

# TOWARDS THE AFRICA ‘WE WANT’: RECONSTRUCTING GOVERNANCE

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## ABSTRACT

*This study identifies governance gaps in Africa and examines how these can be filled. It is based on content and text analysis informed by an interpretivism approach/constructivist concern as the philosophical assumption. Good governance is critical for political and developmental discourse for the Africa states. The African Union (AU) prescribes the adherence to the pursuit of this principle. Given the uneven historical and developmental backgrounds, governance is in deficit in most of the African countries hence the realisation of this goal demands formidable strategizing. Although several states are plodding their way toward establishing good governance, the threshold is yet to be crossed by many. Good governance is developmental, enables economic growth and the judicious use of available resources. Governance in disarray results in the deterioration of state relations, eventually leading to political instability. Towards reconstruction, the AU through the African Peer Review (APR) and the New Partnership for Africa’s Development (NEPAD) among others, should be seized with good governance practices on top of the development agenda.*

**Keywords:** African Union, Good Governance, Disarray, Regional Bodies, NEPAD.

## INTRODUCTION

Governance in Africa should be revamped in order to make the best out of the continent and this should be its strategic focus. Steiner (2008) notes that, the Nobel prize-winning economist Joseph Stiglitz estimates that the carbon sequestration or “carbon-soaking” value of tropical forests—such as those in the Congo River Basin—possibly equals or exceeds the current level of international aid provided to emerging economies. The region ought to be prosperous economically and in terms of human development. Reality shows that it is not. Poor governance carries the biggest blame. The former United States president, in his official speech during his visit to Ghana in 2009 Barack Obama, pointed fingers to lack of good governance as the reason for Africa’s malady. The World Bank and European Union among other bodies have constantly called for the entrenchment of good governance principles in African states.

As a result, good governance has emerged as a major principle for judging the performance of African countries. For instance, the Mo Ibrahim index, the Bertelsmann Transformation Index and Corruption Perceptions Index depend on tenets of good governance. The indices present comparative progresses and retrogression of African countries based on good governance performances. While available data demonstrates that it is not all bad news, African governance may not automatically result in the institutionalization of sustainable good governance. May be, the issue at stake is not the battles but that poverty simply reflects on weak governance systems. Reconstructing the current trend of poor governance could be the only solution to Africa’s development. This paper highlights the gaps on good governance

(governance for reconstruction) in Africa and attempts to provide what is needed to fill the gaps for the Africa “*we want*” agenda.

## METHOD

Raadschelders (2011) has argued that, research is grounded on some fundamental philosophical traditions on what constitutes an authentic research. These philosophical assumptions do affect the selection of a method that would yield the essential knowledge for addressing the specific research topic. Therefore, the philosophy of a research is related to the sources and the development of knowledge to understand the phenomena of the world. It guides the research in formulating the research strategy, data collection and analysis (Holden & Lynch, 2004). To comprehend the interrelationship of the main components of the topic, a position of an interpretive approach with constructionist concerns is taken in this study. The topic requires taking up the independent meaning and interpretations behind governance in an African institutional context. The core of interpretivism, as part of epistemology, requires the researcher to interpret the subjective meaning of a social action (Bryman & Bell, 2011) unlike the objective view as in positivism, where emphasis is put on natural scientific research methods that focus on measurable facts to study social reality (Bryman & Bell, 2011). This study was informed in this regard by secondary data from research publications, interpreted to construct meaning for this paper.

## AFRICA'S GOVERNANCE IN CONTEXT

Good governance attempts in Africa can be drawn from the formation of the Organisation of African Unity (OAU) in 1963. This is when the birth of Africa's independence campaign from the governance constructions put in place by the colonialists which placed restraints on the disposition of political power with the exception of a few settler elites were abolished. Although the OAU's primary objectives were based on promoting international cooperation, and due regard to the Charter of the United Nations and the Universal Declaration of Human Rights, the aim was a speedy decolonisation of Africa, the unity of the continent coupled with the defence of the territorial integrity of states. The obligation for freedom was rather silent on the need to promote good governance. This tactic gave rise to unitary states under one-party political systems managed by despotic leaders to which corruption, human rights violations and mismanagement became the order of the day.

