed Dr. Hedges' book; and, with regular recourse to one of the standard English law books for expanded discussions, this will provide a useful introduction to the Nigerian law. The Northern Region is excluded from the survey because, of course, the new Penal Code there is very different from the Codes in the rest of the Federation.

JAMES S. READ


This work is described by the author as "largely an abridgement" of Gardiner and Lansdown's standard two-volume textbook on the same subject. It is intended to meet the needs of students and others who require "a crisp outline" of the law. It succeeds admirably in presenting the principles lucidly and accurately, unencumbered by the mass of detailed
statutory provisions (nevertheless sufficient of these are cited to make the absence of a table of statutes regrettable). The author is particularly to be congratulated on the richness of his footnotes with their ample citations of legal texts and periodical literature, which can hardly fail to stimulate and guide the advanced student and practitioner to further enquiries. In this respect Mr. Lansdown surpasses weightier English textbooks and few would doubt that his practice is most fruitful for the student. Thus Australian cases and notes in the Criminal Law Review, Current Legal Problems, and Halsbury, Stephen and the Justice of the Peace—all these and more are grist to his mill and the result is a most rewarding brew. Of particular interest are the clear outlines of the differences or similarities between the law in England and South Africa. It seems odd, however, to see the Transkeian Penal Code referred to only in occasional footnotes and omitted even from the discussion of the sources of the law in the opening chapter.

JAMES S. READ


The purpose of this work is set out very clearly in the Foreword by the Director of the British Institute, Mr. Norman Marsh, where he says inter alia:

"This work is the first fruits of a project of research supported by The British Institute of International and Comparative Law on the criminal law of Eastern and Central Africa. . . . The comprehensive study of the criminal law of East and Central Africa, of which this Table and Index form merely a preliminary and incidental part, was undertaken, because in six territories in this area, there are in operation Penal Codes of substantially similar form."

And the compilers of the present work explain in their Preface that the projected commentary on the Codes will not be ready for some time, but it was thought that practitioners in the territories concerned would find it of value to have in the meantime a ready means of reference to the cases decided under the different sections of the Code in all the relevant territories. The Synoptic Table indicates which sections in each Code correspond with each other and which differ and to what degree.

Although digests of decisions on East African criminal law have been published before (e.g., the digest by Rosen and Stratton), this is the first attempt to compare the decisions on parallel provisions in the different Codes. Equally it represents our first guide to the penal laws of some of the territories (e.g., the Gambia). In both these ways, and also as a clear and comprehensive digest of all relevant decisions on the criminal law, it will be invaluable, not only for practitioners, but for the judiciary (and indeed for the law student and the law teacher too). The appearance of this work cannot fail to whet our appetites for the substantial commentary on the Codes which is promised by the authors.

There is one point of detail: the compilers have chosen to cite cases where the parties are named in the reports by the usual East African style as “A s/o B v. C s/o D” by the last names, i.e., by the father’s name in each case. They do, however, invite comment and advice on this tentative styling. The whole problem of the nomenclature of cases in Africa is a very thorny one, not only in East Africa, as in many places the surname as such cannot be said to be universally recognized. It would appear that, until a surname is recognized, the appropriate name for purposes of citation must