sie aber doch knapper geschrieben und damit zeitsparender zu lesen als einschlägige Ländermonographien (die zudem über viele Staaten gar nicht vorliegen).
Alle Beiträge berichten chronologisch-historisch über die politische und verfassungsrechtliche Entwicklung meist seit Beginn der Kolonialzeit. Der Schwerpunkt der Darstellungen liegt im allgemeinen auf der jüngeren Entwicklung. Die Texte werden durch Karten und Graphiken sowie eine ausführliche Wahlstatistik aufgelockert und belegt und durch eine umfangreiche (Auswahl-)Bibliographie, in der Quellen zum Verfassungs- und Wahlrecht, amtliche Reporte und Quellenpublikationen, Sekundärliteratur zur Kolonial- und Politischen Geschichte, Wirtschafts- und Sozialstruktur, Parteiensystem und Wahlstudien aufgeführt werden, ergänzt.
Die Beiträge sind durchgehend kompetent geschrieben. In den Ländern, in denen der Rezensent sich einigermaßen auskennt, konnten kaum größere Schnitzer festgestellt werden; die übrigen boten durchgängig eine anregende und informative Lektüre. So sehr man den Herausgebern und Hauptautoren (wie natürlich auch den anderen hier mitarbeitenden Verfassern) zu diesem großen Wurf beglückwünschen kann, so sehr muß man sie (wie ihre potentiellen Leser) ob der unsinnigen verlegerischen Konzeption bedauern. Dieses Opus gehört in den Handapparat jedes Afrikawissenschaftlers und Praktikers. Der hohe Preis wird aber schon viele Institutsbibliotheken abschrecken, die beiden Bände anzuschaffen. Obwohl die Daten nicht „veralten", geht die Entwicklung natürlich weiter. Gerade ein derartiges Handbuch, was seinen Wert durch die chronologisch-historische Darstellung der politischen Entwicklung erfährt, vermag die Bedürfnisse seiner Leser in dem Umfang nicht zu decken, wie es die neuere Entwicklung nicht mehr erfaßt. So enden z. B. die Beiträge über Ghana schon 1974, über Nigeria 1976. Was ist so z. B. in diesen beiden Ländern nicht alles passiert? Das Handbuch sollte daher durch fortlaufende Ergänzungen bzw. auch durch Neuauflagen von Zeit zu Zeit auf den neuesten Stand gebracht werden können. Dies scheint im vorliegenden Rahmen allerdings kaum möglich und auch nicht beabsichtigt zu sein. Dazu hätte es wohl der Auflage eines wohlfeileren Taschenbuches oder einer Loseblattsammlung oder dgl. bedurft. Schade, daß daran offenbar nicht gedacht worden war.

Rolf Hanisch

A. B. Kasunmu (ed.)
The Supreme Court of Nigeria
Heinemann Studies in Nigerian Law, Ibadan, 1977.

This most interesting book on the Supreme Court of Nigeria deals with a central probelm of modern African law, which can be described as the problem of survival of judicialism.
Another important contribution to this topic is B. O. Nwabueze's book entitled: "Judicialism in Commonwealth Africa. The Role of the Courts in Government." London 1977. The book on the Supreme Court of Nigeria has a foreword by Nabo B. Graham-Douglas of the Federal Ministry of Justice in Lagos. In this foreword the problem of judicial creation of law is envisioned. The book is edited by Kasunmu who also wrote the first contribution on the topic: "The Supreme Court of Nigeria: An Examination of its Composition and Functions." He shows interesting tables concerning the activities of the Court, for example Table B (p. 9) "Judges of the Court of Appeal (West)", or Table C (pp. 20) "Appeals to Supreme Court from High Courts and Courts of Appeal 1956–1970." It is interesting to see that the number of cases disposed of between 1956–1970 did not change much: 1956 (120 cases), 1970 (130 cases). The highest number of cases disposed of occurred in 1958, followed by 1966. The political development obviously diminished the number of disposed cases. Of

interest is further Table F (p. 26) which shows the total number of delivered judgements from 1956–1970. Here the same fact can be seen. The structure of the court system in different states is shown in Table H (pp. 37). Kasunmu's conclusion is that the traditional role of the Supreme Court must be changed. The new Nigerian constitution tried to do so. The public debate is compiled in a publication entitled: "The Great Debate. Nigerian Viewpoints on the Draft Constitution", 1976/77. 25 articles deal with the problem of the judiciary (pp. 356) in this publication.

The second chapter of the book comprises an article by Asomugha on the rationale and on the interpretation of the Supreme Court (pp. 53). The third contribution deals with judicial interpretation of constitution as a Nigerian experience during the First Republic (Ezejiofor). The Nigerian experience with the military government is discussed by Ojo under the title: "Public Law, the Military Government and the Supreme Court." This article deals with the problem of supremacy of the Court with regard to the power to declare decrees void which are inconsistent with the constitution. Ojo summarizes this experience referring to the events of January 15 and July 29 1966, as follows: "From case to case, language was used in judgements giving the impression that the courts, including the Supreme Court, were fighting shy of recognizing that the 'old order changeth, yielding place to new'. . . . A judiciary used to calling in question legislations of the Administration suddenly found itself being prevented from performing this noble role . . . " The important ,,Lakanmi" case plays a key role in the interpretation of the role of courts within the military government.

The new Nigerian constitution has provision for constitutional review by the courts (see Art. 220 (1) c, d; 213 (2) b, c). It is interesting to see that the former provisions had not only been reestablished and the role of judicial review is now even more important than before. Naturally, the book cannot anticipate the new role of the Supreme Court of Nigeria. The Supreme Court, however, under the old constitution also played an important role in constitutional law, especially to safeguard individual freedom and property (see also the article by Jegede, Chapter 5). The freedom aspect is also shown in Chapter 6 and Chapter 7, which deal with the development of penal policy and the administration of criminal justice. The last chapter written by Olawoye shows the importance of the Supreme Court with regard to the development of private law. Three tables and an index complete this very interesting book which shows the importance of the court system in the most rapidly developing African country. I would like to end with a quotation taken from Olawoye: ,,It is clear from the foregoing that the Supreme Court did not seriously engage in the task of developing the law during the period under review. It cannot be said that its decisions have been guided by any clear philosophy, nor does it appear that the court has given consideration to the social utility of its decisions". This is one example of the very independent and critical approach of all authors in this book. But does this not also apply to other courts even outside of Africa? This might not be much of a comfort to the authors and their high intellectual and moral approach.

Heinrich Scholler