

LAW & HUMAN RIGHTS

Rachel Murray. *Human Rights in Africa: From the OAU to the African Union.*

New York: Cambridge University Press, 2005. viii + 349. Notes. Appendixes. Bibliography. Index. \$80.00. Cloth.

Written by a respected and prolific scholarly commentator, *Human Rights in Africa* is an important and worthy addition to the currently sparse but growing literature on the institutions concerned with the promotion and protection of human rights on the African continent. Given the recent inauguration of the new African Union (to take the place of the now defunct Organization for African Unity), and in view of the intensification of the human rights struggle in Africa, the book is also timely. Unequaled in its treatment of this subject in the English language, notable for its expansive conception and consideration of the institutions that constitute the African human rights system, and strengthened by the author's years of experience in this area, the book is also well written and readable. What's more, the comprehensiveness of its bibliography and the extensive use made of the relevant sources attest to the solid research that has gone into the study.

The overarching objective of the book is to map and analyze the extent to which the Organization for African Unity (OAU) and the African Union (AU) have engaged, or failed to engage, the more serious human rights questions that have challenged the African continent in our own time. The main themes that cross-cut the book's chapters are the OAU/AU's early neglect of many human rights issues; the OAU/AU's increasing use of the language of human rights, especially since the 1990s; the increasing concern of the OAU/AU with a more comprehensive set of human rights issues and with the use of a more integrated approach to human rights; and, finally, the relative lack of coordination among the various OAU/AU organs that have some responsibility for human rights.

Despite its many strengths, two minor conceptual weaknesses are apparent in the book. The first is that the discussion in chapter 3 of the OAU/AU's treatment of the link between democracy and human rights could have profited from more attention to the legitimacy problems generated by the excessive politicization of the kind of work that these bodies have done in that area. For example, do the more influential states get off more easily, and with what consequences for the capacity of the OAU/AU to influence the course of affairs in other states? Second, I am not so sure that the distinction drawn repeatedly in chapter 6 between the OAU/AU's tendency to express concern for the "welfare" of children rather than to argue in terms of their "rights" is, from a functional perspective, very helpful. Regardless of its conceptual accuracy, when observed from the perspective of affected children themselves, this rights/welfare distinction does not appear to matter all that much in practice. Had the OAU/AU

used more of rights language and less of welfare discourse, would the lot of African children have improved significantly as a result? I think not. Perhaps the adoption in this chapter of a broader conception of what qualifies or does not qualify as “rights talk” would have eliminated the necessity to make the rights/welfare distinction at all.

Overall, however, the book is excellent. It is a must read for anyone concerned with the role that African international institutions have played and can play in the struggle for human rights.

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