

ISSN 0021—8553

[1978] J.A.L.

Autumn 1978

Vol. 22, No. 2

**JOURNAL OF**

**AFRICAN LAW**

Edited by

**A. N. ALLOTT, H. F. MORRIS  
and S. A. ROBERTS**

**School of Oriental and African Studies**

**University of London**

## **EDITORIAL BOARD**

A. N. ALLOTT, J.P., Professor of African Law, University of London

H. F. MORRIS, Reader in African Law, University of London

S. A. ROBERTS, Senior Lecturer in Law, London School of Economics and Political Science, University of London

E. ULLENDORFF, F.B.A., Professor of Ethiopian Studies, University of London

## **NOTES TO CONTRIBUTORS**

1. Manuscripts must be typed in duplicate, with double spacing and on one side of the page only.

2. They should be sent to:—Professor A. N. Allott, Department of Law, School of Oriental and African Studies, Malet Street, London WC1E 7HP.

3. It is regretted that no payment can be made to contributors. Authors of articles receive 25 offprints free of charge.

## **SUBSCRIPTIONS**

The Journal of African Law is published in two parts a year, spring and autumn, making one volume.

The annual subscription is £7.50 per volume. Single parts are £3.75 each.

All communications regarding subscriptions should be addressed to the Publications Officer, School of Oriental and African Studies, Malet Street, London WC1E 7HP.

**JOURNAL OF**

**AFRICAN LAW**

---

**VOLUME 22**  
**1978**

**School of Oriental and African Studies**  
**University of London**

## **EDITORIAL BOARD**

- A. N. ALLOTT, J.P.**, Professor of African Law, School of Oriental and African Studies, University of London.
- H. F. MORRIS**, Reader in African Law, School of Oriental and African Studies, University of London.
- S. A. ROBERTS**, Senior Lecturer in Law, London School of Economics and Political Science, University of London.
- E. ULLENDORFF, D.Litt., F.B.A.**, Professor of Ethiopian Studies, School of Oriental and African Studies, University of London.

Published by the School of Oriental and African Studies,  
University of London, Malet Street, London WC1E 7HP

Printed in England by Eyre & Spottiswoode Ltd, Thanet Press, Margate

## INDEX

ARTICLES		PAGE
Coldham, S.	Land Control in Kenya ... ..	63
Coldham, S.	The Effect of Registration of Title upon Customary Land Rights in Kenya ...	91
el-Naiem, A. A.	The Many Hats of the Sudanese Magistrate: Role Conflict in Sudanese Criminal Procedure ... ..	50
Guadagni, M.	Colonial Origins of the Public Domain in Southern Somalia (1892-1912) ...	1
Mayer, A.	Developments in the Law of Marriage and Divorce in Libya since the 1969 Revolution ... ..	30
Olawoye, C. O.	The Question of Accountability in the Customary Law of Pledge ... ..	125
Schapera, I.	Some Notes on Tswana Bogadi ... ..	112
<b>LEGISLATION</b>		
Allott, A. N.	Nigeria: Land Use Decree, 1978 ...	136
Collett, A.	Recent Legislation and Reform Proposals for Customary and Area Courts in Nigeria ... ..	161
Cottrell, J.	The new Nigerian Legal Aid Decree ...	78
Tobi, N.	Recent Reforms in Area and Customary Courts in Nigeria ... ..	133
<b>NOTES AND NEWS</b>		
	Human Rights in Africa: the Third Biennial Conference of the African Bar Association, Freetown, 1-5 August, 1978 ... ..	89
<b>CASES</b>		
	<i>The Public Trustee v. Florence Wambui, Esther Njoki and Jane Nyakaru</i> ... ..	188

# JOURNAL OF AFRICAN LAW

Vol. 22

AUTUMN 1978

No. 2

## CONTENTS

### NOTES AND NEWS

Human rights in Africa: the Third Biennial Conference of the African Bar Association, Freetown, 1-5 August, 1978 89

THE EFFECT OF REGISTRATION OF TITLE UPON CUSTOM-ARY LAND RIGHTS IN KENYA Simon Coldham 91

SOME NOTES ON TSWANA BOGADI I. Schapera 112

THE QUESTION OF ACCOUNTABILITY IN THE CUSTOMARY LAW OF PLEDGE C. O. Olawoye 125

### LEGISLATION

Recent reforms in Area and Customary Courts in Nigeria Niki Tobi 133

Nigeria: Land Use Decree, 1978 A. N. Allott 136

Recent legislation and reform proposals for Customary and Area Courts in Nigeria Adrian Collett 161

### CASES

Kenya 188

NOTES ON STYLING FOR CONTRIBUTORS 196

© School of Oriental and African Studies, University of London