DEMOCRACY HUMAN RIGHTS AND DEVELOPMENT: A CASE STUDY OF EGYPT

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DECLARATION

I, the undersigned declare that this project is my original work and has not been presented to any university for academic award.

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This research project has been submitted for examination with our approval as the University Supervisors:

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Professor Maria Nzomo,

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DEDICATION

This project is dedicated to my family; my husband Dominic and my lovely daughter Milana.

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My utmost gratitude is to the Lord God Almighty, for enabling me take up this course and for the strength that He gave me during this entire project period despite the many challenges that I faced.

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My heartfelt gratitude goes to my sister Debra, my mother Wilkister the greatest mum anybody could wish for, my husband Dominic and my friend Linah for their great moral and emotional support during the entire period I was undertaking the project.

LIST OF ACRONYMS AND ABBREVIATIONS

ICCPR   International Covenant on Civil and political Rights

ECHR   European Convention on Human Rights

ICESR   International Covenant on Economic, Social and Cultural Rights

UK   United Kingdom

OAU   Organization of African Unit

SCAF   Supreme Council of Armed Forces

AU   African Union

UN   United Nations

UDHR   Universal Declaration of Human Rights

CERD   Convention on the Elimination of All Forms of Racial Discrimination

CEDAW   Convention on the Elimination of All Forms of Discrimination against

Women

CAT   Convention against Torture and Other Cruel, Inhuman or Degrading

Treatment or Punishment

CRC   Convention on the Rights of the Child

ABSTRACT

Democracy and human rights over the years have become essential in many countries around the world due to their impacts on development. The study was focused on the role of democracy and human rights in development. The broad objective of this study was to investigate the role of democratic governance and human rights in development in Egypt. The study was guided by the normative democratic theory which states that all citizens ought to have the broadest set of political rights and liberties possible, compatible with the extension of equal rights to all. The study relied on qualitative methods of data collection. Survey research methods (personal interviews and questionnaires) were limited because of challenges related to access, and time. Secondary data therefore formed the core data collection. The study found out that human rights and democracy contribute to the development in Egypt because the crisis started from the first revolution against Hosni Mubarak and then to the recent one that ousted Mohammed Morsi, there have been negative impacts on the Egyptian economy. There has been increased rates of unemployment, decline in the tourism sector which has led to the decline in the country's foreign exchange reserves. In addition, foreign investment which depends on prevailing peace, security and political stability has been adversely affected. Had there been democracy and respect to human rights in Egypt, probably this would not be happening. The study hypotheses have been proven in that the findings indicate that the current crisis has had negative effects on the economic development of Egypt. The country has also been recently suspended from the African Union until it resolves this crisis.

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CHAPTER ONE
INTRODUCTION TO THE STUDY

1.1 Background to the Study

The past three years have witnessed a convergence between human rights and development in the phenomenon known as the Arab Spring. The Arab Spring is a revolutionary wave of demonstrations and protests that have been occurring in the Arab world since 17th December 2010, when a despairing Tunisian street vendor, Mohammad Bouazizi set himself on fire. He had ignited more than a mere revolution in his country. His excruciating death had given birth to a notion that the psychological expanses between despair and hope, death and rebirth and between submissiveness and revolutions are ultimately connected. His act, regardless of what adjective one may use to describe it, was the very key that Tunisians used to unlock their ample reserve of collective power.[1] The then president, Zine Al Abidine Bin Ali's decision to step down on January 14, 2011, was in a sense a rational assessment on his part -if one is to consider the impossibility of confronting a nation that had in its grasp a true popular revolution.

Arab revolutions, uprisings or at least the notable social upheavals registered in various Arab societies have clearly inspired many groups and collectives to aspire for change, reforms, freedom and democracy. For western governments, such mass movements — once reduced to one single phenomenon — represented opportunities to be grabbed, weak spots to be exploited and even conflicts to be endlessly fed even at the expense of tens of thousands of innocent victims.

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[1]Ramzy B., Special to Gulf News,;Gulf News.gulfnews.com/.../understanding-the-arab-spring-discourse-1.1139356. Published: 00:00 January 30, 2013.

The so-called Arab Spring, although now far removed from its initial meanings and aspirations, has become a breeding ground for choosy narratives solely aimed at advancing political agendas which are deeply entrenched with regional and international involvement.

Revolutions that took place in Tunisia and Egypt and the civil war in Libya resulted in the fall of the countries governments. There have been civil uprisings in Bahrain, Syria and Yemen and protests on varying levels in Algeria, Iraq, Jordan, Kuwait and in other Middle Eastern countries. This wave of non-violent and violent demonstrations, protests, riots and civil wars in the Arab world has resulted in the change of leadership including Tunisia, Libya, Yemen, Egypt and Syria. [2] However now Islamists and liberals wrangle over power, with the former mostly on top, democracy is far from certain, and economies are crumbling.

To date, except for in Syria, rulers from those countries have been forced from power. Among the reasons offered for the Arab Spring include; dictatorship or absolute monarchy, human rights violations, corruption, economic decline, and unemployment among others. What is the nature of the symbiosis of the 'Arab Spring' and 'democratization'? How does democratization lend support to the 'Arab Spring'? In turn, how does the 'Arab Spring' lend sparkle to 'democratization'? What are the wider reverberations of this political 'tsunami' within and without the Middle East? How do they inform the 'story' of democracy and development? This study seeks to answer these questions, both theoretically and empirically. Theoretically, an assessment of democratization and development will address this symbiosis, critically assessing the 'status' of the democratization paradigm with a special reference to Egypt.

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[2]Ramzy B., Special to Gulf News,;Gulf News.gulfnews.com/.../understanding-the-arab-spring-discourse-1.1139356. Published: 00:00 January 30, 2013.

1.2 Statement of the Research Problem

It can be argued that the notion of human rights was merely a pipe dream. In the wake of World War II; the idea of human rights emerged and resulted in the document referred to as The Universal Declaration of Human Rights and the thirty rights to which all people are entitled to. This study seeks to addresses issues surrounding the evolution of the Arab Spring in relation to democracy, human rights and development in Egypt. After a general introduction and explanation of the events on a region-wide basis, the study will turn to examine aspects of the Egyptian revolution, and the role of the Muslim Brotherhood during the short President Morsi regime and in the contemporary situation is compared, together with an analysis of the emergence of new political parties in Egypt.

Did the Arab spring impel or impede democracy in Egypt? What impact will it have on human rights, democracy and development? There is probably no question whose answer is less clear and more hotly debated than this one in the context of Egypt's current transition. It is worth remembering that, especially in the Islamic world, democratic institutions that involve elections do not always involve human rights as well. So we may ask further: Even if democracy supports development in Egypt, will it also support full human rights for its people particularly religious freedom for Coptic Christians, who are 10% of the population, as well as Islamic dissenters? The notion that Human right is directly intertwined with democracy and subsequently development even more squarely places this value in the middle of the conversation.

That said, there is therefore need to look more closely at the meaning of democracy and democratic citizenship. One therefore needs to consider several important questions: does democracy facilitate development of the right kind? Does democracy guarantee, or even make probable, the result that government policy and law will reflect the fundamental interests of the

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people? This study seeks to establish the fundamental link between democratic governance and human rights with a special focus on Egypt.

1.3 Objectives of the Research

The broad objective of this study is to investigate the role of democratic governance and human rights on development in Egypt.

The specific objectives of the study are to:

1.   To analyse the process of democratization in Egypt and its impact on development.

2.   To find out the extent to which the upholding of human rights fosters development in Egypt.

1.4 Justification of the Research

1.4.1 Policy Justification

According to historians' literature, human beings have witnessed hundreds of revolutions, rebellions and social movements across all centuries all over all continents. Although many of them have seen glorious moments but many as well have not seen the light of glory. Since the proclamation of the Universal Declaration of Human Rights in 1948, human rights have become a widely accepted global norm, encoded in United Nations documents, regional agreements and many national constitutions. However, the world still fails to fully abide by the provisions in the Declaration, and human rights violations continue across the globe. While international politics remain ultimately dominated by power relations, the world has become more hypocritical.

It is hoped that this study may enable the government of Egypt and other African countries to identify the shortcomings of its governance system in fostering national development while achieving universal human rights. This might assist African governments to

come up with appropriate policies to make their countries development agenda more appealing to its citizenry and effective in fostering national unity. It is also hoped that the findings of the study may assist government policy makers, human rights activists to improve on human rights awareness, protection and also assist to identify and invest in activities which yield a high correlation with fostering of national unity founded on human rights and principles of democracy in their respective countries.

1.4.2 Academic Justification

This study will be important to scholars as it will evaluate practices that promote democratic governance, human rights and development all of which have been pursued in Egypt through the revolution otherwise known as the Arab Spring. It is also hoped that the findings of this study will contribute to the existing stock of knowledge on the role of human rights, good governance and development.

1.5 Literature review

1.5.1 Understanding of Human Rights

Human rights are the basic rights and freedoms that belong to every person in the world. Ideas about human rights have evolved over many centuries.[3] However it achieved international support after the Holocaust and World War 2 when the need to protect people's rights became vital. In 1948 the United Nations General Assembly adopted the Universal Declaration of

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[3]Democracy and United Nations http://www.unis.unvienna.org/pdf/Democracy_Human_Rights_2008.

Human Rights. The declaration is used widely across the world in addressing social injustices the and achieving human dignity. The UDHR marked the genesis of international recognition that all human beings have fundamental rights and freedoms and it still the guiding star on human rights.

It consists of an introduction and 30 articles that set out a range of fundamental human rights and freedoms to which all men and women, everywhere in the world, are entitled. The Declaration has also served as the foundation for an expanding system of human rights protection that today focuses also on vulnerable groups such as disabled persons, indigenous peoples and migrant workers.

The Universal Declaration is seen as the foundation stone for modern human rights. Since its adoption in, 1948 it has inspired over 80 international conventions and treaties, and several regional and domestic conventions, bills and legislation. The Universal Declaration, the International Covenant on Civil and Political Rights (1966) and the International Covenant on Economic, Social and Cultural Rights (1966) constitute the International Bill of Rights. Other international conventions that have been instrumental to the development of human rights include, Convention on the Elimination of All Forms of Racial Discrimination (CERD), Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT),Convention on the Rights of the Child (CRC), International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW) and Convention on the Rights of Persons with Disabilities (CRPD).[4] Each of these conventions have committees that monitor and develop the conventions to make sure they are effective.

