



ISSN 1115 - 960X

Ilorin Journal of Business and Social Sciences

Volume 17, No 1

December, 2015

**Published by the Faculty of Social Sciences
University of Ilorin, P.M.B. 1515, Ilorin, Nigeria.**

ISSN 1115 – 960X

Ilorin Journal of Business and Social Sciences (IJBSS)

VOLUME 17, Number 1, December, 2015

PUBLISHED BY

THE FACULTY OF SOCIAL SCIENCES,
UNIVERSITY OF ILORIN,
P.M.B. 1515, ILORIN, NIGERIA.
E-mail: ijbss@gmail.com

EDITORIAL BOARD MEMBERS

Editor-in-Chief

Prof. Noah Yusuf

Department of Sociology, Faculty of Social
Sciences, University of Ilorin,
Ilorin, Nigeria

Associate Editors

R. A. Bello (Ph.D.),

Department of Economics, University of Ilorin,
Ilorin, Nigeria

L. T. Ajibade (Ph.D.),

Department of Geography and Environmental
Management, Faculty of Business and Social
Sciences, University of Ilorin

Saka Lukman (Ph.D.),

Department of Political Science, University of
Ilorin, Ilorin, Nigeria

Deborah S. Adekeye (Ph.D),

Department of Sociology, University of Ilorin,
Ilorin, Nigeria

Editorial Advisory Board

Prof. Steven, M. Jubwe,	Dean, Liberia College, University of Liberia, Moronvia
Prof. S. A. Jegede	Department of Sociology, University of Ibadan, Nigeria
Prof. Nancy Lundgren,	Department of Sociology, University of Cape Coast, Ghana
Prof. P. C. Graham,	Department of Geography, Lancaster University, U.K.
Prof. Adeniyi Gbadegesin,	Department of Geography, University of Ibadan, Nigeria
Prof. Albert, M. Abane,	Department of Geography and Tourism, University of Cape Coast, Ghana
Prof. Stephen, B. Kendle,	Centre for Development Studies, University of Cape Coast, Ghana
Prof. Oyinloye Olaniyi,	Department of Economics, University of Abuja, Nigeria
Dr. Vijay Bashin,	Department of Economics, University of Cape Coast, Ghana
Prof. A. U. Inegbenebor,	Department of Business Administration, University of Benin, Nigeria.
B. J. Nyang(Ph.D.),	Department of Business Management, University of Calabar, Nigeria
Prof. E. A. Unobe	Department of Political Science, Ahmadu Bello University, Zaria, Nigeria
Prof. E. F.Ogunbodede	Department of Geography and Planning Sciences, AdekunleAjasin University, Akungba, Ondo State, Nigeria

CONTENTS

1. **Isiaka, M., Salawu, B. & Mohammed, A. H.-** Masculinity, Police Culture and Women Representation in the Police Force in Kaduna State, Nigeria 1-14
2. **Ajibade, L.T., Ajewole, O. D., & Ojo, I. A.-** Geographical Analysis of Electric Power Generating Set (EPGS) Usage in Ilorin Metropolis, Nigeria 15-24
3. **Akaba, J., Iduh, B. S., & Odudu, S. –** Work Casualization and Organisational Commitment in the Service Industry in Benin City, Edo State, Nigeria 25-38
4. **Gadzama, I. U., Abubakar, M. B. & Mudiare, P. U. E –** Women Empowerment through Small –Scale Businesses in Nigeria 39-48
5. **Solomon, I. I. & Aliu, Fatima O. -** An x-ray of core issues in Governance, Corruption and Development in Nigeria 49-62
6. **Afolayan, G. P, Tunde, A. M. and Adeniyi, E. E.-** An Assessment of the Challenges and Prospects of Infrastructure Provision in Kwara State, Nigeria. 63-70
7. **Abdulbaqi, S. S. & Adegoke, R. O. -** Gender Roles and Attitudes in the Workplace: Assessment of Human Attributes and Gender Differentiation in the Media Houses 71-84
8. **Adebiyi, O.M., Ishaq, A. A. & Abubakar, A.-** Participatory Democracy in Pre-colonial Nigeria: The Old Oyo Empire in Retrospect. 85-98
9. **Mohammed, M. N.-** Factors Influencing the Utilisation of Maternal Health Care Services among Women in Urban and Rural Local Government Areas of Kano State, Nigeria 99-110
10. **Ebomoyi, I. & Igbinedion, S. S. –** Creating Developmental State Institutions in Nigeria: Lessons from East-Asian States 111-126
11. **Yusuf, N., Abdulbaqi, Z. A. & Aliyu, T. –** Trade Unionism as a Catalyst for Organizational Development in Nigeria. 127-134
12. **Olaniyi, O. S., Idachaba, E. U., Shamusdeen, A. & Akinlotan, R. -** Globalization and Nigeria's Political Development. 135-150
13. **Ugiagbe, E. O. & Edegbe, U.B.-** Powerlessness, Learned-Helplessness and Gender Inequality Discourse in Nigeria 151-164
14. **Abubakar, G. F. & Isah, A.,** Impact of Climatic Variables on Human Morbidity and Mortality due to Malaria in Argungu, Kebbi State 165-174
15. **Omede, J., Ngwube, A. & Okoroafor, O.** Assessment of the African Union's Response to the 2013 Military Coup in Egypt 175-186

