

Governance and Legitimacy Crisis In Africa in the 21st Century

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Abstract

The subject of this paper is the way out of the seemingly unending leadership and governance debacle plaguing many countries on the African continent with the attendant result that the legitimacy of the state is being challenged in many cases and the powers of government undermined. At least 18 of the 53 African heads of state in 2006 are still there; 10 died in office, and another 10 were deposed. Except a few countries well governed, self-perpetuation in power and or failure in leadership over the years have led to; civil wars in certain countries led to popular revolts in some and given rise to sectional secessionist agitations in others.

It is clear that there is a linkage between governance and how countries on the continent have fared socially, politically and economically. Many African countries are characterized by poor, inefficient leadership and mediocrity. The narrow focus on free and fair elections and successful transition from civil to civil rule is making nonsense of the very essence of democratic rule which is to cater for the welfare of people amidst the efficient management of state resources.

Among other things, it is clear that issues of political apathy need to be addressed as it seems the political system is not throwing up the best people for the job. There should be a focus on happenings in-between elections; a scrutiny of whether the incumbent government has governed in the interest of the people and fit for reelection.

Keywords: Africa; Legitimacy Crises; Governance; Leadership; Government; Leader

INTRODUCTION

This work sets out to enquire into the causative relationship between governance and the legitimacy crisis plaguing many countries on the African continent using an interdisciplinary philosophical, political and economic perspective. This is particularly important because of the multidimensional nature of governance and the diverseness of its effect on a country and its people. The World Economic Forum's - Global Agenda 2015 Survey revealed that building sustainable governance systems was one of the three biggest challenges facing Africa in 2015. The continent from north to south is dotted by countries whose sovereignty are under threat, politically unstable and economically underperforming.

The discuss of governance and its attendant effect on the state of affairs in many countries of the world has gained momentum in the development and research circles in the last two and a half decades. Maldonado (2010) Explained that the World Bank brought the terminology "governance" to the fore in it 1989 study titled, "Sub-Saharan Africa – from Crisis to Sustainable Growth." The bank was particularly concerned about the development problems bedeviling the African continent at that time and saw a pathway in human-centered development and institutional reforms. World Bank (1989), reasoned that sound macroeconomic policies and an efficient infrastructure alone could not transform the structure of the African economies (p. xii).

The finding of the "Sub-Saharan Africa – from Crisis to Sustainable Growth" study led to the beginning of a shift from a purely economic and monetary policy focused economic development agenda for Africa by the World Bank. International development organizations,

development experts, and researchers alike have since then been increasingly turning their focus on how governance has affected and is determining social, political and economic development in countries of the world. Studies on the subject of governance have been carried out by many researchers including (Adesida 2001; Avellaneda 2006; Cubitt 2014; Fayissa & Nsiah, 2010; Kjær 2014; Owoye & Bissessar 2012; Rose-Ackerman 2002) who all agree that governance is relevant to economic development.

GOVERNANCE AND GOOD GOVERNANCE

The growing discussions on governance has giving rise to a plethora of definition and boundary setting for the subject matter. According to the World Bank (1989: 60), governance is the exercise of political power to manage a nation's affairs (p. 60), (AfDB, OECD, UNDP, 2015): See's governance as the way different state and non-state actors make public decisions and manage economic and social resources for development (p. 114).

While Kaufmann, Kraay and Zoido-Lobaton, (2000: saw governance as the traditions and institutions that determine how authority is exercised in a particular country. They explained further that these includes (1) the process by which governments are selected, held accountable, monitored, and replaced; (2) the capacity of governments to manage resources efficiently and formulate, implement, and enforce sound policies and regulations; and (3) the respect of citizens and the state for the institutions that govern economic and social interactions among them (p.10).

The question that arises from this is that what kind of governance is desirable? Citing examples of countries like Ukraine and Russia in the 1990s, (Kaufmann et al. 2000) explained that practical experience in many countries suggests that weak governance and slow economic

development go hand in hand while improved governance fosters development success. The African continent provides perhaps some of the best examples of how transformational good governance can be and vice versa. A close study of the African Governance Index published yearly since 2000 by the Mo Ibrahim Foundation readily shows that economic and human development situations are improving in countries with improving governance index while the converse is the case in countries where the good governance variables have been deteriorating. (Ahmad & Saleem, 2014) Explained that governance is a primary element for prosperous development in any country, in particular, good governance.

World Bank (1994) “Good governance is epitomized by predictable; open, and enlightened policymaking (that is, transparent processes); a bureaucracy imbued with a professional ethos; an executive arm of government accountable for its actions, and a strong civil society participating in public affairs; and all behaving under the rule of law.”

According to (Kaufmann et al. 200) failure of governance is costly and there are immense benefits from good governance. The United Nations ESCAP document “What is Good Governance?” explains that bad governance is now being considered the cause of all problems within our societies. It explains further that good governance has eight major characters; consensus, accountability, transparency, responsiveness, effectiveness and efficiency, equity and inclusiveness and the rule of law.