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[4] Ibid

1.5.2 Democracy and Human Rights.

The values of freedom, respect for human rights and the principle of holding periodic and genuine elections by universal suffrage are essential elements of democracy. In turn, democracy provides the natural environment for the protection and effective realization of human rights. These values are embodied in the Universal Declaration of Human Rights and further developed in the International Covenant on Civil and Political Rights which enshrines a host of political rights and civil liberties underpinning meaningful democracies. The link between democracy and human rights is captured in the Universal Declaration of Human Rights, which states: *"the will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures."*[5]

The rights enshrined in the International Covenant on Economic, Social and Cultural Rights and subsequent human rights instruments covering group rights (e.g. indigenous peoples, minorities, people with disabilities) are equally essential for democracy as they ensure an equitable distribution of wealth, and equality and equity in respect of access to civil and political rights.

1.5.3 Human Rights and Democracy in Tunisia

Tunisia has long been the Arab country most suited for democracy. As a semi-autonomous Ottoman province, Tunisia was the first country in the Middle East and North

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[5]Article 21(3) of the Universal Declaration of Human Rights.

Africa region to adopt a constitution (in 1861) and the first to start a modern secondary school (College Sadiki in Tunis in 1875).[6] Protests in Tunisia started in December 2010 when Mohamed Bouazizi, a vendor who sold fruits and vegetables from a cart put himself on fire under protest, pointing a finger at the then government. He never had the proper permits, paid no taxes, and had an unlicensed scale, therefore local authorities confiscated his cart, his scale and his wares. He tried to recover his wares and the scale from the authorities but his cries were never heard. As a result he despaired and put himself on fire in protest to at least get the attention of the authorities.[7]

This protest depicted how the poor from the Global South were languishing in poverty and unemployment. These people engaged themselves in small and petty selling of some goods so that they could earn a living. The uprising spread very fast throughout the interior and towards the South. Protesters attacked police stations and burned public buildings. Following the president's directives, the police reacted brutally, shooting to kill, arresting and torturing, and this resulted in excessive use of force. However such treatment further fueled the aggression of the protestors.

The demonstrations continued spreading rapidly up the coast into the capital, Tunis. Eventually on January 11, 2011, the revolt reached Tunis where it started from the poorest suburbs of the city and this spread throughout the entire city with many people joining the protests. Ben Ali, the president tried in a series of public speeches with the hope that it would

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[6]www.humanrightsfirst.org/.../HRF_blasphemy_in_tunisia_report_apr 201.
[7]Dr. Laurence M., University of California at Berkeley Forthcoming in *A Diplomat's Handbook for Democracy Development Support* (3rd edition), 2011.

help to at least quell the protest. His first two speeches were stern proclamations in Classical Arabic condemning "outside agitators," but his third speech, delivered the day before he fled, was contrite. He dismissed several ministers and three regional governors. He promised to address people's grievances, to create hundreds of thousands of new jobs, and not to stand for re-election. But it was too late. On January 14, 2011, with the streets of Tunis packed with protesters. President Ben Ali, his wife and a planeload of family members fled the country, after which the army closed the airport. A second plane with more relatives of the President's wife was detained and its passengers arrested. According to reports, apparently, Ben Ali had not intended to leave but only to send his wife and family away temporarily. He accompanied them to the airport to see them off, but at the last minute and at the urging of his wife and his close advisor.[8]

This seemingly small desperate move by a mere handcart vendor had a massive domino effect and was the start of a movement for democracy that would shake up the Arab world. The impact was felt next in Egypt, followed by major uprisings in Yemen, Bahrain, Libya and Syria, as well as demonstrations in other Arab states. Aspirations to remove their dictators spread throughout the region, especially among the young people who were most affected by the economic stagnation.

All over these states, there were violent attempts to reverse the uprising hence leading to gross abuse of human rights. There were Black-clad snipers firing into the protesters from the rooftops in Tunis. This did not deter the charged protesters from pursuing their objective. The Prime Minister Ghannouch, who was the president's right hand man since the late 1980s, announced that the President was temporarily unable to exercise his duties and that he himself

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[8] Ibid

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had become Acting President.[9] He tried to quench the protesters' thirst by appointing a new cabinet. The demonstrations persisted forcing Ghannouchi and all the other ministers to resign. This led to the dismissal of parliament and the disbanding of the ruling Democratic Constitutional Rally Party (RCD). Consequently an interim government was formed without any members of RCD. This government appointed an Electoral Commission under Kamal Jendoubi, a widely respected human rights leader, to arrange and oversee a new election.

On October 23 2011, democratic elections were held in Tunisia under both international and Tunisian observers (including Tunisian NGOs that had organized for this purpose). According to monitors, apart from minor irregularities the election was peaceful, orderly and fair. Women won 49 out of 217 seats in the Tunisian Constituent Assembly.[10] While Egypt's Muslim Brotherhood is against the idea of a Coptic Christian or woman president, in Tunisia full participation of women and minorities at all levels of government has been encouraged. Clearly, in the case of Tunisia Islamist do not mean anti-feminist, and the contrasts with Egypt show that not all Islamist parties are the same.[11]

1.5.4 Effects of the Tunisia crisis on Development

The revolutions in Tunisia had a positive political effect in the country but negatively ravaged the country's economy. Between May 2010 and May 2011, the unemployment rate in Tunisia increased from 13% to 18.3%, leaving over 800,000 jobless in a country of only a little

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[9]www.humanrightsfirst.org/.../HRF_blasphemy_in_tunisia_report_apr 2012

[10]Ibid

[11]http://www.reuters.com/article/2012/09/14/us-protests-tunisia-schoolidUSBRE88D18020120914

over ten million.[12] Those who did have jobs used their newfound freedom of speech to demand salary increases to catch up with the cost of living. There were more strikes than before. Tourism, which had employed 400,000 people directly and another 300,000 indirectly, declined by over 50% from 2010 levels. Much of the economic decline was due to the uprising and civil war in neighboring Libya, where hundreds of thousands fled across the border into Tunisia. These refugees from Libya included Libyans, sub-Saharan African expatriates, and an estimated 60,000 Tunisians who had been working in Libya and who swelled the ranks of the unemployed.[13]

1.5.5 Conclusion

Even after the establishment of a government the economic woes continued deepening. Tunisia's GNP declined in 2011 by between 2.2% and 3.3%, and prospects for 2012 remain uncertain. Unemployment is estimated to have increased in 2012 from 13% to 18%. Strikes persist, many of which seem ill considered.[14]

1.6 Hypotheses

The following hypotheses will guide the study:

1. Democracy plays a critical role in development.

2. The process of democratization significantly affects development.

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[12]www.humanrightsfirst.org/.../HRF_blasphemy_in_tunisia_report_apr 201

[13]www.freedomhouse.org/content/project-director-tunisia-0

[14]Ibid

3. Upholding human rights fosters development.

1.7 Theoretical Framework: Normative Democratic Theory

This study will be guided by the Normative Democratic Theory. The central tenets of normative democratic theory are: All adult members of the collectivity ought to have the status of citizens (that is, there ought to be no restriction in political rights for different groups of people within the polity; universal citizenship principle): All citizens ought to have the broadest set of political rights and liberties possible, compatible with the extension of equal rights to all (that is, there ought to be full equality and the broadest possible liberty for all citizens; the liberty principle and the equality principle) :Legislation ought to reflect the principle of the sovereignty of the people. When and where legislation is required, it ought to result from a process which involves the meaningful expression of interest and preference by all citizens (popular sovereignty principle): The legislative process ought to weight no individual's or group's preferences more heavily than those of any other individual or group (equal weight principle): Finally, a democratic society is one that is fully subject to the rule of law: legislation rather than personal authority produces limitations on individual liberty, and legislation is neutral across persons (legality principle).[15]

1.8 Research Methodology

This is a qualitative research. Qualitative studies typically rely on four methods for gathering information: (a) participating in the setting, (b) observing directly,(c) interviewing in depth, and (d) analyzing documents and material culture. These form the core of their inquiry. This study

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[15] http://www-personal.umd.umich.edu/~delittle/Democracy%20and%20development.pdf

with utilize option (d) where the analysis of documents and material culture will be utilized through access of the various libraries including; the University of Nairobi Library, The America E-Library, The Margaret Thatcher Library of Moi University, internet sources, among others. Among the sources to be utilized include primary and secondary sources, academic journals, scholarly articles, news clips among others

In this study, data on the background and historical context will be gathered. This may not be a major part of data collection but at least, in proposing a particular setting, the study will gather demographic data and describe geographic and historical particulars. Knowledge of the history and context surrounding specific settings that will be discussed in this study will come, in part, from reviewing documents. As such, the review of documents in this study is regarded as an unobtrusive method, rich in portraying the rich historical and current context of Egypt in view of the realm of democracy, human rights and development.

1.9 Scope and Limitations of the Research

The scope of the study refers to the parameters under which the study will be operating. Limitations are matters and occurrences that arise in a study which are out of the researcher's control. They limit the extensity to which a study can go, and sometimes affect the end result and conclusions that can be drawn. It is always possible that future research may cast doubt on the validity of any hypothesis or conclusion from a study. This study may have access to only certain documents, and certain data. These are limitations. Subsequent studies may overcome these limitations. Limitations of Qualitative Studies; a limitation associated with qualitative study is related to validity and reliability. "Because qualitative research occurs in the natural setting it is

extremely difficult to replicate studies".[16]When you select certain methodologies and designs, for example phenomenology, they come with limitations over which the study may have little control.

1.10 Chapter Outline

Chapter one gives the background of the study, problem statement, the objectives that the study will seek to address and the methodology that will be used.

Chapter two gives an overview of human rights, democracy and their impact on development from a global and regional perspective.

Chapter three focuses on human rights and democracy in Egypt.

Chapter four critically analyses the current democratic transition and adherence to human rights and the subsequent impacts on development.