ASSESSMENT OF THE AFRICAN UNION'S RESPONSE TO THE 2013 MILITARY COUP IN EGYPT

Omede Jolade

Department of Political Science
University of Ilorin
Kwara State, Nigeria

Ngwube Arinze

General Studies Unit
Federal University Oye-Ekiti
Ekiti State Nigeria

Okoroafor Christie

Directorate of Library
Nigerian Institute of International Affairs
Lagos Nigeria
+2348060741252; medajol@yahoo.com

Abstract

A coup d'état is the violent overthrow of a government by a small group of military, police or security forces. It results in the illegal replacement of the existing government personnel. Coups are occurrences that have ravaged the Africa continent from time of its state's independence to the present. Despite the common belief that increase in democratic practices should lead to fewer incidents of coups, this appears not to be the case. The nature and legitimacy of the removal of former Egyptian President Mohammed Morsi was hotly debated by political scientist and international relations analyst. Morsi had won few friends internationally for his gauche handling of the country during his twelve months in power, and there was no doubt that the demonstration against his growing arbitrariness reflected a very strong and popular current in Egyptian politics. The one international organisation that has responded in a principled, decisive and prompt manner is the African Union which suspended Egypt on 4th July 2013. The reason for this was that the constitutive Act of the African Union prohibits any member state, in which there is an unconstitutional transfer of power, from participating in the activities of the union. This provision was born in 1997 as a measure to prohibit military coups and compel them to hand over power to elected government as soon as possible. With the drafting of the AU's constitutive Act in 2000, the measure was expanded to all unconstitutional means of taking power. The mode of analysis will base on secondary sources and observation method. The article assesses the African Union response in the coup in Egypt.

Keywords: *African union; Coup d'etat; Democracy; Military*

Introduction

The removal of Egypt's President, Mohamed Morsi on 3rd July 2013 sparked a debate surrounding two questions: What constitutes a coup? And "Can a coup be good?" These questions are not merely academic; how we answer them will shape the international response to this event. But while engaging in this debate, we should be

careful not to conflate these two questions. The first—"What constitutes a coup?"—is objective, or at least it should be. By most accepted definitions, what happened in Egypt was a coup: the military removed the sitting head of state through unconstitutional means. The second—"Can a coup be good?"—this question is more subjective and political. If the international community allows this second question to interfere with the first—if we shy away from calling Morsi's ouster a coup because we are glad to see him go—the international response will be incoherent and inconsistent. Such a response could set a bad precedent, prolong the crisis, and exacerbate factional tension. The experience of two other countries that have recently undergone analogous coups helps highlight this point. Similar debates about the characterisation and justifiability of coups took place in 2009 when Honduras's military forced President Manuel Zelaya into exile and again in 2010 when Niger's military ousted President Mamadou Tandja (BBC, 2012).

Both Zelaya and Tandja pocketed their legislatures and judiciaries while attempting to bypass constitutional term limits and expand presidential powers. These coups were seen as last efforts to restore democracy in the face of increasingly authoritarian presidents. One defender of Zelaya's exile called it "the good coup," and defenders of Tandja's ouster called it a "counter-coup" (Csmonitor, 2010). The military juntas in both countries quickly returned power to civilian-led governments through elections widely regarded as free and fair. Democratic intentions notwithstanding, the presidential ousters in Honduras and Niger were coups, and the international community responded to them as such. The Organization of American States (OAS) unanimously voted to suspend Honduras in accordance with the Inter-American Democratic Charter, and the African Union (AU) suspended Niger in accordance with the African Charter on Democracy, Elections, and Governance (Al Jazeera, 2010).

