

Zimbabwe Law Review (1983/4), I & II. Harare, Univ. of Zimbabwe, Dep. of Law, 1985, 289 pp., various rates of subscription.

The first and second volumes of the *Zimbabwe Law Review* appeared in 1985. They were intended to cover the years 1983 and 1984. I hope that Volumes III and IV will appear in 1986 to bring us up to date. The *Review*, which should be referred to in abbreviated form as *Z.L. Rev.* to distinguish it from the *Zimbabwe Law Reports* (*Z.L.R.*), is the successor to the University Law Department's *Zimbabwe Law Journal* which was published between 1961 and 1982.

Why do university law departments publish Law Reviews or Journals? Partly, no doubt, to 'keep up with the Joneses'. Most reputable law departments do so. Therefore, a law department which does not do so feels that it is not reputable. But there is a nobler motive, and it has to do with the dynamics of the relationship between the university and the profession, between academics and practitioners. (I use the word 'practitioners' here in an extended sense to include Government, which 'practises' law by making and enforcing it.)

Teachers and practitioners can coexist on three levels. At worst they can ignore each other, going their separate ways and maintaining an intellectual aloofness with its accompanying untested prejudices. If they recognize each other's existence and develop a relationship, then that relationship can go one of two ways. It can be fruitful, with a dynamic tension between the two parties sparking each other to new heights; or it can be barren and thus, inevitably, destructive, each criticizing, demeaning and diminishing the other.

The *Zimbabwe Law Review* is, in this sense, the academic outreach towards practice; the manifestation, from the University's point of view, of its relationship with practitioners and with Government. It is, of course, something more than that as well. It is a show-piece of the Law Department, a stage on which are displayed the achievements as well as the internal relationships of the Department, those between student and staff, progressive and conservative groups, the Department and the University. So it looks inwards and outwards, a mirror, a lighthouse, a signal, a beacon and an illumination.

I would judge the *Review*, therefore, by two standards: How does it contribute towards a creative dynamic relationship between the University, the profession and the Government? And how much does it show of the Law Department's own internal dynamism?

I would give the *Review* very high marks on the first basis. The first three articles on Family and Customary Law by Doris Galen, Robert Seidman and Julie Stewart are extraordinarily useful and thought-provoking discussions of questions which are at the centre of today's stage. For anyone concerned with the reform, application or development of the law in these areas, they must be required reading.

These are followed by two articles which relate our law to that of Tanzania in the one case and Zambia in the other — a useful reminder to practitioners that we can and should look beyond South Africa and England. The article on the *Zambian Bill of Rights* is particularly illuminating, and an interesting endorsement of the value of a justiciable Bill of Rights.

Stewart Cant has written a somewhat abstruse article on 'Police Discretion', which, like some of the other articles, might benefit from having a summary either as a headnote or footnote. Next, there is an article by Geoffrey Feltoe on the

perennially absorbing subject of provocation as a defence in murder or assault charges, tracing the growth in our law through *Tenganyika's* and *Nangani's* cases, as it develops differently from the South African law.

Finally in this section of the *Review* there is a reproduction of an address by Shadreck Gutto to the 1984 Summer School on 'Law and Legal Education in the period of transition from Capitalism to Socialism'.

The next section of the *Review* is entitled 'Dialogue' and contains an 18-page article by Kempton Makamure and Shadreck Gutto. I am not sure that it is a dialogue unless you define dialogue as a monologue by two people. The article is well-constructed although for my taste spoiled by the use of emotive language in place of reasoned argument. It criticizes the foreign policy of the United States of America.

The student contribution section which follows shows the value of the Department's requirement of a dissertation from its students as part of the BL course. The three articles are, in fact, expanded and polished dissertations by students, two of whom are now on the staff. They are well worth reading.

Ben Hlatshwayo gives a critical historical analysis of the Hire-Purchase Law of Zimbabwe from a 'historical materialist' point of view; Welshman Ncube has some useful and thoughtful comments on the Legal Age of Majority Act and the decision in *Katekwe v. Muchabaiwa*; and Moses Chinyenze discusses a book on *lobola* by the ever-controversial and stimulating Ignatius Chigwedere.

At the end of the volume there are four comments on decided cases. There should, I think, be more. An article by Felicity Rooney on the Legal Aid Clinic is valuable because it is a practical commentary on a most important aspect of the University's work — its contribution towards society which at the same time provides practical training. The *Review* ends with a reproduction of the text of the Nkomati Accords, a Survey of Legislation during the period 1980-4, and two book reviews.

I have said that this first edition of the *Zimbabwe Law Review* scores well as a constructive and creative outreach towards practitioners. I think it succeeds almost equally in its effort to show us, outside the University, what the Department is achieving and trying to achieve. I hope that in the next volume we may hear more about the proposed changes in the curriculum and the reasons for those changes.

Supreme Court of Zimbabwe

Mr Justice N.J. McNALLY

Two Minutes to Midnight Various authors. Harare, Gemini/Kailani Publishers, 1985, 184pp., Z\$11.50.

Ivory Madness By David M.H. Lemon. Harare, The College Press, Modern Writers of Zimbabwe Series, 1983, 146pp., Z\$4.95.

So much of contemporary publishing in Zimbabwe is naturally concerned with great issues that it is something of a relief to turn for a moment to some lighter literature, and both *Two Minutes to Midnight* and *Ivory Madness* are very light literature indeed, albeit for different reasons.

Two Minutes to Midnight is a polished collection of short-short stories chosen,