According to Cubitt (2014), “the methodology of governance in our globalised world involves a multiplicity of actors - local and global, invited and uninvited - who share the responsibility to govern. In society as presently organised the actions and inactions of government as a major player in “governance” are far reaching. The respect for the rule of law, progressive

laws, formulation and implementation of sound social, political and economic policies, maintainance of law and order, the protection of lives and properties, an all-inclusive system, social justice etc. are some of those aspect of governance that have far reaching ramifications on the progress of the state and wellbeing of the people.

LEGITIMACY AND LEGITIMACY CRISIS

According to (Lamb, 2004), “Legitimacy is a fundamental concept in several fields of human knowledge.” Coicaud, (2002: 10) argues that legitimacy is a central problem in politics but its influence spreads across other disciplines, and there is a consensus that legitimacy foremost represents the recognition of the right to govern. Max Weber (1964: 215 & 216) argues that there are three types of legitimacy; the first stemming from a rational ground based on the “belief in the legality of enacted rules and the right of those elevated to authority under such rules to issue commands (legal authority). The second is traditional legitimacy “resting on an established belief in the sanctity of immemorial traditions and the legitimacy of those exercising authority under them and the third is charismatic legitimacy stemming from “devotion to the exceptional sanctity, heroism or exemplary character of an person, and of the normative patterns or order revealed or ordained by him.” It is inherently clear that legitimacy represents the right to govern and command obedience.

Another interesting aspect of legitimacy is that it is value laden. The fact that the right to govern and command obedient is recognized does not inherently means that cooperation can be gotten without the use of force or threat of coercion. There are governments and regimes in several parts of the world using brute force, coercion and persecution as official means of sustaining themselves in power by silencing voices of dissent.

Coicand (2002:10) posits that “to justify power and obedience simultaneously is the first issue involved in the question of legitimacy. Upon this two fold demonstration depend both the right to govern and what result therefrom, political obligation.” Since political institutions act as guarantors of the public space – that is to say, of the relationships of reciprocity that exists among individuals within a society – it is logical that the role they play in coordinating and in conducting collective affairs will have the character of law only to the extent that they have the accord of the population.”

It is clear that mass discontent in any system usurpers authority and leads to a crisis of legitimacy. The term “legitimacy crisis” describes a decline in the confidence reposed on a system and its leadership. Habermas (1976:45), argues that “crises can arise at different points; and the forms in which a crisis tendency manifests itself up to the point of its political eruption - that is, the point at which the existing political system is delegitimized - are just as diverse.” Legitimacy crisis is bound to arise when the governed perceive governance as not been efficient and working in their interest. The inherent lack of basic amenities, widespread poverty and lack of opportunity are bound to trigger dissent.

THE STATE OF AFRICA 2000-2015

Africa is constituted by 54 countries, with many diverse ethnic and cultural nationalities. According to the United Nations’ World Population Prospects Revised Report 2015; Africa has a population of 1.186 billion people, representing 16 percent of the world’s present population of 7.349 billion people. 21st century Africa is a vastly improved and fast-growing continent viewed

from many angles; these have led many people into believing that Africa is doing well. Things have improved since the start of the century but in reality, Africa is very far from its potentials.

Looking at Africa from several perspective would do allot of justice to how governance has impact on the continent before the turn of the 21st century and during the first fifteen years of the century.

Africa's Economic Growth 2000-2015

A particular school of thought insists Africa is on the fast track to development based on it accelerated gross domestic product growth rate in the first fifteen years of the twenty-first century. According to The Economist (2015), “over the past decade, Africa was among the world’s fastest-growing continents—its average annual rate was more than 5%—buoyed in part by improved governance and economic reforms. Commodity prices were also high.” The is assertion would have been heartwarming, if there was no caveat at the end “Commodity prices were also high” Also (Matthew, 2015) found that during the same period there was a fifty-one percent increase in the gross domestic product of the 11 largest countries in sub-Saharan Africa. This good showing was more than double the world's gross domestic product growth of twenty-three percent within the period and close to four times the thirteen percent growth of the U.S. economy. The second school of thought is of the opinion that the growth rates were a fluke, and due to increases in prices of crude oil and other commodities exported by African countries during this particular period and the bubble would soon burst.

According to the Economist (2015), “The continent is home to a third of the planet’s mineral reserves, a tenth of the oil and it produces two-thirds of the diamonds. Little

wonder then that, as a rule, when prices for natural resources and export crops have been high, growth has been good; when they have dipped, so has the continent's economy.”

A clear illustration of the Africa gross domestic product growth scenario can be seen in Figure 1. It shows Africa's economic growth cycle following a commodity price trail.