What happened in Egypt is not different from that of Honduras and Niger. But if anything, the actions of Tandja and arguably also of Zelaya likely provided more grounds for justifying a coup than did Morsi's. International responses have varied considerably, from explicit condemnation to open support (Al Jazeera, 2013). The lack of a consistent or cohesive response exposes regional and international divisions and threatens to exacerbate the crisis as some countries line up behind the ousted leader and others behind the new one. This reaction resembles that of Honduras following initial condemnation of the 2009 coup. Most African governments criticised the coup in Egypt. In the case of Honduras, Venezuela and Ecuador demanded the reinstatement of Zelaya.

The article is divided into five sections dedicated respectively to Coup and Democracy in Africa, Egypt Political History before 2013, and The 2013 Coup in Egypt, Egypt Coup and African Union and conclusion.

Coup and Democracy in Africa

Evans (1998) defined the concept of a coup d'état in two fascinating manners. Firstly, he defines a coup d'état as "a sudden and decisive stroke of government policy". A coup becomes definitive action that is legal and by its very character designed to achieve some elusive successes. In other words, a coup d'état projects in the most direct manner possible the letter of government's intentions. Ferguson (1987) reinforces this view with his personal perception of a coup as perpetuating reform and creating a "new

order" in which the country "was being saved from itself or from the decadence and frivolity of the politicians who may be accused of weakening or dissipating the national spirit or turning the country into what the fighting men perceive to be a laughing-stock". From the perspective of ordinary people a coup d'état is the phenomenon that brings about uncertain expectations-the prelude to hope or disaster. This brings to the fore the second dimension of the concept as Evans sees it, which defines the phenomenon as a "sudden and unconstitutional change of government or regime" (Evans, 1998).

Other contributors to the subject of coups d'état include Luttwak et al (1968) who describes a coup as "the infiltration of a small but critical segment of the state apparatus, which is then used to displace the government from its control of the remainder" and in this manner excludes the use of the military as the major actor responsible for the illegal action, as alluded to earlier in Ferguson (1987). Huntington (1981) has contributed in this regard by placing coups in three categories: "breakthrough", guardian", and "veto". The mention of the word "coup d'état" tends to be met with stares of bewilderment, fear, anger, or even panic. In a region in which states have been grudgingly described as liberal democracies and with good reason regarded as either pseudo or virtual democracies, an in-depth examination of the extra legal activities is critical. However, the consequences of unconstitutional removal of a government are severe, the phenomenon has not been stopped. Perpetrators have often been subjected to charges of treason if the coup is successful, continental and even global sanctions against military governments are applied, as well as isolation designed to persuade them to revert to democratic governance.

Several researchers have reviewed the outcomes of military coups d'etat. Early work by Jackman (1978) attributed coups d'état that took place in the new states of Africa from 1960 to 1975 to three broad reasons, namely social mobilisation or "modernisation"; cultural pluralism; and political factors (i.e. political party systems and mass participation). According to Jackman, both social mobilisation and the presence of a dominant ethnic group had destabilising consequences for newly established states in sub-Saharan Africa. He further argued that a multiplicity of political parties can be destabilising, whereas single-party dominance has had a stabilising effect on post-independence governments. However, when in interaction with electoral turnout (political mobilisation), Jackman found both multipartyism and the dominant ethnic group to have destabilising effects.

Reacting to Jackman's earlier analysis, Johnson, Slater and McGowan (1984) "found that states with relatively dynamic economies whose societies were not very socially mobilised before independence and which have maintained or restored some degree of political pluralism have experienced fewer military attempted coups, and coup plots than have states with the opposite set of characteristics". In other words, they concluded that some measures of positive economic performance are highly stabilising such as a high level of productive employment, robust economic growth, sound export performance (ratio of export -imports to GNP), and diversified commodity exports. In attempting to evaluate the internal factors leading to a coup, McBride (2004) and Collier and Hoeffler (2007) focused their analyses on the military itself. According to McBride, the military intervene in political affairs mainly for reasons of personal greed, being

motivated by the “rents” they hope to extract once they gain power or control over the state. Collier and Hoeffler have highlighted the interdependence between the risks of a coup (plotted, attempted, or successful) and the level of military spending at the time, for example, Mauritania and Chad. They found that in countries with a low coup risk governments respond by reducing military spending, whereas in countries with a high coup risk, governments tend to increase military spending.