Chapter five presents summary, conclusions and recommendations.

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[16]Wiersma , W. *Research methods in education: An introduction* (6th ed.). (Boston: Allyn and Bacon Press, 1995).

CHAPTER TWO

DEMOCRACY AND HUMANRIGHTS

2.1 Concept of Democracy

Among the 193 countries worldwide that are recognized by the United Nations, 123 are said to be democratic.[17]A democratic system can be defined as that institutional arrangement for arriving at political decisions in which individuals acquire the power to decide by means of a competitive struggle for the people's vote.[18]There are seven key criteria that are essential for democracy. These include: Control over governmental decisions about policy constitutionally vested in elected official; Relatively frequent, fair and free elections ;Universal adult suffrage; The right to run for public office; Freedom of expression ; Access to alternative sources of information that are not monopolised by either the government or any other single group; Freedom of association (that is. the right to form and join autonomous associations such as political parties, interest groups, among others). [19]

With the emergence of new democracies in many regions of the developing world since the 1980s, the process of democratisation entails not only a transition to formal democracy, but

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[17]www.freedomhouse.org.
[18]Schmitter, P. et al, 'What Democracy Is … and Is Not'. In L. Diamond and M. Plattner (eds.) *The Global Resurgence of Democracy*. Baltimore, (MD: The Johns Hopkins University Press, 1996).
[19]Dahl, R. A., *Polyarchy: Participation and Opposition. (*New Haven, CT: Yale University Press, 1971).

also the consolidation of such a democratic system. As analysts have found, relying on the definition above by Dahl of democracy cannot quite capture the challenges besetting regimes that have undergone a transition but have yet to consolidate their incipient democratic structures. As a result, a growing number of democratisation experts is turning towards a more substantive definition of democracy, one that gives greater prominence to the role and importance of accountability.

Three dimensions of accountability are usually distinguished:(i) vertical accountability, which enables citizens to hold their political leaders to account through the electoral channel at specified points in time; (ii) horizontal accountability, which refers to accountability mechanisms that exist within the distinct bodies of government itself, whereby state institutions are authorised and willing to oversee, control, redress and, if need be, sanction unlawful actions by other state institutions [20]; and (iii) societal accountability, which refers to the (ongoing) watchdog functions of civic associations, other NGOs and an independent mass media over the actions of the state.[21]This model of a liberal representative democracy – based on a free and fair electoral process, the respect of basic civil and political rights, and the provision of accountability mechanisms essential to give democracy substance – has gained growing international currency over the past two decades.

On the other hand, this liberal notion of democracy has been criticised in certain circles as being too elitist, stressing that aspects of participation are neglected.[22]These other debates about more substantive democracy therefore put much more emphasis on inclusionary,

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[20]O'Donnell, G., 'Illusions about Consolidation'. *Journal of Democracy* 7(2), 1996:pp34-51.
[21]Schedler, A., Diamond, L. and Plattner, M. F.*The Self-Restraining State: Power and Accountability in New Democracies*. (Boulder, CO: Lynne Rienner,1999)
[22]Pateman, C., *Participation and Democratic Theory*. (Cambridge: Cambridge University Press, 1970).

deliberative, and participatory processes. Though far from perfect, the constitutions of both post-authoritarian Brazil and post-apartheid South Africa offer examples of deliberate attempts at more substantive and participatory democratic governance (including provisions for participatory budgeting, for instance).

2.2 Democracy and development

The link between democracy and development depends on how one defines development. Development is the 'transformation of society' that goes beyond economic growth alone to include social dimensions like literacy, distribution of income, life expectancy, among others.[23] The main role of the state is to promote economic growth and deliver developmental outcomes. The importance of participation in one's development through open and non-discriminatory democratic processes is fundamental.

During the 1960s and the 1970s, an argument that gained considerable prominence in mainstream academic and policy circles was that democracy was more likely to emerge in countries with high(er) levels of socio-economic development.[24] There have been arguments that democracy is an important (pre) requisite for the promotions of development while other arguments state that authoritarian regimes are better off in terms of development.

Democracy is not an outcome or consequence of development, but rather a necessary ingredient to bring about development.[25] Democratic decision-making processes are not always 'pretty' from a developmental perspective, and they do not necessarily lead to the enactment of policies that are (more) conducive to development. The fact that decision-making processes are

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[23]Przeworski, A., M.E. Alvarez, J.A. Cheibub, and F. Limongi , *Democracy and Development: Political Institutions and Well-being in the World 1950-1990*. (Cambridge: Cambridge University Press, 2000).
[24]Lipset, S. M.,'Some Social Requisites of Democracy, Economic Development and Political Legitimacy'.American Political Science Review53 (1) (1959):pp62-105.
[25]Leftwich, A., 'Democracy and Development: Is There Institutional Incompatibility?' .*Democratization* 12(5) (2005):pp686–703.

intended to be more participatory and inclusive does not automatically make them developmentally more effective. Indeed, greater access to the state also means that the bureaucracy can more easily politicised. Democracies may be particularly susceptible to populist pressures … and other particularistic demands that may hamper long-run investment, growth and development more broadly.[26] For instance in Brazil the first three democratically elected governments failed to carry out redistribution reforms that were badly needed in the country due to too many competing interests and fragmentation.

It is a natural tendency of a democratic system to fragment, diffuse, and divide power among many different stakeholders at many different levels, both within the state and among societal actors,[27] thereby making decision-making processes more time-consuming, and this has led to arguments that in authoritarian regimes may be better suited than democratic ones to promote. Examples showing that authoritarian regimes are more effective than democratic ones in promoting rapid development comes from the so-called East Asian Tigers (Korea, Taiwan, Hong Kong and Singapore), where the state in each case oversaw and led a process of rapid economic growth and radical socio-economic transformation from the 1960s to the 1990s. Other recent examples include China and Vietnam. The secret of these (East) Asian developmental states lies in their institutional capacity autonomy to promote developmental goals without being 'captured' by particularistic interests while remaining 'embedded' in society through a concrete

[26]Bardhan, P. (ND) 'Democracy and Development: A Complex Relationship'. Berkeley, CA: University of California, Berkeley.

[27]Dahl, R. A., Polyarchy: *Participation and Opposition.* New Haven, (CT: Yale University Press, 1971).

set of social ties that binds the state to society and provides institutionalised channels for the continual negotiation and renegotiation of goals and policies'.[28]

However, as reflected by these (East) Asian experiences, embedded autonomy can be a highly exclusionary arrangement, where the state is linked not to society at large. Importantly, Evans himself does not explicitly argue that developmental states need to be authoritarian to be successful, and in fact he analyses the cases of India and (post-transition) Brazil as examples where partial developmental success has been achieved in some 'islands of excellence' despite being surrounded by a sea of widespread incompetence. However, Evans tends to skirt the issue of regime type altogether, so that one is left wondering if democratic politics somehow constrain the developmental state or impinge upon its actions. It is unrealistic to assume that political and economic development goals (alongside equity, stability and national autonomy) can be achieved simultaneously, at least from past historical experience.[29].

In many authoritarian states, insulated, centralised, and highly autonomous decision-making processes have played a major role in the triggering and/or deepening of serious economic crises, and that such crises would have been either less profound or even avoidable had effective democratic mechanisms to keep executive power under check been in place. This certainly seems to have been the case of the Mexico peso crisis of 1994, which triggered one of the deepest crises the country had ever experienced and also spread throughout the

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[28]Evans, P., *Embedded Autonomy: States and Industrial Transformation*. (Princeton, NJ: Princeton University Press, 1995).

[29]Leftwich, A., 'Democracy and Development: Is There Institutional Incompatibility?' *Democratization* 12(5) (2005):pp686–703.

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region.[30]Interestingly, some of the relatively most successful examples of recently democratising countries in Sub-Saharan Africa are also among the poorest (in particular Benin, Ghana, and Mali).

2.3 Conclusion

Democracies perform better in terms of development and this can be attributed to their relatively greater propensity for establishing institutions of shared power, information openness, and adaptability. Low-income democracies outperform autocracies across a wide range of development indicators. For instance, democracies have experienced more stable and steady growth patterns than autocracies over time.[31]

Democracy has a positive impact on economic and social development, though mostly through indirect channels. These channels include policy certainty, political stability, the establishment and enforcement of rules that protect property rights, the promotion of education, the ability to promote private capital, and the reduction of inequality.[32] A democratic regime is seen as vital in bringing about these indirect benefits because it is a system that provides for regular government change while inhibiting irregular/erratic/unconstitutional change.[33]However these indirect benefits are not the exclusive domain of democracies: (some) authoritarian regimes also seem quite capable of providing stability, the rule of law, the protection of property rights, and basic social services. Both democracy and development need a strong state as a network of authoritative institutions that make and enforce top-level decisions throughout a territorially defined political entity to underpin them and enable them to thrive.

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[30]Rocha Menocal, A. 'The Myth of the Infallible Technocrat: Policy-Making in Mexico Under the Salinas Administration'. Journal of Public and International Affairs9 (1998):pp167-182.

[31]Joseph Halperin et al *The Democracy Advantage: How Democracies Promote Prosperity and Peace*, (2005).
[32]*Yi.F.,Democracy, Governance, and Economic Performance: Theory and Evidence*, (2003).
[33]Leftwich, A., 'Democracy and Development: Is There Institutional Incompatibility?'.*Democratization*12(5) (2005):pp703–715.

[34]Since the end of the 1990s, there has also been a growing awareness within the international community that state institutions matter and that the orientation and effectiveness of the state is the critical variable explaining why some countries succeed whereas others fail in meeting development goals.[35]However, current thinking and international discussions on democratisation in the developing world seem to be based on the assumption that today's emerging democracies are being built on the foundations of coherent, functioning states. Research has shown that a more or less effective state exists before a democratisation process starts. However in reality, many of the countries stuck in incomplete democratisation processes, especially poor ones, are not only trying to democratise but also more fundamentally to build effective, capable states. Poor state capacity and inadequate provision of social services mean, furthermore, that human development is low, especially in the poorest countries. This combination of low state capacity and low human development implies that poor countries pose novel challenges for external democracy promotion and protection – ranging from options for party financing and organisation, to political and civic culture, to the types of social structures prevalent in situations of widespread poverty, which are mostly patronage-driven.[36]

The relationship between democratisation and the building of effective and capable state institutions can sometimes be complex. To some degree, these two processes also tend to pull in opposite directions. For instance, democratisation often entails establishing checks and balances mechanisms and diffusing power more evenly across a greater number of actors both within and

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[34]Chesterman, S., Ignatieff, M. and Thakur, R. (eds), *Making States Work: State Failure and the Crisis of Governance*, (Tokyo: United Nations University Press, 2005).