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Nyong'o (2009) argues that, conspicuous was the OAU's incapability to decisively deal with governments that dishonoured human rights quoting classic examples of: Jerry Rawlings of Ghana (especially between 1982 and 1992), Daniel Arap Moi of Kenya, Frederick Chiluba of Zambia, Macias Nguema of Equatorial Guinea, Kamuzu Banda of Malawi. These clamped down opposition elements, repressed press freedom and incarcerated dissenting citizens. Also, leaders like Mobutu Sese Seko in Zaire, Moussa Traore in Mali and Houphouet-Boigny in Ivory Coast, were incorrigibly corrupt, amassing personal fortunes big enough to offset the entire external debts of their countries. These rulers were encircled by bootlickers and opportunists while governing countries as their private estates. The African Union (AU) substituted the OAU model

after the European Union (EU) trying to redress the myriad challenges facing Africa through the agenda of a New Partnership for African Development (NEPAD).

Good governance among some developed and developing economies is in a crisis. There is dwindling participation of the people in political and social participation and also a decline of confidence in governments in these economies. The stereotype fashioned is that Africa is a region that operates through an inverse logic of political condition and irrationality. It is where politics is about barefaced theft and a game of the belly, where political motion is of oscillation and retreat, rather than any advance or progress, and probably where the law of the jungle surrogates the dictates of the constitution (Thompson & Walsham, 2004; Ayatse et al., 2013). Governments that are democratic ought to have legality which gives them the authority and acceptance paving way for good governance. Up until the late 1980s, good governance issue has taken centre stage of the international discussion on international assistance to Africa. According to Wani (2014), by late 1990s the desire for justice and freedom, the entrenched autocratic establishments and political fall outs emanating from the structural adjustment programmes paved way for popular democratic struggles in Africa. Wani (2014) notes that, between 1996 and 2006, 44 elections were held in Sub-Saharan Africa and between 2005 and 2007, 26 presidential and 28 parliamentary elections were held in Africa. Abdullahi (2013) an AU Commissioner for Political Affairs addressing the press in Addis Ababa on the topic, *“From OAU to AU: Decolonization, Democratization and Development”* said,

*“The democratic process has taken different turns and trajectories in different countries, with different levels of progress. While elections have become more regular, and other components of liberal democracy relatively improved compared to the situation that obtained two decades ago, the quality of democracy and governance remains suspect in many countries. Strengthening democratic governance in terms of the building of democratic institutions and the capacity of the state to manage the political and economic processes of society for developmental purposes remains a major challenge for many African countries.”*

The remarks above are in sync with the African Development Bank (ADB)'s valuation for Africa on the rudimentary economic conditions that are significant for the growth of African economies. These include, a legal framework that is functioning, regulatory structures that are efficient, effective public administration and systems of legal and financial accountability that are transparent. Public goods' quality supplied at country level makes good governance such an important notion. Muite (2013) aptly described the situation; *“The African Continent is a true political and social mosaic. There are countries that are making a real move towards democracy. There are others in which the democratic experiment started off hopefully but are now sliding back into the old ways of autocracy and repression. In others, the political, social, and State infrastructure has collapsed. Yet, in a few others, chaos, genocide and terror are predominant.”*

In Africa, good governance needs an edition of continuous improvement adapted to market orientation. African governments have been bugged with forces to live up to the principles of democratic governance in their quest for economic development over the past five decades. In view of the social acceptance and political pretences especially from those who are against its values, it is apparent that democracy is the most popular form of government. More so, even the worst of African dictators have tended to wear the cap of democracy as a bait to consolidate power in their various stated *“Mr. Yoweri Museveni of Uganda is just one example”* (Chigbu, 2011). For Oyekan (2009) this means being democratic today, indicates being good and

acceptable by a committee of nations as opposed to the segregation meted out to regimes considered to be despotic. Other dictators use “*democracy*” as a veil to hang onto power.

These dictators promise a switch over to democracy and devote a much time working towards provided they are able to deceive their people. However, some genuinely yearn for true democracy. Some countries are conflict ridden in one way or the other with perverse political disputes raging on for decades hence conflicts remaining unresolved. The interventions by United Nations managed conflict situations in Sudan that led to the division of the country into South Sudan and North Sudan. Mali has been facing protracted conflicts in which rebels have fought government forces on issues stemming from power politics. In Nigeria there has been ethnic conflict pitting two communities of Muslims and Christians replete with human rights violations. Somalia has endured a conflict crisis for a long to the detriment of innocent people of this country severely. Tribal hostility is widespread in Ethiopia among Christians and Muslims. Lately, the circumstances of Egypt and Libya have been unstable apart from the nation building challenges such as: HIV, malaria, corruption, conflict, crime, poverty, bad governance and lack of good infra-structure hurting Africa-wide.