In the immediate post-colonial period in Africa, coups d'état occurred in many parts of Africa, from East (Uganda) to North (Algeria), from West (Guinea Bissau) to South (Lesotho). There were also many more failed coup attempts, announced and unannounced. This phenomenon in the post-independence phase was blamed on outside intervention during the Cold War. Unconstitutional regime changes seemed to have reduced in frequency at the end of the Cold War when many African states embraced democracy, organised elections and acceded to international human rights laws and other international norms and principles. However, in the past decade, unconstitutional regime changes and “constitutional crises” have gradually crept into the African political sphere, occurring in Madagascar(2009), Côte d'Ivoire (1999), Togo (1967), Guinea (2008) and Guinea-Bissau (1980) as well as Mauritania (2005) and Mali (2012). African regional and sub-regional organisations such as: Economic Community of West African States (ECOWAS), African Union (AU) have been confounded by this renewed trend. Since unconstitutional regime change can no longer be blamed on external actors and external interests, what accounts for this recent surge?

One reason for the resurgence of this phenomenon is the failure of democracy in Africa. Democracy has been interpreted and applied in different ways throughout the continent according to the whims and caprices of politicians and ruling elites, causing significant discontent among many African people. A democracy is a regime in which: (i) there is meaningful and extensive competition at regular intervals among individuals and organised groups for all effective positions of government power, and without the use of force; (ii) a highly inclusive level of political participation exists in the selection of leaders and policies, such that no major (adult) social group is excluded; and (iii) a sufficient level of civil and political liberties exists to ensure the integrity of political competition and participation (Diamond, 1990). In the same vein, a semi-democratic regime is one in which a substantial degree of political competition and freedom exists, but where the effective power of elected officials is so limited, or political competition is so restricted, or the freedom and fairness of elections is so compromised that electoral outcomes, while competitive, still deviate significantly from popular references. In addition, civil and political liberties are so limited that some people are unable to organise and express themselves freely according to their political orientation and interests (Diamond, 1990). An authoritarian regime is one in which little or no meaningful political competition or freedom exists (Diamond, 1990).

While many African states can lay claim to having accepted democracy in theory, in Practice, the majority of them are semi-democratic. They have accepted democracy, but democratic principles of freedom of speech, human rights, free and transparent elections, are not being adhered to. Thus, even though most African people embraced democracy (at the end of the Cold War) as opposed to military rule and had

great expectations of it, in some states, democracy has not brought the expected rewards, especially in terms of the guarantee of human security. The large segments of the population in developing countries remain poor, and faith in the ability of democratic regimes to improve living standards and provide security becomes a challenge.

The reason why most regime changes in the past were successful was the level of popular support, especially at the local level. However, is public opinion and support enough justification for organising a coup? This raises questions about the options that citizens have when they are unable to remove by democratic means an undemocratic president, who perpetuates him/herself in power. The lack of options will result in both open and tacit support for unconstitutional change in governments. But this should not be the only solution to removing autocratic rulers. The wave of democracy in Africa in the 1990s and 2000s in places like Benin, Mali, Ghana, Malawi, Uganda, Nigeria, and several other countries in the region, led to the perception that the military had relinquished its hold on African political affairs to civilians, and subjected itself to civilian control. However, events in Mauritania, Guinea, Mali and Guinea-Bissau have proved the very opposite as the military in these countries have re-emerged. Coups have been organised with the stated intention of breaking with the troubled constitutional order for a limited period of time in order to reform a democracy which has supposedly been corrupted by ruling civilian elites/governments. This raises questions concerning the military's interpretation of its role as the protectors of the Constitution.

Egypt Political History before 2013

Egypt, a proud nation with an ancient history, lies at the heart of the Arab world and is often viewed as a bellwether for broader trends in the region. With a population of around 80 million and its location bridging both Africa to the Middle East and the Mediterranean to the Red Sea, Egypt has long played a pivotal role in the region. And in a region that has seen more than its share of internal political crises – military coups, civil wars, and revolutions – Egypt stands out as having experienced remarkable continuity in its domestic political scene. Nevertheless, three years after uprising, Egypt's capital is crowded, busy, confused, and messy. The military has taken firm control, elevating its leader, Gen. Abdel Fatah al-Sisi, to the presidency. He follows in the footsteps of dictators like Jamal Abdel Al-Nasser, Anwar al-Sadat, and Hosni al-Mubarak.

Now what is democracy? Thus far, the definition of democracy in Egypt is simply “not the current regime.” Indeed as according to experts, the Cairo protest was revolutionary because for the first time, the people are taking responsibility of their government and embracing notions of a need to do something about it. Democracy is thought to encompass “individual freedom and identity, diversity, political and economic competition, popular sovereignty, and political accountability” (Tessler 2007: 109). Within the revolution, Egypt's focus was on change in society and politics. In particular, Egypt wanted an end to Mubarak's thirty-year rule, and wanted to get rid of its current constitution. As the Middle East's “population and intellectual leader,” Egypt is in a unique position to demonstrate successful democratisation in the Arab world (Roskin et al, 2008: 292).