[35]Fritz, V. and Rocha Menocal, A., 'Developmental States in the New Millennium: Concepts and Challenges for a New Aid Agenda'.*Development Policy Review* 25(5) (2007):pp531-552.

[36] Leftwich, A., 'Democracy and Development: Is There Institutional Incompatibility?'.*Democratization*12(5) (2005):pp686-703.

outside government, while strengthening state capacity may call for greater autonomy and centralisation of power. **[37]**

Some of the recent literature has begun to further explore the effects of democratisation on other development goals, such as growth, poverty and inequality, and corruption, and such analyses have concluded that positive spill-over effects from democratisation for other areas of governance and development are not automatic. Sometimes the impact may even be negative, as in the case of corruption. If this information is right about the potential negative effects of democracy, hence one of the central challenges for donors therefore remains to become more fully aware of the fact that, when they make choices about how to support democracy and how to promote development, they also need to take into consideration how their activities in one realm affect the other – and how these in turn affect (or be impacted by) broader state-building efforts that may or may not work holistically with democratisation efforts on the one hand and development efforts on the other.[38]

2.4 The Concept of Human Rights: National and International perspective

The concept of human rights though is central to political science, it is poorly understood. There is no agreement on its meaning, nature, and content. It is a concept very much contested not only between East (representing former socialist States) and West (representing liberal

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[37]Ibid

[38] Leftwich, A., 'Democracy and Development: Is There Institutional Incompatibility?'.*Democratization*12(5) (2005):pp686-703.

democratic States) but also between developed and developing countries. Each group of nations has a different perception of human rights.[39]

The so-called first world countries of the West believed in the supremacy of the individual, while the communist countries of East focused allegedly on the community and the unconditional priorities of deprived class interest. Hence, the individual benefited from these group rights, as his/her rights were better provided for, within the community.[40] The former communist States gave priority to economic, social and commune rights and insisted that they could not be separated from the class character of society in which they existed, while the liberal-democratic states asserted the primacy of civil and political rights.[41]This debate of priority of one set of rights over another continued to occupy the agendas of national and international governance during major part of the 20th century. The then newly emerging States of the Third World, while adopting the Eastern or Western model of human rights paradigms in their constitutions, or a combination of both, focused on solidarity or group rights such as right to self-determination of peoples, including sovereignty over their natural resources, the right to development.

The collapse of communism and the end of the "Cold War" suggests that arguments over divergent concepts of human rights are no longer a subject of mutual accusation and a spirit of cooperation between East and West is evolving gradually. However, it must also be noted that the People's Republic of China and some Muslim States are pushing for a different and at time qualified version of the human rights, much different from the one proclaimed by the United

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[39] Vijapur, A.P., "The concept of Human Rights: National and International perspective", *International politics vol.2 no.iv, 2009.*
[40] Ibid
[41].Vijapur, A.P., "The Principle of Non-discrimination in International Human Rights Law: The Meaning and Scope of the Concept", *India Quarterly – A Journal of International Affairs*, Vol.49, No.4, (1993) pp. 22-35

Nations in 1948 in the Universal Declaration of Human Rights. For these States human rights are culturally rooted. Like cultural relativists, they are of the view that while in the West individuals' rights are considered above group rights, this is not universally applicable and that certain non-Western societies are on the lines of the community; the rights and identities of individuals are submerged by the larger interest of the community. The aggressive promotion of a universal standard of human rights is sometimes viewed as a paternalistic attempt to impose alien Western values. "Rights are the external conditions necessary for the greatest possible development of the capacities of the personality".[42]

2.5 Evolution of Human Rights

The idea of "rights" and "duties" of citizens is as old as the concept of the State. One may find their origin in ancient Greek and Roman political systems in Europe, Confucian system in China, the Islamic political system in the Muslim world and the "Panchayat" system in India. But the concept of rights in those systems was not fully developed and understood in the sense we know it today. It suited those socio-political milieus. However, it must be noted that this does not apply at least to Iranian and Western cases (prior to the beginning of constitutional era, when human rights provisions were articulated in such British constitutional documents as Magna Carta, 1215, the Petition of Rights, 1628 and the Bill of Rights, 1689 as they were the forerunners of the modern bills of rights), where obligations and responsibilities were more prevalent terms. Many important events and revolutions also contributed towards the development of human rights.

It was in the late 17th and the 18th centuries that the necessity for a set of written guarantees of human freedom was felt as a new philosophy of governance. The dignity and rights

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[42]Barker, E., *Principles of Social and Political Theory* (London:Oxford University Press, 1951).

of man was the dominant theme of political philosophy of the 18th century. This theme flowered into practical significance with such historic documents as the Virginia Declaration of Rights, 1776 the America Declaration of Independence, 1776, the French Declaration of the Rights of Man and Citizen, 1789 and of more lasting importance, the series of Amendments to the U.S. Constitution, adopted in 1791 as the American Bill of Rights. The constitutional settlement in the U.S. and the attached Bill of Rights provided a model for the protection of human rights.

For many years this U.S. model stood almost alone till a more detailed incorporation of rights was made in the Belgian constitution of 1831, followed by the Italian constitution of 1848, the Greek constitution of 1864, the Danish constitution of 1866, the Austrian constitution of 1867, the Spanish constitution of 1876, and also the Argentinean constitution of 1893. This trend of incorporation continued in the 20th century also. Now the overwhelming majority of states in the world have a written constitution providing checks and balances against the abuse of authority and enshrining in one form or another fundamental rights and liberties of individuals. With the establishment of the United Nations in 1945 the process of evolving an "International Bill of Rights" began. In 1948 it adopted the Universal Declaration of Human Rights, which included both civil-political and economic-social rights in a single document. Since the Universal Declaration was not a legally binding instrument, the UN subsequently adopted two Covenants in 1966 (one on civil and political rights and the other on economic, social and cultural rights).

These Covenants are legally binding on ratifying states. It must be noted that the Universal Declaration and the two Covenants constitute what is popularly known as the

International Bill of Rights.[43] Thus human rights have been internationalized and they are made available to every human being wherever he / she lives. This new concept of human rights giving equal treatment, if not equal importance, to both sets of rights (that is., civil-political and economic-social) became a characteristic feature of many constitutions that came into existence after the Second World War. These constitutions in various manifestations included certain social and economic rights besides elaborating in detail the civil and political rights.

2.6 Human Rights in the United Kingdom's Constitutional Tradition

There is no written constitution in the UK. The law of the constitution is embodied in historic documents or charters, in statutes of a constitutional nature, and in the common law (judge made legal rules). Some of the important documents were the Act of Selement (1701), The Reform Act of 1832 and the Parliament Act of 1911.[44] Because such laws deal with fundamental political rights and the allocation of power among governmental institutions, they are regarded as part of the constitution. Most of the civil rights are rooted in common law. Rights are safeguarded through the application of the "rule of law". Although the British have no detailed list/bill of rights such as that exists in the American constitution, these rights are nevertheless protected.[45]

In 1998 the British Parliament passed a "Human Rights Act", which became operational in October 2000.This Act incorporates the European Convention on Human Rights (ECHR). The UK had ratified the ECHR in 1951. Now the rights enumerated in ECHR have a status of domestic law. Jack Straw, the then Home Secretary, described the Act as "*one of the most*

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[43]Humphrey*, J. P. ,No Distant Millennium: the International Law of Human Rights* (Paris: UNESCO, 1989).

[44]Fagan, A., "Human Rights", in: *The Internet Encyclopaedia of Philosophy*, (http://www.iep.utm.edu/h/hum-rts.htm). (July 15, 2009).
[45] Ibid

important pieces of constitutional legislation the UK has seen". While speaking in the House of Commons on the Bill, the Home Secretary said: "*Over time the Bill will bring about the creation of a human rights culture in Britain. In future years historians may regard the Bill as one of the most important measures of this Parliament*".[46]

2.7 Human Rights in French Constitution

In contrast to the British system, the French Constitution (Fifth Republic) includes both sets of rights ─ that is., civil-political and economic-social. For instance, the preamble to the constitution declares that the French people solemnly proclaim their attachment to the rights of man, which were confirmed by their incorporation in the preamble to the Fourth Republic constitution of 1946.[47]The Constitution recognizes and guarantees such rights as those of workers to organize unions of their own choice, to bargain collectively, and to strike; equal access to education for all persons; and the guarantee of protection against the hazards of illness, unemployment and old age. Protection to these individual liberties is offered through the system of administrative jurisdiction, but these procedures protect personal rights (such as property rights, against an entrenched and solid bureaucracy), rather than political freedoms.[48] Infringements of traditional civil liberties are not infrequent.

2.8 International Human Rights Standards

The United Nations, the Council of Europe, the Organisation of American States, and the African Union have adopted a large number of international human rights treaties. Those featuring are the International Covenant on Civil and Political Rights (ICCPR),International

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[46]Butler, F., *Human Rights for the New Millennium, (*Colorado: Rienner publishers, 2000).

