

Humanitarian Law in Action within Africa. By Jennifer Moore. Oxford: Oxford University Press, 2012. 335 pp. £55. ISBN 978 0 19 985695 1.

Although many might argue that humanitarian law in Africa is characterized more by its *inaction* than its action, this book serves as a reminder, albeit somewhat optimistic, of what is possible. It is written by a legal scholar who recognizes that international law 'must be effective as well as idealistic for scholars and practitioners to defend the rights of individuals and communities and not merely bear witness to the abuses they suffer' (p. 178). Moore's concern, therefore, is not so much about the role of humanitarian law in *regulating* war as *resolving* it through the transformation of countries emerging from civil war (p. 1). As a consequence, it is a book that will be of interest to lawyers who might be over-exposed to the norms of international law

rather than its application; and to non-lawyers who need guidance in better understanding how the bewildering array of legal instruments fit together, and who need reason to believe that they have traction in the messiness of conflict and post-conflict settings.

It is also a book of two halves. Part I, 'International Legal Rules for Conflict Resolution', offers a broad overview of the rules of public international law (humanitarian law, human rights law, criminal law and refugee law) by examining both the norms and institutions, and the mechanisms by which they are supposed to be implemented. It outlines the interaction between these different fields of law, and considers the synergies and distinctives between them. Of particular relevance to readers of the *Journal of Refugee Studies* is the author's outline of the interaction between refugee and humanitarian law (p. 153–167).

This theory is then applied in Part II, 'Humanitarian Law and Post-conflict Reconstruction in Africa', which examines humanitarian law 'in action' in Uganda, Sierra Leone and Burundi—three countries that are emerging from civil war and, therefore, are in a so-called period of 'transition'. Through a historically grounded overview of both conflict and post-conflict environments in the three countries, Moore presents the practical outworking of humanitarian law in three different contexts. Although the geographical focus of the book underscores the 'otherness' of Africa as a site of particular violence, it also acknowledges that 'extreme forms of violence are not unique to Africa' (p. 2) and therefore asserts that the book has global relevance.

Throughout the second section, the author argues that effective implementation of humanitarian law occurs when it engages with a combination of five institutions or actors, namely courts, troops, the media, development and communities (p. 177–178). Combined, they present the opportunity to engender criminal, social and historical justice: 'While criminal justice aims to bring individual war offenders to account, social justice seeks to improve the material conditions of life for members of the society, and historical justice works to reconcile community members traumatized by the violence of the past' (p. 5). These elements make up the armoury of 'transitional justice' and create the theoretical possibility of post-conflict recovery. Combined, the case studies give a glimpse of humanitarian law, in collaboration with other bodies of law, driving transitional justice and social transformation in three countries emerging from civil war by building a more comprehensive framework for resolving armed conflict (p. 323). It presents an analysis that is both rooted in *realpolitik*, and yet is ambitious—almost idealistic—in its reach.

Although the book covers much ground and is therefore a helpful resource, at times its strength is also its weakness: due to its breadth, the author inevitably skims over significant issues that, as a result, can lack nuance. For instance the assertion that 'researchers in Africa have identified food insecurity as the most significant contributing cause of civil strife' (p. 80) is likely to be strongly contested: many would argue that poverty is a symptom of the misappropriation of resources through suboptimal governance rather than a direct cause. Likewise, Moore views refugee law primarily through a 'humanitarian' rather than a protection lens, echoing the bias of UNHCR's implementation of refugee law (p. 163).

Ultimately these shortcomings do not detract from the achievement of a book that covers considerable ground and offers an overview of myriad complex issues in one space. It represents a legal text that is embedded in the realities of warfare and

the intensely personalized nature of it. In so doing, it presents an honest appraisal of the failures of humanitarian law in its implementation, as well as its potential. For those who have lost their faith in international law, it offers the possibility of redemption.

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