Mubarak is overthrown and after a military coup led by General Abdel Fattah al-Sisi, seek to review how Egypt's expectations align with that of reality. Now as Egypt's military currently governs the country, we seek to examine how the debate behind Egypt's ability to democratise will play out. The country is at a very critical point between despotism and democratisation is battling it out. At this critical point, the country can easily slip back into authoritarianism. Moreover regarding Egypt's fragile political state, Egypt's political history can further exacerbate this slip back into authoritarianism, which is not in favour of successful democratisation. Egypt's political history poses the greatest impediment to Egypt pursuing a democratic form of governance on account of its numerous cycles of authoritarian rule.

Democratisation may prove a challenging development for Egypt because they have democratic rule to refer to in their history. In the eyes of its political history and current actions taken, military rule is not viewed positively toward shaping democracy given that Egypt has had military dictatorships in the past. Authoritarianism in Egypt's history and culture explains the misconnection between where Egypt wants to be. For this reason Egypt's revolution faded away as the military reconstituted Mubarak's repressive structure.

The 2013 Coup in Egypt

An uncertain new political order took shape on 4th July 2013 when the military deposed and reportedly detained the country's first democratically elected president, put a top judge in his place and suspended the constitution. This promoted thousands of people in the streets across Egypt to both applaud and assail the general's decision to step into the country's political fray for the second time in slightly more than two years. It has raised questions: What will happen to Morsi and his supporters who insist he remains the country's legitimate leader? What hopes remain to Egypt's attempts to build a multiparty democracy? According to Hani Sabra, Director of the Middle Eastern arm of the Eurasia Group, a US based political risk research and consulting firms: "I think there are a lot of challenges it faces", Sabra said noting the threat of more violence, possible divisions within the anti-Morsi coalition and Egypt's economic woes.

Morsi, a western educated Islamist elected a year ago, did not achieve the goals of the people and failed to meet the generals' demands that he share power with his opposition (Sabra, 2013). Egypt's top military officer, General Abdel-Fatah El-Sisi Said in a televised speech to the nation. Adly Mansour, head of the Country's Supreme Constitutional Court replaces Morsi as Egypt's interim president, El-Sisi Said. Two days before the coup he had become head of the court. At the swearing in Ceremony Mansour said the Egyptian people had given him the authority "to amend and correct" the revolution that toppled Hosni Mubarak in 2011. It is expected that new elections will be held at an unspecified date.

Africa's post colonial history is replete with unconstitutional changes of government, which are executed using military coups and sundry vehicles. Most coup plotters reason for striking is due to lack of transparency and accountability in government, nepotism and general bad governance. Within a span of eight months, that is between August 2008 and March 2009, military officers toppled the governments of three

African countries. On August 6, 2008, Mauritania elected president was removed while coup plotters struck in Guinea on December 23, 2008. On March 17, 2009, Madagascar when a semblance of sanity appeared to have prevailed early in 2010, a military coup in Niamey, Capital of Niger Republic ousted President Mamadou Tandja of that country. Still not ready to shed its toga as the hotbed of unconstitutional government changes, rebels in the Central African Republic (CAR), in March 2013 chased out President Francois Bozize, paving way for leader of the Seleka rebels, Michel Djotodia, to install himself as the president. The Frequency of this illegal changes and its attendant negative consequences including considerable confusion in the polity, despair, disgust, needless deaths, hunger and arm struggles have led many to question the effectiveness and the dissuasive powers of the African Union (AU)'s policy on and response to unconstitutional changes in government on the continent.

Egypt is the most populous Arab country and its police state had previously looked too strong to topple. However in Egypt's first free presidential election, Mohammed Morsi of the Muslim Brotherhood on June 24, 2011 was declared winner and faced with huge political and economic challenges which many accused him of not doing enough to resolve. The biggest was the row over the new constitution. Holding together a bitter divided country as well as discontent over the sweeping powers he appropriated to himself added to the basketful of problems. Reacting to the crisis in Egypt, professor of International Relations and visiting Fellow at the Nigerian Institute of public Relations, Adeniji Abolade said the unfolding scenario in Egypt was not unexpected. He said for a country that has consistently been ruled since 1952 by military men. It was also expected that democratic structures were weakened by these classes of rulers. "And for Egyptians to have elected Morsi in the first instance, he ought to have formed an all -inclusive government, which he refused to do" (Abolade, 2013). Deploring Morsi's islamisation of the country while claiming he had legitimacy. The University don said the implication of what has happened to Moris is that leaders must realise that legitimacy does not end with the mandate given them at elections, as they must continue to earn it through their works to survive in office.