Covenant on Economic, Social and Cultural Rights(ICESCR), the European Convention on Human Rights (ECHR), the American Convention and the African Charter on Human and People's Rights. These treaties have been widely ratified. By January2010 ICCPR was ratified by 165 States; ICESCR by 160 States; as of 24October 2009 the ECHR was ratified by 45 of the 47 (Monaco and Switzerland have only signed it) States of Council of Europe; America. Convention by 22 States; and African Charter on Human People's Rights – by all 53 States of African Union.[49] By ratifying the two UN Covenants and the regional human rights treaties, majority of States in the world have accepted international obligations on human rights, which are available to all human beings within their respective jurisdictions. The actual domestic protection afforded to the rights enumerated in International Bill of Rights depends on the legal and political system of the relevant States parties to the UN Covenants. In certain states, such as the Netherlands, the ICCPR has direct effect, and is therefore part of a State party's domestic law. Alleged breaches can be litigated in domestic courts. In other States, the ICCPR is not self-executing, and so is not automatically part of municipal law, for example, in the UK, India and Australia, treaties must be specifically incorporated into domestic law before they become enforceable.[50]

States statutes of various kinds protect the rights contained in the ICCPR. Furthermore, in these States, the ICCPR has an indirect effect in that its norms are used by the judiciary to construe ambiguous statutes, and to fill lacunae in the common law. Among the three regional

[47]The Hague: Kluwer Law International, pp 49

[48] Vijapur, A.P., "The concept of Human Rights: National and International perspective", *International politics vol.2 no.iv, 2009.*

[49]Fagan, A.,"Human Rights", in: *The Internet Encyclopedia of Philosophy*, (http://www.iep.utm.edu/h/hum-rts.htm). (July 15, 2009).

[50]Vijapur, A.P., "The Principle of Non-discrimination in International Human Rights Law: The Meaning and Scope of the Concept", *India Quarterly – A Journal of International Affairs*, Vol.49, No.4, (1993) pp. 22-35.

human rights treaties the ECHR, which is the oldest (entered into force in 1953), has an impressive record of achievements. It has been ratified by both West and East European States (the latter after the collapse of communist systems there). [51]

The list of rights guaranteed in the ECHR has been expanding over the years. Originally, the Convention recognized right to life, prohibition of torture, prohibition of slavery and forced labour, right to liberty and security, right to a fair trial, no punishment without law, right to respect for private and family life, freedom of thought, conscience and religion, freedom of expression, freedom of assembly and association, right to marry, right to effective remedy, prohibition of discrimination and right to petition by person, NGOs, or groups of individuals. Subsequently through the adoption of Protocols 1, 2, 6and 7 new rights have been added, such as right to property, education, free elections, prohibition of imprisonment for debt, prohibition of expulsion of nationals and prohibition of collective expulsion of aliens, abolition of the death penalty and compensation for wrongful conviction.[52] In a substantial number of States parties, the ECHR enjoys the status of domestic law. For instance, it has been incorporated in UK, Nordic and Baltic countries. Under the Croatian Constitution (article 134), the Convention became a part of internal legal order with legal force superior to ordinary law after its ratification in 1997.

In Norway a Human Rights Act was promulgated on 21 May 1999. Distinctive features of this incorporation Act are that it includes a priority clause (section 3) and covers three treaties, the ECHR, the ICCPR and the ICESCR. Thus, in all these countries the ECHR provisions may

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[51] Vijapur, A.P., "The concept of Human Rights: National and International perspective", *International politics vol.2 no.iv, 2009.*

[52]Jacobs, F.G. and Robin, W., *The European Convention on Human Rights*, 4th edition (Oxford: Oxford University Press, 2006).

be invoked as law in the national courts. The ECHR rights are directly enforceable by individuals. Even in States parties where the Convention is not incorporated in domestic law, the national courts frequently look to it while interpreting and applying domestic law so as not to violate this treaty.[53]The Bill of Rights Reform of1995 included economic and social rights in chapter two of the Constitution Act. This implies that socio-economic rights can also be judicially enforceable. The individuals of the States, which have ratified the convention, can petition the European Court of Human Rights at Strasbourg, France, if they feel that their governments have violated their Convention rights. In many an instance, it has found States in breach of its international obligations to protect human rights.[54]

2.9 Violations of Human Rights

Notwithstanding the adoption of Bills of Rights in the national constitutions and ratification of international treaties on human rights by a large number of States, human rights of the individuals are violated in almost all countries.[55] Absolute power allows governments to destroy different communities; it also enables them to infringe on the rights of citizens. Just as governments can help to institutionalize the concept of human rights and protect them for everyone irrespective of one's caste, color, sex, or religion, they can also use their powers to violate human rights in the most systematic manner. The 20th century has witnessed enormous progress in the extension of civil, political, economic, social and cultural rights in all societies in the world. However, at the same time core human rights, such as right to life, freedom from

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[53] Ibid
[54]Ibid

[55] www.int-politics.com/.../National%20and%20International%20Perspectiv.

torture, and slavery among others have probably never before been violated on such a gross scale. Millions of people have lost their lives in political persecution by dictatorial regimes. [56]

Millions were also killed in Nazi extermination camps and during Stalin's rule in the former Soviet Union. Gross violation of human rights were seen in China, Cambodia, Chile, Iraq, Argentina, Guatemala and321Haiti, Bosnia-Herzegovina and the apartheid regime of South Africa, although on a smaller scale. These extreme abuses of governmental power illustrates a dilemma that troubled the founding fathers of the American Revolution: "the problem of creating a government strong to govern effectively but not so strong enough that it could destroy the rights of those whom it was so designed to serve."[57]

2.10 Human Rights in Africa

In Africa the concept of human rights as it is used today has strong roots in the struggle against colonialism and the vestiges of colonialism. The acceptance of the African Charter on Human and Peoples' Rights in 1981 by the Organization of African Unity (OAU) was partly a reaction specifically to the abuses of human rights in Uganda, Equatorial Guinea and the Central African Republic.[58] The OAU was embarrassed by its failure to bring the horror caused by Idi Amin to an end. This had to be done by the Tanzanian army, and the OAU subsequently wanted to create an institutional mechanism to obviate the need for such unilateral intervention. This led to the establishment of the African Charter on Human Rights.

The African Charter clearly shows the link between human rights and struggle. It includes the following provisions: Article 20(2): Colonised or oppressed peoples shall have the

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[56] Vijapur, A.P., "The concept of Human Rights: National and International perspective", *International politics vol.2 no.iv, 2009.*
[57] Vijapur, A.P., "The Principle of Non-discrimination in International Human Rights Law: The Meaning and Scope of the Concept", *India Quarterly – A Journal of International Affairs*, Vol.49, No.4, (1993) pp. 69-84.
[58] Christof H.H., *Human Rights, Peace and Justice in Africa,*(Pretoria:Pretoria University Press, 2006)

right to free themselves from the bonds of domination by resorting to any means recognised by the international community.[59] Article 20(3): All peoples shall have the right to the assistance of the state parties to the present Charter in their liberation struggle against foreign domination, be it political, economic or cultural. [60]

The unique emphasis on peoples' rights in Africa, and in particular in the African Charter, appears to be as much the result of the emphasis in Africa on the importance of the community (the whole being more than the sum of the parts), as it is a response to the fact that in Africa repression has often taken the form of enslavement or repression and even annihilation of entire population groups. The emphasis on a right to development in the African context likewise fits the pattern of a history of anti-colonial struggle, and an attempt to right the wrongs of the past. One of the prime contemporary instances where human rights have emerged from the crucible of struggle is South Africa, and it is indeed mindful of Nelson Mandela's famous words 'the struggle is my life' that the approach advanced here is called the 'struggle' approach to human rights. Large-scale political resistance in South Africa started approximately a century ago. [61]

During the 21 years that Mohandas Gandhi spent in South Africa, he developed *satyagraha*, or civil disobedience, as an instrument to oppose racist policies aimed against people of Indian origin. In the course of this struggle Gandhi was asked by Jan Smuts (whose approach to human rights at home was very different from his approach on the international stage) to draft a 'Bill of Rights', the first document of that name in South African history, setting out the grievances that prompted the struggle of Indians in South Africa. Through his unique form of struggle — the non-violent breaking of the law — against the enforcers of these policies (including Smuts), Gandhi achieved a measure of recognition of the rights of those whose

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[59]Article 20(2) African Charter on Human Rights.
[60]Article 20(3) African Charter on Human Rights.
[61] Christof H.H., *Human Rights, Peace and Justice in Africa*,(Pretoria:Pretoria University Press, 2006)

interests he championed.[62] He used the same instrument to great effect in India's liberation struggle. He showed that it was possible for a brown-skinned person to stand up to colonialism and win: a novel concept at the time. By demonstrating that rights could be protected through defiance as a political instrument, Gandhi gave oppressed people around the world a powerful tool to be used in their struggle against exploitation. Civil disobedience proceeded to play a central role in the anti-colonial struggles of the mid-20th Century, the civil rights movement in the United States of America and in the liberation struggle in South Africa. Gandhi's approach was unique in that he tempered the confrontation traditionally associated with defiance of the law by acting in a non-violent way. [63]

Today all African constitutions recognise human rights in one form or another; in many instances reflecting their struggles; colonial as well as against internal, post-independence oppression.[64] Remarkably, a number of the more recent African constitutions also explicitly recognise a right (and in some cases even a duty) of resistance in defence of the constitutional order, for example in the case of a *coup d'état*, and specifically in defence of human rights. This is the case in respect of the Constitutions of Benin (1990), Burkina Faso (1997), Cape Verde (1992), Chad (1996), Congo (1992), Ghana (1992), Mali (1992), Niger (1992) and Togo (1992). [65]The African Charter distinguishes human rights from peoples' or collective rights, but sees them in co–operation, not competition or conflict. The Charter's preamble paragraph notes this relationship and recognises 'on the one hand, that fundamental human rights stem from the attributes of human beings, which justifies their national and international protection and on the

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[62] http://www.pulp.up.ac.za/pdf/2006_05/2006_05.pdf
[63] Ibid
[64] Christof H.H., *Human Rights, Peace and Justice in Africa*,(Pretoria:Pretoria University Press, 2006)
[65] Ibid

other hand, that the reality and respect for people's rights should necessarily guarantee human rights'.[66]

2.11 Conclusion

Human rights exist, as embodied in the Universal Declaration of Human Rights and the entire body of international human rights law. They are recognized—at least in principle—by most nations and form the heart of many national constitutions. Yet the actual situation in the world is far distant from the ideals envisioned in the Declaration. To some, the full realization of human rights is a remote and unattainable goal. Even international human rights laws are difficult to enforce and pursuing a complaint can take years and a great deal of money.

