# Book Review Symposium Introduction: The Emergent African Union Law: Conceptualization, Delimitation, and Application. United Kingdom, Oxford University Press, 2021 edited by Olufemi Amao, Michèle Olivier, Konstantinos D. Magliveras

**By:**

Olufemi Amao
Michele Olivier
Konstantinos D. Magliveras

March 3, 2022

This book is one of the outputs from the African Union Law Research Network. The network was established in 2017 with funding from the Arts and

Humanities Research Council (UK). The main focus of the research network is the study of the emergent African Union Law as a legal order in the international community and its implications for legal transactions among AU Member States and their citizens. The contributions are mostly drawn from presentations at the workshops of the network and leading scholarship in the emergent field. We thank all the participants at the workshops and contributors to the book.

The overarching ambition of the book is to advance the conversation on the norm generating aspects of the work of the AU, its organs and its institutions. The broad proposition presented collectively by the contributions is that the AU has become a standards generating regional institution, and that this capacity is rapidly evolving. Hence, the need to study the theoretical underpinnings and practical applications of this emergent branch of regional law. AU law bears some resemblance to the European Union law but with its own unique feature). This process of producing regional norms could have important implications in the search for collective solutions to wide ranging problems and issues across the African continent. The book explores how AU law has been evolving, its theoretical underpinnings, its legitimacy, and its implications as it moves forward.

As an emergent area of international legal systems, the approach taken by the book is to allow contributors a reasonable degree of academic freedom in addressing the theme of the book.

While there is no prescribed definition of AU law, contributors to the book were encouraged to use a broad working definition as a starting point. Thus, for the purpose of the book, AU law is defined as the bodies of treaties, resolutions and decisions that have direct and indirect application to the member States of the African Union and their citizens. It was envisaged that this approach would engender a level of agreement and ongoing critical engagement as to what constitutes AU law. The questions posed resemble the debate that surrounded the nature of EU law until the decision in Flaminio Costa v ENEL but addressed within a uniquely African context[1]. It is notable that the decision has not completely brought to an end the debate within the EU legal discourse.

Furthermore, the book explores how new knowledge and new perspectives are contributing to the nascent AU law by providing an in-depth understanding and analysis of the emerging concept. It challenges long held perceptions on state sovereignty and governance assessing these within the context of pan Africanism and recent developments in a variety of fields such as human rights, trade and peace and security. The book sheds light on its development, workings and practical applications.

The book covers a very broad spectrum of aspects of AU law, including harmonisation and integration, human rights, peace and security, intellectual property, customary law, statelessness, terrorism, taxation, land management, sustainable development, dispute resolution, business enterprises, competition law, taxation, intellectual property, financial institutions, and consumer protection.

We are grateful to our reviewers who gave up their invaluable time to go through the whole book and provide their critical insights from different perspectives. The scholars, in order that their reviews will be published are as follows:

Dr Bronwen Manby LSE Human Rights, The London School of Economics and Political Science, UK

Professor Dan Kuwali Extraordinary Professor of International Law at the Centre for Human Rights, University of Pretoria, Adjunct Professor of Strategic Studies and Executive Director, Centre for Strategic Studies, Malawi University of Science and Technology and Fellow, Centre for Human Rights, Harvard Kennedy School of Government.

Professor Dayo Ayoade, Faculty of Law, University of Lagos, Nigeria

---

[1] Flaminio Costa v ENEL (1964) Case 6/64

View online: Book Review Symposium Introduction: The Emergent African Union Law: Conceptualization, Delimitation, and Application. United Kingdom, Oxford University Press, 2021 edited by Olufemi Amao, Michèle Olivier, Konstantinos D. Magliveras

Provided by Afronomicslaw