In the wake of Moris' sack, Obama said he was deeply concerned by the latest turn of events and called for a swift return to civilian rule. In a four paragraph statement he released, he said,

US continues to believe firmly that the best foundation for lasting stability in Egypt is a democratic political order with participation from all sides and all political parties ,secular and religious civilian and military. During this uncertain period we expect the military to ensure that the rights of all Egyptian men and women are protected, including the right to peaceful assembly, due process and free and fair trails in civilian courts. Moreover the goal of any political process should be a government that respects the rights of all people majority and minority; that institutionalize the checks and balances upon which democracy depends; and that places the interest of the people above party or faction. The voices of all those who have protested peacefully must be heard..." (Obama, 2013).

Obama concluded that, no transition to democracy comes without difficulty, but in the end it must stay true to the will of the people. An honest, capable and representative government is what ordinary Egyptians seek and what they deserve the longstanding partnership between the United States and Egypt is based on shared interests and values and will continue to work with the Egyptian people to ensure that Egypt's transition to democracy succeeds" (Lederman, 2013). For Charles Dokubo of the Nigerian Institute of the International Affairs the Muslim Brotherhood that brought Morsi to power was deceptive from the beginning as it initially said it would not field a candidate at the presidential poll, but made a volte-face to field Morsi. He added that they said they would form an all-inclusive government, but refused to do that thereby forcing the people to react to all these deceptions through their anger. He maintained that the crisis would continue to fester unless the new helmsman takes into consideration, the grievances of all Egyptians, advised Egyptian leaders to empower Egyptians as well as institute economic programmes that would benefit the generality of Egyptians "if this happens" he stated "no Egyptian will be concerned about who is in power" (Dokubo, 2013).

Egypt Coup and African Union

The event of the North Africa uprisings in 2011 forced many people particularly officials of the African Union and leaders of African States, to pause and debate the normative, legal and institutional aspects distinguishing revolutions from other unconstitutional changes of government. It is of interest to note of all the global governance institutions only the AU has unequivocally categorised the ouster of president Morsi as unconstitutional change of government. The AU had to suspend Egypt from participation in all AU activities including the peace and Security Council until Constitutional order is restored. The decision of the AU states that the overthrow of the democratically elected president does not conform to the relevant provisions of the Egyptian Constitution and therefore falls under the definition of an unconstitutional change of government, and accordingly, and as mandated by the relevant AU instruments, the Council decides to suspend the participation of Egypt in the AU's activities until the restoration of constitutional order" (Communiqué of the AU Peace and Security Council 2013). The Swift and unequivocal response to the crisis in Egypt emanates from the AU's normative framework developed in response to specific historical circumstances and the nature of African states and political parties.

The AU has four main instruments of which two are directly applicable to the crisis in Egypt, namely: 1) the African Charter on Democracy, Elections and Governance (the Addis Charter) and (11) the Lome Declaration of July 2000 on the Framework for an OAU Response to unconstitutional changes of Government (the Lome Declaration). The African Charter on Democracy, Elections and Governance was developed as part of the African Union stated emphasis on promoting democracy and good governance in member states. It identifies issues that pose a threat to stability and democracy in Africa. It provides an analysis into the root causes of unconstitutional changes of government including human rights violations and suggests appropriate measures that can be taken to

prevent as far as possible unconstitutional changes of government from reoccurring. Unconstitutional changes of government are with good reason, described in the charter's preamble as one of the essential causes of conflict in Africa. It has been raised as a matter of concern in the protocol on Democracy and Good Governance of the Economic Community of West African States. The Legislative intentions of the Lome Declaration and the Addis Charter do not ban revolutions necessitated by prevailing unconstitutional governance in a country. Indeed, as stated in many legal and philosophical texts, the AU has supported popular demands for changes of illegitimate government. It is considered that people have right to change their government when all other amicable and constitutional means of replacing that government do not exist. The right to Revolution as stated by John Locke is not only an entitlement of the people but also an obligation when a government breaches the trust it enjoyed from the people (Locke 1764). Since revolution is carried outside the normal procedures of a constitution it becomes extra – constitutional. The Legal and philosophical perspective of the right to revolution rests on its extra-constitutional nature. Revolution express the general will and capacity of the people to change governments that refuse to reform meaningfully to meet the demands of the people. From this perspective, revolution is an extra-constitutional legitimate means of replacing a government when the desired change of government is not available through constitutional means. In specific reference to coups, the Lome's declaration refers to a "military coup d'état against a democratically elected Government" which could be construed as indicating that a coup d'état against any undemocratic government is acceptable. This would in effect encourage coup against governments perceived as undemocratic, thus becoming a licence for dissatisfied military groups such as the current coup in Egypt.