These international laws serve as a restraining function but are insufficient to provide adequate human rights protection, as evidenced by the stark reality of abuses perpetrated daily. Discrimination is rampant throughout the world. Thousands are in prison for speaking their minds. Torture and politically motivated imprisonment, often without trial, are commonplace, condoned and practiced—even in some democratic countries.

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[66] Ibid

CHAPTER THREE

CASE STUDY OF EGYPT

3.1 Introduction

Egypt like many other African nations there are countless problems with its political affairs. This country has been under dictatorship rule for quite a long time until recently when the citizens could not take it anymore and decided to hold demonstrations so as to force their president Hosni Mubarak to step down which he eventually did. This has sent a very important message to the whole world that indeed Egypt is now very much ready for a democratic rule. But this does not come so easily as there are numerous challenges for this to be achieved. Democracy in Egypt will be affected by regional developments which will in turn affect the people. Important elements in the Egyptian society have been completely ignored.

This chapter presents a review of related theoretical and empirical literature according to the objectives of study. It specifically looks into; the role of democracy and human rights in development in Egypt, the process of democratization in Egypt and its impact on development, and the extent to which the upholding of human rights fosters development in Egypt.

3.2 Democracy, Human Rights and Development in Egypt

The recent developments in Egypt have thrown what had been a confused set of institutional arrangements into even greater disarray. The Supreme Constitutional Court (SCC) declared the parliamentary elections unconstitutional, and the Supreme Council of the Armed

Forces (SCAF) announced a supplementary constitutional declaration with no apparent public input. On top of that, the first presidential election since the fall of Mubarak was held.[67]

To make things a bit more confusing, statements have been attributed to military leaders that are at variance with the text of their own declaration. For instance, in a news conference, SCAF members reportedly promised the incoming president that he would have the authority to appoint a defence minister, even though that authority was explicitly removed by the supplementary constitutional declaration.

3.2.1 Revolution against Mubarak

Hosni Mubarak became head of Egypt's semi-presidential republic government following the 1981assassination of President Anwar El Sadat, and continued to serve until 2011. Mubarak was Egypt's longest-serving with his National Democratic Party (NDS) government maintaining one-party rule . Mubarak's government earned the support of the West and a continuation of annual aid from the United States by maintaining policies of suppression towards Islamic militants and peace with Israel. Hosni Mubarak was often compared to an Egyptian pharaoh by the media and by some of his critics due to his authoritarian rule.68

In 2011 there protest started with the aim of forcing Mubarak out of power led by young. They were joined by millions of workers, poor peasants, poor housewives and all sectors of society across the country. In Tahrir Square Cairo group after group of poor workers of struggling government clerks; peasants; poor housewives who fight every day in order to keep their children fed and alive; thousands of disabled people on crutches and wheelchairs, ignored

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[67]Nathan J. Brown and Clarke Lombardi, Events to Egypt's Transition, 2012.
[68]Wahenooran and andPezi, Egyptian Revolution of 2011, Feb 2013.

by the government for decades; men and women, Muslim and Christian.[69] All these people were yearning for democratic reforms but the workers and the poor also wanted social justice and the redistribution of the country's wealth after 30 years of privatization, impoverishment and neoliberal policies pushed by the Mubarak regime.[70]

The demands from workers were highly varied some wanted a rise in their wages and salaries, others wanted increment on their work benefits and millions of workers who were temporary or casually employed wanted to be given permanent employment by their employers. They also wanted to put an end to the neoliberal policies of privatization of companies, and the renationalization of companies that were privatized and sold to investors at below market values; and they wanted the ouster of all the corrupt CEOs appointed by Mubarak.[71]

This goes to the heart of the struggle for economic democracy. For instance in the industrial city of Mahalla, 24,000 textile workers went on strike in July 2013, drove out the corrupt CEO, and forced the army to accept their own nominee as the replacement. It is the same story in other factories and companies across the country: workers' expectations are very high, and their militancy and confidence is phenomenal.

Mubarak's downfall saw the transfer of state power to the Supreme Council of the Armed Forces, which consisted top military officers. This took power from Mubarak, and Suleiman, the veteran of the regime's security apparatus who became thoroughly associated with Mubarak's attempts to cling to power.[72] Most of the Egyptians were happy with the transfer of authority to SCAF compared to Mubarak and his crew. The armed forces attempted to depict a picture of

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[69] Socialistworker.org/2011/03/30/spring-of-the-revolution.
[70] Ibid
[71]Speech by Mustapha Ali, the spring of the Egyptian Revolution, left forum in New York City, March 30, 2011.
[72] Socialistworker.org/2011/02/11/egyptians-bring-down-a-dictator

being above politics during the uprising but they were unable to defend demonstrators from attack by pro-Mubarak thugs.73

The council was made up of military officials who were allies for years with every manoeuvre and policy of Mubarak's regime. Furthermore, the military is intertwined with Egypt's capitalist class, due to the armed forces' direct investments and interests in industries ranging from munitions plants to olive oil and resort hotels.[74] The struggle against Mubarak heartened Egyptians to demand changes at their places of work, their wages and a change in the food prices. Almost half the population of Egypt lives on $2 a day or less, as a direct result of the neoliberal economic policies of the Mubarak regime. Conditions have only grown more desperate as the global food crisis that pushed prices for the most basic goods to new highs.[75] The military establishment had no intention of dismantling the policies that had brought misery and suffering on workers and the poor.

3.2.2 Election of President Morsi

Mohamed Morsi, was born 8 August 1951.He was the 5th president of Egypt from 30 June 2012 to 3 July 2013. He is considered as the first democratically elected head of state in the history of Egypt, although his predecessors also held elections, that were characterized by irregularities and allegations of rigging.[76] However, he was the first President to have first assumed his duty after an election, as opposed to his predecessors who came into power as revolutionaries (for example. Nasser) and as appointed successors (Sadat, Mubarak).[77] Mohamed

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[73] Ibid

[74] Ibid

[75] John R. Bradley, *Inside Egypt: The Land of the Pharaohs on the Brink of a Revolution* (Palgrave Macmillan, 2008). p.191

[76] http://www.worlddiplomacy.org/Countries/Egypt/LeaderEgy/Mubarak1.html

[77] *Article.wn.com/.../Egypt_from_**Nasser**_to_El_Sissi_Coup_or_revolution/*

Morsi was educated in Egyptian public schools and universities; he was later granted a scholarship from the Egyptian Government to prepare for a PhD degree in the United States. Morsi was a Member of Parliament in the People's Assembly of Egypt from 2000 to 2005, and a leading member in the Muslim Brotherhood. He became Chairman of the Freedom and Justice Party (FJP) when it was founded by the Muslim Brotherhood in the wake of the 2011 Egyptian revolution. He stood as the FJP's candidate for the May–June 2012 presidential election.[78]

On 24 June 2012, it was announced that Morsi had won the elections hence he became the first democratically elected president in Egypt.

During his reign as the president, he place uncontrollable powers and authority on himself to safeguard his own interests. As a result hundreds of thousands of protesters began demonstrating against him in the 2012 Egyptian protests. On 8 December 2012, Morsi annulled his decree which had both expanded his presidential authority and removed judicial review of his decrees. However the new declaration did not address major problem of the kind of assembly that was the duty to draft the constitution.[79]

On 30 June 2013, mass protests erupted across Egypt calling for the President's resignation, due to severe fuel shortages and electricity outages which were orchestrated by Mubarak-era Egyptian elites with the intention of causing a coup. The army then threatened that if the protesters' demands were not met by 03 July it would step in and pave the way forward for the country but it made it clear that it did not want to rule the country.[80] The military's plans included suspension of the constitution, dissolving the parliament, and establishment of a new administration under the leadership of the chief justice.

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[78] Khawaja U. F., http://kufarooq7.blogspot.com/2013/08/mohamed-morsi.htm 'my Karachi' at 3:48 PM
[79] Rosie R., Rosie on the right; President Morsi in Egypt, July 3, 2013
[80] http://article.wn.com/view/2013/08/17/Bloody_havoc_in_Egypt_s_streets/

3.2.3 Subsequent removal of President Mohamed Morsi from Power

The Egyptian army overthrew President Mohamed Morsi, paving way for Egypt's political future. The news of Morsy's downfall prompted further mass street demonstrations, with both his opponents and his supporters turning out to celebrate, or protest, his ouster. Morsy, Egypt's oldest and best-organized political movement insists he remains the country's legitimate leader. [81]

The head of Egypt's armed forces issued a declaration that suspended the constitution and appointed the head of the Supreme Constitutional Court, Adly Mansour, as interim head of state. However Morsi refused to accept that this was a military coup. In a televised broadcast, flanked by military leaders, religious authorities and political figures, General Abdel Fattah al-Sisi effectively declared the removal of Morsi. Sisi called for presidential and parliamentary elections, a panel to review the constitution and a national reconciliation committee that would include youth movements.[82] Morsi's Islamist supporters were agitated following that announcement. The Christian clerics and Muslim leaders also supported the army's move and new changes therein.Pope Tawadros, the head of the Coptic Church, said the plan offered a political vision and would ensure security for all Egyptians, 10 percent of whom are Christian. Egypt's second largest Islamist group, the Nour party, said in a statement that it agreed to the army roadmap in order to avoid further conflict.[83]

3.3 The Current crisis in Egypt

The current crisis in Egypt has been characterized by human rights abuse and consistent separate attacks on Christians or Christian interests since president Morsi got to power. They

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[81] www.cnn.com/2013/07/02/world/meast/egypt-morsy-profile
[82] http://www.qarannews.com/2013/07/egyptpresident-morsi-overthrown-in-egypt/
[83] Ibid

occurred in Luxor, Marsa Matrouh, Minya, North Sinai, Port Said, and Qena. In many of the incidents, witnesses told Human Rights Watch that security forces failed to take necessary action to prevent or stop the violence.[84]

Morsi took over power in Egypt when it was politically and financially torn apart. During his short reign there was no significant change. Protestors have accused the Muslim Brotherhood of failing to deal with Egypt's economic challenges and practicing a pro-Islamist agenda. It became clear that the military were no longer happy once the Muslim Brotherhood became the only contender in town, by winning elections. [85]The current military action is being depicted as a heroic intervention, but some could see it as the military seizing power back from civilian control.