Since the inception of the African Union (AU) in 2002, the continent endeavours to embrace its developmental challenges untiringly with the actual problem being lack of good governance and not necessarily the lack of resources (Wani, 2014). This is primarily due to governance glitches such as weak institutions, absence of rule of law and rampant corruption. Apart from elections, the desire for good governance in Africa often stumbles on structural problems. These ranges from institutional weakness, tribalism, crime networks, institutional weakness, conflict and ethnic discrimination, corruption, lack of democratic culture to state fragility. Sadly, it appears there is no continent for centuries that has not been accordingly understood or rather mistreated as Africa.

Yet, it is a very rich continent and endowed with nature’s beauty, populated by hard-working people. It arguably holds the largest reserves of unexploited natural resources in the world in the form of diamonds, natural gas, gold, oil, several other minerals and fruits. However, these are quite often the sources of violent conflicts with caustic consequences for the economies. There is absolute necessity for resolute action and the AU should remain the vanguard on these efforts, with refined kit of political, strategic, legal and institutional tools (M&G, 2013).

## **EFFORTS BY REGIONAL BODIES**

The African Union (AU)'s Constitutive Act that articulates the will power to encourage and protect human rights, consolidate democratic institutions and culture must ensure good governance and the rule of law to inspire the development of the African Governance Architecture (AGA). This determination appear to be strengthened by related objectives espoused in Article 3(g and h) and Article 4 (m) of the Act on the promotion, protection and respect for human rights, democratic principles and institutions, and good governance. The principles are also strengthened by pronouncements and instruments adopted by the AU through the African Charter on Democracy, Elections and Governance (ACDEG).

The obligation of the AGA is derived from the decision of the 15th Ordinary Session of the Assembly of African Union (AU) Heads of State and Government (AU/Dec.304 (XV) held in July 2010. This apparently recalled the decision approved by the 16<sup>th</sup> Ordinary Session of the Executive Council of the AU and endorsed by the 14<sup>th</sup> Ordinary Session of the Assembly of

African Union (AU) Heads of State and Government to dedicate the theme of the 16th Ordinary Session of the African Assembly to the shared values of the AU. It also provided a mandate for nurturing a Pan-African Architecture on Governance.

In a bid to operationalize the Assembly's decision on the establishment of the Pan-African Governance Architecture, the African Union Commission (AUC) developed the AGA as a podium for dialogue between the various stakeholders seized with the promotion and strengthening of democratic governance in Africa. It would also translate the legal and policy pronouncements objectives in the AU shared values.

In terms of the agreement made by the African summit in July 2002, the African Peer Review (APR) is a process whereby chosen institutions occasionally appraise the development of states on governance matters. This is accomplished by evaluating the observance of states to certain values of governance outlined by both NEPAD and the AU (Akokpari, 2004). The appraisal process is done under the auspices of the AU. APR ensures adherence of African states to standard practices of governance which include democracy, respect for human rights and the implementation of plausible economic policies.

APR stands as a major departure from preceding obligations to good governance whereby signatures were appended to multilateral treaties such as: African Charter on Human and Peoples' Rights (1981); African Charter for Popular participation in Development (1990); African Charter on the Rights and Welfare of the Child (1990); Declaration and Plan of Action for the Promotion and Protection of Human Rights (1999) signed in Grand Bay, Mauritius.

The APR is indeed an endeavour by African states to subject their regimes to a checking process that is controlled by fellow African states. Therefore, this is a big opportunity for consolidation of democracy to guarantee that governance surpasses the narrow confines of personal rule among others. The instrument provides for the establishment of an Independent Panel of Eminent Persons (IPEP) which for all intents and purposes is responsible for the review and evaluation process. The IPEP consists of between five and seven members with at least one member from the AU's major sub-regions-Central, Eastern, Northern, Southern and Western Africa (UN Information Department 2003). Members of the IPEP are appointed by the fifteen-member team (UNECA, 2002).

The determination on good governance in Africa may not be a new thing since Africa's creditors and international Non-Governmental Organisations (NGOs) have at different stages used an assortment of mechanisms. These include Structural Adjustment Programs (SAPs) and direct denunciation (as were the cases against the Democratic Republic of the Congo (DRC), then Zaire under Mobutu Seseko, Kenya under Daniel Arap Moi, and Nigeria under contemptible Generals Ibrahim Babangida and Sani Aabcha. In spite of these attempts, not much was made on the path of good governance because some of the leaders embroiled in the controversies found various ways of circumventing these external conditionalities and pressures.

