

## BOOK REVIEW

### A Theory on Africanizing International Law: Yet Another View\*

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In 2024, the Pretoria University Law Press published the monograph by Micha Wiebusch, *A Theory of Africanizing International Law*. At the beginning of the book the author presents a number of brief reviews by reputable scholars who positively assessed the original results of the research. In particular, the monograph is characterized by phrases such as: “A sophisticated and thoughtful publication,” “A comprehensive and insightful study of the norms, actors and processes involved in Africanizing international law,” and “Well-written book. Interesting, topical and likely to stimulate debate.” The monograph received several positive reviews even after its publication. For example, our colleagues S. Marochkin and S. Racheva note, “A meticulous structure, rigorous research, and effective communication of findings are a beneficial mark of the book,” “M. Wiebusch did a good job, having examined,

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\* Reviewed book: Wiebusch, M. (2024). *A theory on Africanizing international law*. Pretoria University Law Press.

analyzed, and described one of the multiregional (continental) part of modern international law, having also made a new contribution to IL theory.”<sup>1</sup>

Such high ratings have aroused our readers’ interest. After reading the book, we had a desire to express our opinion about some aspects it. Our original critical approach involves an assessment of some research features and an analysis of the book through the lens of Green’s *3-D Model of Academic Literacy*.<sup>2</sup>

Regarding the research features, the following aspects are noteworthy. The book’s issues are relevant and in demand in the realm of modern scientific knowledge. In the current conditions of the formation of a multipolar world order, the effects of globalization on regional development are being revisited, as developing countries search for their own ways of development, which are conditioned by geopolitical specificity. Eurocentrism, once a dominant global trend, is gradually being replaced by a growing realization of the need to explore the developmental trajectories of individual regions, countries and ethnicities. In this respect, Micha Wiebusch’s book makes a solid contribution to understanding the role and place of international law in the legal culture of African countries, as well as to understanding the essence of the process of “Africanization of international law.”

While acknowledging the global trends in the development of law, the author has examined in depth “the international legal instruments through which ambitions to create a safe, healthy and economically and socially prosperous environment for the diverse inhabitants of this space called Africa are implemented.” Among these are more than sixty multilateral treaties that present Africa as a subject of legal relations. Numerous decisions taken by African international organizations, which contribute significantly to the dynamics of African international law, have also been examined. The data gathered provides a solid empirical basis for the conclusions presented in the study.

In contrast to the majority of the studies that have been conducted on Africa, Micha Wiebusch’s primary aim is to explore the various ways in which Africa has become a knowable and manageable space. Accordingly, one of the aims of this book is to explore the geography of African international law, through which the relationships between geographical spaces and the people who inhabit them are analyzed. In this context, the author focuses on the development of international legal strategies and programs that help regulate this spatial configuration. In doing so, Micha Wiebusch draws the reader’s attention to the rationality and technologies of state and interstate governance in Africa. In other words, the study seeks to explore how the African Union views the role of law in the broader process of African governance.

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<sup>1</sup> Marochkin, S., & Racheva, S. (2025). Multiregional international law in a multipolar world? *BRICS Law Journal*, 12(1), 200–207.

<sup>2</sup> Green, B., & Beavis, C. (Eds.). (2012). *Literacy in 3-D: An integrated perspective in theory and practice*. ACER Press.

The book presents the author's understanding of how African international legal programs and practices develop, how the rationales for the development of African international law emerge and how these rationales are articulated in programs of intervention. The author argues that these programs and practices constitute a complex system of mechanisms, knowledge, strategies, methods and procedures that help realize the ambitions of the "African project" in international law.

The author's desire to study not only the official normative work of African international organizations but also to analyze the implementation of the adopted norms – in other words, the effectiveness of the law – is commendable. The analysis of international legal normative material, the process of its implementation and the subjects of legal relations is based on the author's profound knowledge of basic sciences as well as practical jurisprudence. Micha Wiebusch, who holds a Ph.D. from the University of London and the University of Antwerp, a Master's degree in Political Science from the University of Geneva, and an LL.M in International and European Law from the University of Cape Town and the University of Antwerp, has extensive practical experience as a lawyer at the African Court on Human and Peoples' Rights and as an expert on the constitution of the African Union.

By examining the performance of the principal organs of the African Union and through statistical analyses of the number and rate of decisions made by these institutions, the author provides a comprehensive picture of trends in international lawmaking in Africa. He draws the well-reasoned conclusion that there has been an increasing "supply" of African international law over the past half century. In exploring the development of African international law, the author felt it necessary to consider not only the institutions, models and practices that set these processes in motion, but also the philosophies, mentalities and different ways that contributed to creating methods, categories, problems and solutions. Through this formulation of the research task, Micha Wiebusch has been able to effectively identify the various forms of justification behind African international legal strategies.

An analysis of the monograph through the prism of B. Green's *3-D model of academic literacy*<sup>3</sup> leads to the following conclusions. The use of this model assumes an evaluation of the text in three dimensions: operational (text organization), cultural (text style) and critical (text content). The criteria for evaluating the operational dimension include text construction, quality of the author's language and clarity. The text construction itself can be described as well-structured, clear and consistent. The structure of the monograph is comprised of different components, which include an introduction, foreword, prologue, chapters and bibliography. In particular, it is worth noting that the introduction is designed in a distinctive way. The author starts by explaining the meaning of the illustration featured on the cover of the book, thereby demonstrating his thoroughness and attention to detail. In the abstract, the author continues to

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<sup>3</sup> Green & Beavis, 2012.