The Egyptian army's suspension of the constitution and removal of President Mohamed Morsi has drawn mixed responses in the region. Saudi Arabia, Qatar, the UAE and Iraq have all welcomed the military intervention and the new interim leader. Syria's Bashar al-Assad praised the protests against the Muslim Brotherhood, deeming it the "fall of so-called political Islam".[86]Meanwhile both Tunisia and Turkey condemned the overthrowing of Morsi. Turkish Prime Minister Recep Tayyip Erdogan's government spoke out in favour of Morsi and Turkey's foreign minister calls what happened in Egypt unacceptable. The ruling government in Tunisia called the military intervention a "flagrant coup", which Ennahda party leader Rachid Ghannouchi stated could fuel radicalism and undermine democracy. Iran was disappointed in the fall of Morsi, with an important official stating Egypt's military and other bodies of security had failed to reshape under the leader.

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[84] www.hrw.org/news/2013/07/.../egypt-sectarian-attacks-amid-political-crisis
[85] http://theworldoutline.com/2013/07/the-muslim-brotherhood-mohamed-morsi-and-the-egyptian-military intervention/
[86] www.aljazeera.com/news/.../201373223029610370.html%20target%20=

On the other hand, the international community as a majority held concerns for the overall democracy in Egypt. The current UN Secretary General, Ban Ki-Moon, expressed that military interference was always of "concern", but that he had "legitimate concerns" over the protestors. The United States of America called for a swift return to civilian control, ordering the mandatory evacuation of its embassy in Cairo. The European Union took a similar stance to the USA, calling for a rapid return to democracy. Germany's Foreign Minister Guido Westerwelle called for "dialogue and political compromise" and said the military intervention was "a major setback for democracy in Egypt"[87]

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[87] http://theworldoutline.com/2013/07/the-muslim-brotherhood-mohamed-morsi-and-the-egyptian-military-intervention/

CHAPTER FOUR
AN EVALUATION OF DEMOCRACY, HUMAN RIGHTS AND DEVELOPMENT IN EGYPT

4.1 Introduction

Powerful human rights are important to any state and constitution that are democratic. Meaningful development requires the tools of democracy and human rights upholding. However achievement of democracy is not an easy task. The revolt against Mubarak in 2011, showed how discontent and unhappy the Egyptians were with government corruption and police brutality and human rights abuse. After Hosni Mubarak's downfall there were glares of hope across Egypt for a democratic transition, but these hopes have been killed by successive governments. Human rights abuses increased during the interim rule of the SCAF, and it even persisted under the elected government of President Mohamed Morsi, and has continued since the military-backed government of Adly Mansour took power on July 3, 2013. As a result, Egypt's democratic institutions have suffered a significant decline.[88]

The current crisis in Egypt demonstrates a call for democracy and fundamental freedoms from the Egyptian people. Critics of ousted Morsi and his backers the Muslim Brother hood say he was acting like a dictator who had lost popular support and thus needed to be deposed in order to pave way for new elections.[89] Despite the military authorities' pledge of a rapid transition to democracy, Egypt has suffered a major decline on its road of transition to democracy. There has been significant decline in most of the country's democratic institutions: the constitution, elections, political participation, civilian control and security-sector reform, media freedom and freedom of expression, religious freedom, peaceful assembly and civic activism, and judicial

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[88] www.freedomhouse.com.
[89] Aljazeera, Inside Story, 24 august 2013 at 11.07.

independence and rule of law. The military has installed an interim government that will lead the process of drafting a new constitution and preparing for fresh elections. Elections are expected in early 2014, but the situation is highly unpredictable. With no constitution and no parliament, there's no consensus on the basic rules of the game.

The Muslim Brotherhood has condemned Morsi's overthrow as a coup, and refuses to recognize the new regime. Secular parties have backed the military, and are pressing for a timely transition back to civilian rule, but they are also divided and have no common strategy. The revolutionary youth groups – which had spearheaded the pro-democracy protests since 2011 – worry the generals, might use their power to protect the old order and quash the gains of the 2011 uprising.[90]

4.2 Human rights Violations

There have been gross human rights violations in Egypt especially after the Mubarak era. Since the resignation of Hosni Mubarak and his handing power over to the Supreme Council of the Armed forces people's rights have been abused. For instance there was a military crackdown on Tahrir Square sit-ins demanding the trial of Mubarak. As a result many were arrested and referred to military trials and torture. That led to the death of about 90 protesters.[91]

Military police violently cracked down on sit-ins in Tahrir Square and beat protesters and performed 'virginity tests' on arrested women. The Convention for the Elimination of Discrimination against Women (1979) clearly states that any form of discrimination against women should be eliminated. Egypt ratified this covenant and it agreed to refrain from acts that would defeat the objectives of the Convention, or to take measures to undermine it but what is

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[90]Ahmednasir Abdullahi ,The Genesis of Egypt's Current Crisis July 06,2013, Daily Nation.
[91]www.freedomhouse.com.

happening there currently depicts an open contravening of the provisions of this covenant. In addition Egyptian authorities are doing nothing to stop/undermine this kind of behaviours which in turn affect the development of the country in a negative way. Those who were arrested were tortured in cruel manner by the military without any adherence to the provisions of the United Nations Convention Against Torture of which was ratified by Egypt and once it did so it was bound by its provisions which require it to take measures to end torture within its territorial jurisdiction and to criminalize all acts of torture.Contrary to these, the people are being tortured without any action being taken on the aggressors who are mainly the military.

There have also been reports of security forces raiding the offices of local and international NGOs accusing them of incitement . Freedom from torture and degrading treatment, freedom of association, freedom of religion, and freedom from arbitrary detention—is enshrined in the Covenant on Civil and Political Rights. These rights oblige states to abstain from certain actions that violate human dignity.[92]

4.2.1 Protesters

When Mohamed Morsi took office on 30 June 2012 the violation of human rights still went on until now. Several protesters have been killed by the police and the Muslim Brotherhood militants during a protest calling for the restructuring of the Interior Ministry.[93] Morsi issued a constitutional declaration removing judiciary authority to contest president's decisions. The Muslim Brotherhood came up with a draft constitution which limits freedom of expression and religion. In addition, they also omitted protection of women's rights most of which are enshrined in the Convention for the Elimination of Discrimination Against Women (1979). Sheria council

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[92] www.crin.org/docs/resources/publications/hrbap/HR_development.doc
[93] Catherine Herold, Egypt's Path to Democracy and Development, part 2, Aljazeera, July 10, 2013

went ahead and passed a law that restricts the right of peaceful assembly in May 2013. This was done in order to limit the freedom of religion and that of women in Egypt. No wonder there are major atrocities that are being carried out on women and the Coptic minority Christians. But what the aggressors do not know is that Egypt has an international obligation to protect its citizens and those under its jurisdiction from any form of abuse and the outright abuse of human rights in the country is an issue of international law in that crimes against humanity are considered gross atrocities punishable by application of this law.

Elections and constitutional changes are necessary but not enough to bring about positive change that is desperately needed in Egypt. Human rights abuses have persisted in Egypt because the country's institutions, such as the security establishment, have remained unreformed since the Mubarak era. These institutions need to be overhauled.

4.2.2 Journalists

Journalists and opposition members have been exposed to physical assault from Pro-Morsi Islamists. For instance in March 2013 charges were pushed forward against a journalist called Gamal Fahmy for apparently insulting the president and few days later another journalist Bassem Youssef was also summoned for the same charge.

4.2.3 Christians

Since the Egyptian military overthrew Morsi, the minority Coptic Christians have endured vandalism, destruction and murder with little or no police protection and assistance. There has been extreme bloodshed against this group. Since August 14, 2013 a total of 37 churches have been destroyed and people killed and scores of others injured.[94] In addition scores

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[94] www.freedomhouse.com

of Christian's businesses and schools have been looted, vandalized and torched. Reprisals against Egyptian Christians are on the rise, and the violence seems likely to escalate unless all parties exercise restraint. These attacks were coming from the Muslim Brotherhood members who have been accusing the Coptic Christians of playing a role in Mohammed Morsi's ouster. The Covenant on Civil and Political Rights provides for the freedom of religion and association. The Coptic Christians have not been allowed to exercise these freedoms as attacks inflicted upon them are based on their religion and religious beliefs.

4.3 Western influence

The political turmoil facing Egypt, its political class and its powerful military has become almost a given, with all sides turning to public displays of unrest and emotion as often as they do to the democratic process. And as Egypt's political system evolves, it is becoming clear that -- with the exception of a few critical issues, including Gaza, the Suez Canal and the Egyptian military's ability to secure both Western and regional governments are viewing Egypt's affinity for unrest with diminishing concern.[95]

No one wants to see Egypt collapse, but no Western or regional actors are willing to step in and shoulder the burden of rebuilding the Egyptian state, either. And the ongoing stability and pervasiveness of the Egyptian military helps assuage foreign concerns that such a collapse might occur. The result is a domestic quagmire of competing political and sectarian interests, and an increasingly beleaguered Egyptian army forced to act as a referee among fractious competitors.[96] Unable and unwilling to step in and establish military rule directly, the military's reliance upon and subsequent empowerment of various political and public forces mean that the

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[95] www.stratfor.com/geopolitical-diary/egypts-waning-influence
[96] Ibid

current cycle of Egyptian politics - elections, opposition, protest and unrest -will not likely change in the near future.

The U.S.A government has condemned the abuses in Egypt, however this has never hindered it from cultivating friendly relations with any Egyptian government that has been in authority as it has to safeguard its interests.[97] Therefore it failed to persuade either the SCAF or President Morsi to respect the rights of Egyptians. A more positive outcome could be achieved if the United States government renders support makes the Egyptian government contingent on respect for human rights, institutional reform, and foreseen progress toward democracy.

4.4 The African Union's Role

The situation in Egypt challenges the notions of democracy (as understood to mean a rule by majority), self-determination (as understood to mean peoples' right to decide on their political, socio-economic and other fates as a unit).[98] The crisis also brings up a question of how Egypt is adhering to the principle of 'rejection of unconstitutional change of government which is one of the AU's principles. AU prohibits any unconstitutional change of government.