The two AU instruments earlier mentioned tag the following five situations as unconstitutional changes of government: 1) military coups d'état against a democratically elected government; 2) intervention by mercenaries to replace a democratically elected Government; 3) replacement of democratically elected Governments by armed dissident groups and rebel movements; 4) the refusal by an incumbent government to relinquish power to the winning party after free, fair and regular elections (OAU ,Lome'Declaration of July 2000). Article 23(5) of the Addis Charter added a fifth situation that amounts to an unconstitutional change of government and refers to "...any amendment or revision of [a national] constitution or legal instrument which is an infringement of the principle of democratic change of government". The main test should depend on a substantive assessment of the circumstances within which the change of government takes place. However, it stipulates that amendments to constitution should take place when possible by consensus when necessary. This was not the direction followed in the removal of Morsi government.

However there is no good coup and bad coup as argued by some writers (Ikome, 2007). Dersso (2013) says Egypt's suspension is similar to the AU's actions against the Central African Republic that followed the overthrow of former president Francois Bozize by rebel militia in March 2013. "There is a long, established practice of applying the law of unconstitutional change of government, so it's not the first time it has happened," he said. According to Dersso, the decision to suspend Egypt was not

unanimous. "It was a decision taken, I understand, after a series of discussions, not necessarily with a full consensus," he said. "There were some reservations expressed by some members of the Peace and Security Council who were of the opinion that if the decision to suspend Egypt was not passed that it would have been better to give some time for the situation on the ground to improve" (Dersso, 2013). The vast majority of members of the Council believed, however, that an unconstitutional change of government has indeed taken place in Egypt.

In Africa, all coup that has taken place have been seen as illegitimate. Legally and politically the Egyptian case is not substantively different from what happened in Madagascar or Mali, where in both cases the army toppled democratically elected governments that performed badly, with popular support from the opposition.

Conclusion

Africa was divided on the democratic credentials of the depose of Morsi. The Muslim Brothers have won themselves few friends in Africa with their inept handling of their electoral mandate and their divisive policies, culminating in Egyptian belligerence over the Great Ethiopian Renaissance Dam on the Nile last year. However, Africans do not show much eagerness for the military stepping in. The strong preference was for the non-violent tactics of the demonstrators to dare the government; with the army staying out of politics, ensuring that neither side could resort to aggression. The coup, although initially bloodless, is an act of violence against the constitutional order.

Egypt is certainly not the first country to be suspended from the AU following an evaluation of an "unconstitutional change of government"; the AU's decision to temporarily bar Egypt from the organisation is still significant. "It is applied for the first time against what is known as 'The Big Five' countries, The Big Five – Algeria, Egypt, Libya, Nigeria and South Africa – each contribute 15% of the African portion of the budget, effectively subsidising the remaining members.," (Dersso, 2013). As Egyptian parties make amends, the AU may actually be convinced to allow Egypt back soon. The objective of the AU lies in its ability to push for Africa's rights in the international system. And in order to do that, the AU has to be seen as a principled body, competent and efficient. With its stance on Egypt, the AU has been able to send out a message that quells doubts of its ability to handle any unseemly outcomes from Egypt.

References

- African Union (2013) Communiqué of the Peace and Security Council of the African Union at its 384th meeting on the situation in the Arab Republic of Egypt, 5th July 2013.
- Al Jazeera (2013) "Elbaradei appointed as Egypt's interim PM". Al Jazeera. 6 July 2013. Retrieved 6 July 2013.
- Al-Anani, K et al (2013). Pious Way to Politics: The Rise of Political Salafism in Post-Mubarak Egypt. *Digest of Middle East Studies*. 22 (1): 57–73.