It remains to be seen if the APR brings new standpoints to the largely sluggish, if not static move towards good governance. Being a volunteer scheme completely dependent on the good will of African states, member states can either shape up or ship out of the APR. For that matter, those who originally joined the project can withdraw if it proves unfavourable. As such, it becomes cumbersome to make a regime continuing in human rights violations reform if it just declines to sign up or chooses to withdraw from the APR. More so, the APR lacks any fixed elements of compulsion, hence, by the mid-2004 and with the recent contribution by the originally sceptical Mauritius and Angola, membership in the APR has increased merely to 17

out of the AU's total membership of 53 (SADFA, 2003). Due to lack of compulsion and mandatory overtones countries with questionable governance records will keep out of the APR project. Due to these observations and others, the goal of the APR idea by African leaders reinforces the truncated ability of the APR to instigate good governance (Akokpari, 2004).

Originally, the NEPAD document presented an all-inclusive view of governance. This comprised the economic and corporate sectors, the political component, peace and security. Recent interpretation of governance by some leaders appears to limit it to the economic and corporate sectors excluding its political requirements. In that vein, NEPAD being projected as the AU's socio-economic programme, good governance and democracy, it is paradoxically portrayed as discounting political governance. Akokpari (2004) noted that, the three areas of governance identified by NEPAD are not mutually exclusive.

This leaves Africa's corrupt and wasteful regimes almost always dictatorial, non-transparent and often generating favourable conditions for conflicts through their policies. It can be argued that, the exclusion of the political requirements of governance authenticates the cynical view that the APR was included in the NEPAD agenda only to appease international creditors and not fundamentally to facilitate democracy. What is worrisome is the prospect of African leaders shying away from condemning their peers even in the unlikely cases of the IPEP generating damning reports. Akokpari (2004) observed that, *"The continental silence on human rights violations in Rawlings Ghana in the 1980s, Abacha's Nigeria in the 1990s, the range of bizarre human right abuses in the Sudan, Swaziland, and the absence of direct condemnation of the grotesque and systematic human rights abuses under President Robert Mugabe whose policies are becoming an unmitigated disaster for Zimbabwe, have amply demonstrated African leaders' lack of moral courage to reprove fellow peers."*

Also, Bond (2003: 15) laments the utterance by the former Chairperson of the AU who in February 2003 was the Foreign Minister of South Africa, Dr. Nkhosana Dlamini Zuma unambiguously stated that *"we (South Africa) will never criticise Zimbabwe."*

It appears African leaders seem to share membership which Sandbrook (1984) humorously characterised as a presidential brotherhood. By this he implied the reserved inclination to castigate, but greater tendency to empathise with members. This was confirmed when the AU heads of states refused to recognise Marc Ravalomanana as the winner of the December 2001 elections and authentic leader of Madagascar and instead backed their long-time colleague Didier Ratsiraka, whose contentious victory was withdrawn by the country's highest constitutional court in April 2002 (Mangongera, 2002). Similarly, African leaders did not take long to congratulate President Obasanjo after both local and international observers reported the April 2003 Nigerian elections that returned him to the presidency as fraught with irregularities (Mail & Guardian, 2003). An instructive signal that high expectations on the APR as a catalyst for good governance may be inappropriate is the natural penchant of African leaders to condone bad governmental practices of their peers, as a way of insulating themselves from future criticisms. Accordingly, optimism about good governance based on NEPAD and the APR needs to be treated with caution.

## RESULTS AND DISCUSSION

The deficits and limitations of governance in Africa do not comprise arguments for Africa to reject initiatives to move toward the achievement of good governance. Instead, they emphasize the need for fundamental reforms to plug loopholes that facilitate corruption, fraud, embezzlement, weaken institutional capacity, reduce government intervention and allow markets to operate efficiently. Cognisant of the responsibility by the national authorities for governance issues, African states must commit to improving economic governance for among others, the following reasons (UNECA, 2002):

1. To improve their ability to implement policies that is developmental with scarce resources.
2. To implement accountably public management functions.
3. To produce a credible policy environment which inspires domestic and international investor confidence?
4. To reinforce absorptive capacity that attracts development assistance flows.
5. To demonstrate transparent economic policy-making and implementation.
6. To emphasise strict adherence to standards of institutional functioning.