Article 4 of the African Union Constitutive Act proclaims the respect for democratic principles, human rights, the rule of law and good governance and condemnation and rejection of unconstitutional changes of governments.[99]Africa pledged to enforce the strict adherence to the position of the Union on unconstitutional change of government. However the AU's collective responses to election or coup d'état-related controversies have not been consistent. For example, whilst the AU imposed travel, diplomatic exclusion and foreign asset freeze against Togo (2005),

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[97] Ibid
[98] Zeray Y,, Democracy people's uprising and unconstitutional change of government in Egypt: The AU principles and response July 2013.
[99] Article 4 of the African Union Constitutive Act.

Madagascar (2010) and Guinea (2008) as a result of 'unconstitutional' transfers of political power, similar cases in São Tomé and Príncipe (2003) and Côte d'Ivoire (2010) only led to condemnation and/or call for peaceful settlement.[100] During that time the AU reacted in a manner that depicted some form of weakness on its mechanisms and measures in place concerning democracy, instability and armed violence.

The African Union's reaction to the current crisis in Egypt was initially rather vague as it never declared affirm stand as to whether it rejected or recognized the coup. In a press release, Dr. Nkosazana Dlamini Zuma, the chairperson of the Union's Commission, referring to the AU principle and position on unconstitutional changes of government, underlined the need for all Egyptian stakeholders to work towards a resolution of the current crisis through dialogue, in order to find an appropriate response to the popular aspirations within the framework of legality and Egyptian institutions.[101]

However later on, the African Union's peace and Security Council suspended Egypt from all activities and called for immediate return to constitutional order. This suspension includes the suspension of Egypt's membership in AU activities but Egypt is till free to engage and interact with various stakeholders to help with return to normalcy and constitutional order with respect to human rights the return. This means that Egypt has now been suspended from all branches of the AU, reducing its influence over internal African affairs at time when it had been attempting to regain influence in the continent. Council underlined that a stable, democratic and peaceful Egypt is an important asset for the AU. Accordingly, Council reiterated the AU's determination

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[100] Zeray Y,, Democracy people's uprising and unconstitutional change of government in Egypt: The AU principles and response July 2013.
[101] Zeray Y,, Democracy people's uprising and unconstitutional change of government in Egypt: The AU principles and response July 2013.

to do its utmost to assist Egypt in overcoming the current challenges facing it, in a spirit of African solidarity and in line with the relevant AU instruments.[102]

Many Egyptians are getting frustrated over the deteriorating economy, rising insecurity, political and social polarization. Therefore the main area of concern for AU and international community at large should be how to support Egypt in its effort to stabilize and resume constructive dialogue with its various political groups and finally become a truly democratic state that upholds human rights.

4.5 Impact of the current crisis on Development

The Egyptian revolution is characterized with low foreign direct investment, a high budget deficit, a high debt rate, a high unemployment rate, a high poverty rate, and a low standard of living. Real gross domestic product growth rate was 1.6% in 2010/11, down from 5.1% in 2009/10, see table 1. Economic Growth estimated to be between 1.7% and 2.5% for the fiscal year 2010/11 and 2012 the numbers were even glimmer. [103]

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[102]Press statement: Peace and Security Council, 387th meeting at Ministerial level, 29 July 2013.

[103]Topics in Middle Eastern and African Economies Vol. 15, No. 1, May 2013

Table 1- Egyptian Macroeconomic Indicators

	2008	2009	2010	2011(p)	2012 (p)
Real GDP growth	7.2	4.7	5.1	1.6	5
CPI inflation	11.7	16.2	11.7	13.4	12.2
Budget balance % GDP	-6.8	-6.6	-8.1	-9.8	-9.4
Current account % GDP	0.8	-2.3	-2	-3.2	-2.9

(Source: from the central bank of Egypt CBE and CAPMAS estimates (e) and prediction (p) based on authors)

4.5.1 Tourism

The violence in Egypt is negatively affecting the country's tourism industry, and hence, its economy. It's also raising fears that other Middle Eastern countries will suffer as well. The tourism sector is one of the country's economic pillars; Egypt in 2010 had 14.7 million tourists, but after January 25th of 2011 tourism revenues dropped by 60 percent.[104] Tension, destabilization and sectarian sedition lead to the drop in tourist streaming in into the country. As a result Egypt has lost a lot of revenue in tourism revenues due to this political unrest. Tourism has been negatively affected throughout the region. Due to the battered tourism sector, the negative precedence has had an effect on the country's foreign exchange reserve which has significantly dropped.

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[104]"Travel and Tourism in Egypt,Travel and Tourism". Reuters News Agency, Retrieved 24 April 2012.

4.5.2 Foreign Investment

Foreign investment is encouraged by prevailing peace, political stability coupled with the upholding of human rights in any country. Foreign investment in Egypt deteriorated after the revolution from 6.8 to 2 USD Billion for the fiscal year 2010/11. The main indices of Egypt's stock exchange (EGX 30 and EGX 100) both dropped by 10.5% and 14% after the revolution.[105] Private investments (both foreign and local) have been adversely affected due to lack of stability and lack of internal security as well as blurred vision official of the state under the rule of military. As discussed earlier property destruction has been happening in Egypt hence this prevents anybody who would have wanted to invest in any form of investment due to insecurity and fear. More than 35,000 ships pass through the Suez annually, with 2,700 of them crude oil tankers. Due to fear shares in tanker companies have surged.[106] Since Egypt controls the Suez Canal and world shipping and energy supplies could continue being affected if the crisis goes on.

4.5.4 Unemployment

Due to the crises many sectors have had to shut down partially or completely, and this led to the layoff of the workers. This increase in unemployment is one of the most significant issues in the short run because the increase in unemployment will result in to further reduction in production levels, and it will increase the burden on governments as they will increase government expenditure to pay more unemployment benefits, resulting in a drop in economic performance.[107]

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[105]Who's investing in Egypt? A look at economic trends following the revolution [Report] byHananSolayman, June 9, 2013.

[106]Suzanne Maloney, Voice Of America News, January 29,2011.
[107]http://www.tradingeconomics.com/egypt/unemployment-rateFarid, 2011.

Egypt's unemployment rate in the last quarter of 2010 was 9.5 percent; it has risen to 11.9 percent in the first quarter under the impact of the political unrest.[108]The World Fact book estimated a 3.2% increase in the unemployment rate in Egypt to currently be at a level of 12.2% instead of 9% just a year ago; this shows the shocking effect that the Arab Spring has had on Egypt's unemployment rate.[109]

4.6 Conclusion

From the findings of this analysis, it can be concluded that democracy and human rights play a critical role in development. There cannot be democracy without human rights; and development depends heavily on this two. The revolutions in Egypt in search for democracy have led to a high magnitude of human rights violations. The crisis has further affected Egypt's development in a negative way as we have seen that there has been a decrease in economic growth in the crucial sectors like tourism and foreign investment. Increased unemployment has also been witnessed. The management of Egypt's economy will possibly be the most pressing issue during any political transition. Western influence specifically from the United States of America has also impacted on the crisis. Previous governments backed by both the military and the Muslim Brotherhood have shown their disregard for fundamental rights. They cannot be expected to lead Egypt to democracy on their own. The best chance for Egypt to make headway is through an inclusive and transparent political process to revise the constitution and prepare for elections.

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[108] Egypt's unemployed target Morsi after toppling Mubarak June 26, 2013 12:45 AM ByMariam Fam, AlaaShahine.

[109]CIA World Fact Book - Egypt's Economy Hagen, 2011.

CHAPTER FIVE

SUMMARY, CONCLUSION AND RECOMMENDATIONS

5.1 Summary and Conclusion

This Chapter provides a summary of the whole study and then gives conclusions and recommendations from the study. It is hoped that these recommendations will be helpful for the curbing of the current crisis in Egypt. The study will also help those who would wish to conduct further research in this subject.

The objective of this study was to investigate the role of democratic governance and human rights in development in Egypt. The study was divided into five chapters. Chapter one was on the Research proposal and gave a detailed background of the study, objectives and the methodology among others. Chapter two gave an overview of democracy and human rights globally and in Africa while highlighting their role in development.

Chapter three focused on the case study, giving its history and current crisis on democracy and human rights. Chapter four was a critique of democracy and human rights situation in Egypt and their effects on the economic development of Egypt.

It can be concluded that the objectives of this study have been met. While the study relied on qualitative methods of data collection, survey research methods (personal interviews and questionnaires) were limited because of challenges related to access, and time. Secondary data therefore formed the core data collection.

The study found out that human rights and democracy contribute to the development in Egypt since we have seen that since the crisis started from the first revolution against Hosni Mubarak and then to the recent one that ousted Mohammed Morsi, there have been negative

impacts on the Egyptian economy. There has been increased rates of unemployment, decline in the tourism sector which has led to the decline in the country's foreign exchange reserves. In addition, foreign investment which depends on prevailing peace, security and political stability has been adversely affected. Had there been democracy and respect to human rights in Egypt, probably this would not be happening.

The study hypotheses have been proved in that the findings indicated that the current crisis has had negative effects on the economic development of Egypt. We also see Egypt being suspended from the African Union until it resolves this crisis.

The recommendations herein below are drawn from the critical analysis in chapter four. They are based on the findings of the crisis.

5.2 Recommendations

1. An immediate halt to the ongoing violence, much of it at the hands of the Egyptian military and police, is the essential first step toward political reconciliation and a democratic transition based on broad popular consensus.

2. The U.S. government should suspend military aid to Egypt immediately, and show that there are consequences for the Egyptian military's unbridled violence against its own people They should also suspend any aid to Egypt due to ongoing violations. This would convey to the Egyptian people, and the world, that the U.S. government does not condone what is happening in Egypt.

3. All sides should exercise restraint. The use of violence by both sides is deplorable and Egyptians should encourage one another to deescalate the current situation. The current government should use legitimate legal and political avenues rather than force. The military should have heeded calls by the international community and human rights organizations to stand down – but instead they escalated the situation, and failed to implement any plan to protect the already vulnerable Christian population. The use of violence by any party distances Egypt from achieving the people's desire for a free society that respects human rights.

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