Assessment of the African Union's Response to the 2013 Military Coup in Egypt

- Anyangwe, C (2011). Understanding the Phenomena of Unconstitutional Changes of Government in Africa. In Gutto, Shadrack (Ed) *Shared Values, Constitutionalism and Democracy in Africa*. Fortune-Africa Publishing.
- Brown, Nathan J. (3 July 2013). Redoing the Egyptian Revolution: How to Get the Transition Right This Time. *Foreign Affairs*.
- Bruckner, J, (2013), Die Mär vom „demokratischen Putsch“ in Ägypten, *Wissenschafts Zentrum Berlin für Sozialforschung*, November, <http://democracy.blog.wzb.eu/2013/11/12/die-maer-vom-demokratischen-putsch-in-aegypten/>
- Coleman, J et al (1962) *The Role of the Military in Sub Saharan Africa*. Princeton New Jersey Princeton University Press.
- Collier, P et al (2007) Military Spending and the Risks of Coup d' Etat" Centre for the Study of African Economies. Oxford: Oxford University.
- Decalo, S (1989). Modalities of Civil- Military Stability in Africa, *Journal of Modern African Studies*, 27(4), p.547-578.
- Diamond, L., et al (Eds). (1990). *Democracy in Developing Countries*. Vol. 4: Latin America. Boulder: Lynne Rienner.
- Evans, G et al (1998) *The Penguin Dictionary of International Relations*. London: Penguin Books.
- Ferguson, G (1987) *Coup d' etat: A Practical Manual*. New York: Arms and Armour Press.
- Huntington, S (1981) *Solider and the State: The theory and politics of Civil-Military Relations*. Belkenep Press.
- Ikome, F (2007). Good Coups and Bad Coups, the limitations of the African Union Injunctions on Unconstitutional Changes of Power in Africa, Occasional paper No 55.
- Issaka, K (2006) *Civil Wars and Coups d' Etat in West Africa*. Lanham, MD: University Press of America.
- Jackman, R (1978). The Predictability of Coups d'état: A Model with African Data. *American Political Science Review*. Vol.72, (December) pp.1262-1275.
- Johnson, T et al (1984) Explaining African Coups d'état 1960-1982. *American Political Science Review*. Vol 78(3) Pp.622-640.
- Lederman, J (2013) Egypt's future uncertain US takes cautious approach and urges quick approach and urges quick return to elected government" www.Edmontonjournal.com Assessed 06-07-2013
- Locke, J (1764) Two Treatises of Government in Thomas Hollis (Ed) (1764), the online Library on Liberty
- Luckham, R. et al (2001) "Conflict and Poverty in Sub-Saharan Africa: An Assessment of the Issues and Evidence". IDS Working paper No.128 Brighton, Sussex: Institute of Development Issues.
- Luttwak, E (1968) *Coup d'état A Practical Handbook*. The Penguin Press: London.
- Mcbride, M (2004) Crises, Coups and Entry-Deferring Reforms in Sub- Saharan Africa," Paper presented at the Public Choice Seminar at the University of California.

- McGowan, P (2003) African Military Coups d'état, 1956-2001: Frequency, Trends and Distribution. *Journal of Modern African Studies* 41(3), p.351
- Nordinger, E (1977) *Soldiers in Politics Military Coups and Government*. Prentice Hall Englewood Cliffs, New Jersey
- OAU Assembly of heads of State and Government, Lome Declaration of July 2000 on the framework for an OAU response to unconstitutional Changes of government (AHG/SDec.5 (XXXVI
- Perlov, O (2014). Abdel Fattah el-Sisi: a chronicle of foretold failure, or perhaps not? Egyptians' Discourse on the Social Networks. *Institute for National Security Studies*, INSS Insight No. 587, August 11, 2014.
- Tadros, M (2012). *The Muslim Brotherhood in Contemporary Egypt: Democracy Defined or Confined?* London: Routledge.
- Tardoff, W (1993) *Government and Politics in Africa*. 2nd edition. London: Macmillan.
- Wedeman, B (July 4, 2013). Coup topples Egypt's Morsy; deposed president under 'house arrest. CNN
- Wells, A (1974) .Coup in Theory and Practice: Independent Black Africa in the 1960s. *American Journal of Sociology* no.79.
- www.aljazeera.com/news/africa/2010/02/20101918175213843.htm Assessed 06-07-2013
- www.aljazeera.com/news/middleeast/2013/07/201373223029610370.html Assessed 06-07-2013
- www.csmonitor.com/world/Africa/2010/103251/Niger-coup-can-africa-use-military-power-for Assessed 06-07-2013
- www.news.bbc.co.uk/2/hi/8523196 Assessed 06-07-2013

Interviews

- Dokubo, C (Prof). July 4th, 2013, Research Professor, NIIA, Lagos.
- Abolade, 'Adeniji (Prof), July 6, 2013, Prof of International Relations, Lagos.
- Sabra, H. July, 8. 2013, Director of the Middle East Arm of Eurasia, Washington DC. USA.
- Dersso, S, July 12, 2013, Researcher, Institute for Security Studies, Addis Ababa.