

# BOOK REVIEW

**Olufemi Amao. *African Union Law: The Emergence of a Sui Generis Legal Order*.**

Abingdon: Routledge, 2019. 220 pp. Appendix. Index. \$170.00. Cloth. ISBN:978-1-138-91494-0.

*African Union Law: The Emergence of a Sui Generis Legal Order* by Olufemi Amao is the first comprehensive work to take an in-depth look into the legal order of the African Union. The law derived from supranational organizations such as the United Nations or the European Union is well known and exhaustively studied, but the law originating from the African Union is largely unfamiliar to most legal scholars and practitioners. In this sense, Amao's book offers a valuable contribution to that grey area of legal knowledge. It contributes to a discussion about the role of African organizations, mainly the African Union, in shaping the legal landscape of the continent. The book is divided into nine chapters which address a diverse selection of themes.

The first chapter delves into the question of African Union law as a consolidated legal sphere, exploring the nature and characteristics of a pluralistic African legal culture (J. Fenrich, P. Galizzi, and T. Higgins, eds., *The Future of African Customary Law* [Cambridge University Press, 2011]). It addresses the rich diversity surrounding the understanding of law and justice in African societies. Moreover, it also digs into pan-Africanism and regional integration processes. In this chapter, the author proposes a definition for the African Union. The sources of African Union law are developed in Chapter Two, in which the author characterizes the diversity of sources, especially the treaties adopted under the African Union.

In Chapter Three, the focus is on membership in the African Union and the sanctions that the Union may apply to its members. Interestingly, Amao goes deeper into the discussion of citizenship and its relationship with African Union law, and the necessity for a harmonization of citizenship laws across African states. This is a pressing need in a continent in which the access to a nationality, and consequent citizenship, is not always guaranteed and is usually connected to other categories such as ethnicity (Benta N. Matunga and Tiina Kontinen, "Is No One Left Behind? Inclusive Citizenship in Practices of Self-help Groups in Rural Tanzania" [*Forum for Development Studies*

50 (1): 83–105, 2023]). In Chapter Four, economic integration, monetary union, and relationships between sub-regional organizations are explored.

Chapter Five examines the African Union's role in maintaining peace and security. The agency of the African Union in the political and military stabilization of the continent is the core of the analysis. The most relevant contribution of AU law lies in the right of the Union to intervene in case of serious human rights violations and the African Responsibility to Protect norm, which comes from the Rwandan genocide, and is enshrined in the Constitutive Act of the African Union (Maria Raquel Freire, Paula Duarte Lopes, and Daniela Nascimento, "'Responsibility to Protect' and the African Union: Assessing the AU's Capacity to Respond to Regional Complex Humanitarian and Political Emergencies" [*African Studies Review* 25 (3): 223–41, 2016]).

The remaining three chapters focus on human rights and African Union law. General developments and limits of African human rights law are discussed in Chapter Six, while Chapter Seven delves into economic, social, and cultural rights and their close relationship with people's rights, a distinctive feature of the African legal framework. The African Charter on Human and Peoples' Rights was the first legal document to recognize and guarantee rights to various groups. Despite this recognition, these rights are the most controversial topic, feeding the self-determination of ethnic nations across the continent. In Chapter Eight, the author analyzes the controversial issue of sexual orientation and its collision with narratives of African values. Arguments of belongingness and nativism fuel the discussion of the alleged un-Africanness of perceived deviant sexual intimacies (C. Ngwenya, "What Is Africanness? Contesting Nativism in Race, Culture and Sexualities" [Pretorial Law Press 2018]). The last chapter discusses the enforcement mechanisms of African Union law, the judicial institutions, and issues surrounding them. Amao explains the steps for the engagement of citizens with human rights mechanisms and the challenges that lie ahead.

In conclusion, the characterization of African Union law, its development, and its changing nature are the main focus of this book. The work of Olufemi Amao is essential to the fair recognition of the supranational African legal framework that is shaping African politics. The author also highlights the limits of AU law and its relationship with concepts of state sovereignty; the member states are inherently suspicious of outside interference that might collide with their visions of society. The author diligently shows that AU law is an evolving concept, and more studies are needed from various fields of knowledge to understand and define the African supranational legal order.

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