The above reasons for attaining good governance in Africa have many benefits. These include growth acceleration and creation of a more stable and predictable macro-economic environment. Due to bad governance, most African countries have not been able to benefit from globalization. This is manifested in development policies seeking to achieve economic and social progress through government controls.

Africa remains the poorest region in the world with the number of people living on less than US \$1 a day (poverty indicator) declining in most parts of the world (ECA, 2002). According to the Finance and Development (F&D) report of 2001, the Africa's declining trade performance is attributed to restrictiveness of the continent's trade regimes (bad governance). However, African countries such as Botswana and Mauritius noted for good economic governance which took full advantage of integration into the global economy achieved significant macroeconomic stability. These countries have consistently been achieving robust growth rates of 5% or more. Emphasis on reconstructing governance in disarray should be on among other things Chigbu (2011):

1. The influence of external change agents and outside resources.
2. Removal of abhorrent cultural barriers to good governance (e.g. gender, woman and child rights).
3. Consolidation of prevailing governance systems.
4. Emphasising on cultural and historical peculiarities of Africa.
5. Increased culturally sustainable institutional mechanisms.

The central point for a good governance to emerge must be informed by; proactive and courageous followership; transparent and accountable leadership (Chigbu, 2011). Where governments are inept, only courageous citizens can oust that bad governance. It is instructive that leaders have never and can never oust their followers, because no leadership exists without followership. It is also instructive that, democratic followership never tolerates, condones or accommodates bad leadership. The case of Africa is boldly the failure of both leadership and followership. Something is squarely wrong with the African character towards good governance (Chigbu, 2011).

What obtains is that leaders are dancing in folly while people are wallowing in inaction and this requires a paradigm shift. The African problem is located in the reluctance by both

leaders and followers to rise to their different responsibilities, to the challenges of good governance. In general, good followership has rarely succeeded in most African countries and good leadership has squarely failed. For the Africa “*we want*” and reconstruction of governance in disarray, those are issues to be sorted out and require only Africans to do that. A scrutiny to the current trend of cultural family values may provide answers to forging a way forward. The APR and NEPAD also need fine-tuning, then implemented to the letter and spirit therein.

The supranational bodies such as the African Union and Regional Economic Communities (RECs) should be capacitated and empowered to sanction African states that fall short of good governance without infringement on the international law of state sovereignty. The architecture of the governance reconstruction should be done by experts who are not politicians, preferably African academics and researchers hired by the African Union. That responsibility should not be entrusted to Heads of States or government officials as these may have vested interests.

## CONCLUSION

Good governance is a “*sine qua non*” for the Africa “*we want*”. When the state improves certain basic aspects of its performance, countries attract more investment and achieve higher rates of per capita growth. This is an aspiration for the African Union.

Invariably, a state that applies rules and policies fairly ensures the rule of law and order protects property rights, generates confidence that attracts both domestic and foreign investment. That, in turn, easily provide for integration into the global economy. Globalization gives added urgency to the task of strengthening government and creates a capable state in Africa. Weak and ineffective African states, saddled with problems of inadequate infrastructure, corruption, and cumbersome bureaucratic procedures, are a hindrance to economic growth. Be that as it may, reconstruction of governance requires tougher action by the African Union and African countries to deal with the cancer of corruption. Growth and development are affected by corruption due to the uncertainty created and the cost of bribes. Economic growth is stifled by less provision of the rule of law as a public good, overly centralized government and state capture by the corporate elite.

Where governance in disarray is pervasive, the effects are heavily felt by the poor who get more affected and yet constitute the majority of African states. For instance, unofficial payments are commonly required for water and electricity connections, essential medicines get diverted or not procured at all; and the judiciary and the police often respond only to bribery. Grand governance in disarray tends to involve politicians, leaders, senior bureaucrats and entrepreneurs. While it can take many forms, much more frequent, are outright embezzlement and the looting of public assets that are then deposited in foreign banks and put to non-productive use. Supranational bodies like the AU and regional economic communities must come to grips with the need to coerce reconstruction of governance by African states so that they achieve good economic and corporate governance. Perhaps these bodies could flex their muscles even at the expense of state sovereignty until the goal is achieved. The reconstruction can be led by renowned African governance experts and not relegated to politicians as these have vested interests. Only then, can we get to the “*Africa we want*.”



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