prepare the reader for the perception of the text, clearly indicating the main aim of the book (to answer the question “What is African about African international law?”) and the means to achieve it (“by developing a theory to explain how and why international law is Africanized”). Furthermore, by quoting positive opinions of reviewers, the author enhances the reader’s interest. Information about the author is organically integrated into the text of the introduction and demonstrates the author’s high expertise regarding the research topic. An exhaustive list of acknowledgments seems as a logical conclusion to the introduction. The foreword to the book fully fulfills its function of providing additional information that helps the reader better understand the content and meaning of the book. The author is very concise but accurately defines the book as “a guide, offering essential techniques and strategies to observe, illustrate, and understand the dynamic nature of African international law.” The prologue that identifies potential readers is also very organically integrated into the structure of the text. The main section of the text, comprising five chapters, also deserves a positive assessment. In terms of the structure, each chapter contains the necessary elements that prepare the reader for a comfortable perception of the text. These elements include research questions, the aim of the chapter and the means of achieving the stated aim. For easy understanding of the content, the lengthy material of the chapters is divided into paragraphs. Each of the chapters begins with a brief explanation of the author’s logic of the statement presented at the chapter’s outset. At the end of each chapter, the author summarizes his reasoning. A vast bibliography is a worthy conclusion at the end of the monograph.

The analysis of the text in terms of the quality of the author’s language makes a favorable impression. The sentences forming the text are clearly structured and have a logical and syntactic coherence, which facilitates the reader’s easy perception of the author’s thoughts. The text does not contain lexical and grammatical errors and errors that make it illegible (for e.g. confusion in the harmonization, mismatches of words, ambiguous words and so forth). The positive characteristics regarding the structure of the text and the quality of the author’s language indicate its clarity. Another indication of the clarity is the frequent use of visual tools that include tables, figures and graphs.

The cultural dimension is evaluated by criteria such as the thorough usage of sources, the text’s focus and the author’s writing style. The analysis of the monograph in the context of the research basis shows a wide variety of scientific, normative and law enforcement sources utilized by the author. The pool of scientific sources includes a few previous works of the author, which indicates his deep immersion in the outlined problem. The normative basis of the chapter is very impressive and includes multilateral treaties of the African Union, decisions of the most authoritative African institutions (like the OAU Heads of State and Government; the OAU Council of Ministers and its successor; the AU Executive Council; the Peace and Security Council; the African Commission on Human and Peoples’ Rights; the African Court on Human

and Peoples' Rights etc.), and other standard-setting instruments, such as declarations, resolutions, opinions, general comments and model laws. As for the law enforcement sources, it includes acts of such bodies as the African Commission, the African Children's Committee, the Peace and Security Council and the African Court. The set of sources used by the author allows for the full substantiation of his conceptual position, as well as provides the reader with a full-fledged idea of the African legal space.

Within the prologue, the author identifies the target audience for this book, namely observers of the African Union and African international lawyers. The latter are understood in a broad sense to include the members of parliament, government, public administration, the judiciary, the diplomatic community, national human rights institutions, ombudspersons, academia, non-governmental organizations, the media, bar associations and law societies, the private sector and African international organizations. Clearly understanding the imagined audience, the author shows respect for them by writing in the language style of his audience, explaining conclusions and providing relevant examples. The style of writing, free of excessive academism, makes the text interesting for a broad group of readers. At the same time, the author's strong academic writing background also makes the book useful for the academic community in general and not just those engaged in legal issues. The style of writing is scientific. This conclusion is made by the analysis of the text for the presence of criteria immanent to the scientific style, such as clarity and accuracy, formality, use of special terminology, structurality and consistency. The fact that the text does not contain emotive expressions that are often characteristic of journalism or colloquial clichés typical for informal communication testifies to its scientific nature.

As for critical dimension criteria, they include the presence of the author's position and its purposeful substantiation, as well as the objectivity of the text. Driven by his goal of determining the peculiarities of how African international law operates within the context of an original research, the author methodically builds evidence in support of his position. The development of the author's position is carried out quite logically and consistently. Micha Wiebusch effectively employs the logical techniques of comparison, analysis, synthesis, abstraction and generalization. The consistency of the text is ensured by the proper organization of its parts and the coherence of the proposals. The sequential flow of sentences promotes smooth movement of the idea along the text, thus resulting in clear and logical content. The author's theses are fully supported by relevant arguments. They are illustrated by real examples from African international legal practice and summarized by well-reasoned conclusions. Ultimately, the author's convincing position is established through the judicious selection and critical evaluation of relevant sources. It is also worth noting that Micha Wiebusch very sparingly quotes other scholars, which allows us to vividly observe his own thoughts.

Regarding the objectivity of the text, it is interesting to note that the style of writing remains neutral throughout. It reflects the skilled presence and an active role

of the researcher without bringing his personal attitude to the foreground. In order to identify the common and distinctive features, to sum up and draw conclusions and to distinguish the primary and the secondary elements, the author employs a logical-analytical approach. The author articulates his position by using neutral turns of scientific speech, such as "it could be pointed," "it would lead us," "it appears that" and others. Moreover, the text's objectivity is enhanced through the deliberate lack of emotionally expressive language, non-use of evaluative vocabulary, the reliance on authoritative opinions, proven theories and facts and the inclusion of different points of view. This style makes the text engaging to read. Bearing in mind a wide audience of potential readers, the author delivers thought-provoking insights comprehensively, attractively and accessibly. In sum, as a product of academic writing, this monograph is a high-quality product that meets all formal standards.

To end our review, we will conclude by asserting that *A Theory of Africanizing International Law* is worth reading for three main reasons. First, this book is a deep and original interpretation of international law in the context of Africanization. Secondly, the book is an excellent result of professional academic writing. Finally, the book is an example of the successful application of civilizational and interdisciplinary approaches in legal research.

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