A glowing example of the African paradox is Nigeria, Africa's largest economy and crude oil exporter. The Guardian (2015) reported that revenues from the sale of crude oil provide 75 percent of the country's annual budget income while the BBC News (2015) states that oil exportation forms 90 percent of the country's export and foreign exchange earnings. Nigeria has found itself in trouble waters since the dive in the price of oil started in 2014. As a result, the country's currency the Naira has lost a fifth of its value since 2014. According to the Deutsche Bank as reported by the Global Risk Insights (2015) “the country's budget breakeven price of oil for 2015 was \$122.” the average price of oil for 2015 was \$50.75. According to the World Bank Group's - Africa's Pulse Magazine (2015:2) economic growth in Sub-Saharan Africa is projected to drop to 4 percent in 2015 due to the region's “vulnerability to falling commodity prices since it is a net exporter of oil and other commodities.”

Governance and Politics Situation 2000-2015

The state of governance and politics in Africa has improved, but the reality is that the political terrain is a very dangerous place to be involved with in several African countries; murder, violence and intimidation still reign. There are cases of unresolved murders of prominent political figures in several countries on the continent showing how volatile the political terrain still is on the

continent. Politics is generally seen as a “dirty game”, a view that is promoting political apathy and indifference. This is one of the reasons why the Africa polity have continued to throw up the same set of people even though they have not been able to deliver good governance.

Several African countries have incumbent leaders who have refused to relinquish power and manage successful democratic transition from one civil rule to another. Also, in recent times, certain incumbents have orchestrated the amendment of their country’s constitution to perpetuate themselves in office. According to Freedom House (2015) at 2015 - Africa has twenty dictators, of this the first four; Teodoro Obiang (Equatorial Guinea), Jose dos Santos (Angola), Robert Mugabe (Zimbabwe) and Paul Biya of (Cameroon) have been in government for over 30 years respectively. The next three Yoweri Museveni (Uganda), Mswati III (Swaziland), Omar Al-Bashir (Sudan) have been in government for over 25 years respectively. The after them another three have been in government for over two decades. In this countries, the will of people via periodic free and fair elections have been truncated, and any attempt to raise a dissenting voice is met with force, intimidation and persecution.

A scrutiny of the World Bank’s Governance Indicators for Africa for the period 2000 to 2015 shows that government efficiency dropped from 28 to 26 percent within the period. Other indicators like political stability and absence of terrorism and control of corruption also fell within the period. One of the key factors in governance is government efficiency; low-level government efficiency translates into poor public goods and services delivery. According to Barack Obama- US President at South by South West Tech Conference at Austin, Texas on 11th Mach 2016- “anti-government mentality grows, if people get frustrated because they are not getting good services.”

Human Development Indices

There have been good gross domestic product showings on the African continent in the last fifteen years but a close look at Human Development Index of some of the countries on the continent for that period takes one aback. According to Chandy (2015), poverty levels continued to increase in Africa, the number of people living below the poverty line of \$1.25 day on the continent increased from 358 million people in 1996 to 415 million people in 2011.

Dr Mo Ibrahim (2015) at an interview with the Forbes Magazine asserted that “Africa is the second largest continent on earth and has immense resources, yet African people are poor. The question is “why are we poor” if we have all this wonderful land, sea, shores? We are poor because of misrule because we are badly governed.

World Bank datasets for Africa shows that of the fifty-four African countries, thirty-six representing approximately 67 percent fell in the rank of countries with low Human Development Index, another eleven fell into the medium Human Development Index group while only five fell into the high Human Development Index countries. The GNI per capital for the continent was \$3,363. The poverty headcount at \$1.90 at (2011)PPP was 42.7 percent. Life expectancy at 2013 was 56.1 years, and access to electricity was 37.5 percent at 2013. The population growth rate on the continent was 2.7 percent. Mean years of schooling was 5.2 years while the expected years of schooling was 9.6 years.

The Challenges of Governance and Causes of Legitimacy Crisis in Africa.

There are many challenges to governance in Africa. These issues have continued to hamper the efficiency and effectiveness of governance on the continent. Poor governance over time has led to wastages, mismanagement of the commonwealth of the people, poor basic amenities, lack of economic development and opportunities, etc. Some of the challenges to governance are treated below.

It is retrogressive that politics is considered a “dirty game” in Africa. This has continued to create a situation where well-meaning and adequately qualified persons have stayed away from the political terrain. The polity is starved of the much-needed brains to take their countries to the next level.

According to Yimer (2015); “It is sad to observe that Africa’s leadership selection process takes the imposition pattern directly or indirectly. Worrisome too is the fact that the Africa’s political formation is along tribal groupings and ethnic aggregations thus visionary leaders are dropped while mediocre are often selected or imposed on the masses.”

People stay away from voting for fear of the eruption of violence. Some others are induced monetarily, intimidated and brainwashed to vote in a particular manner. In the end, the best brains are not available for elections, and the available becomes one of the best options. Afegbua and Adejuwon (2012) argued that African leaders come to power often with limited experience and are overwhelmed by the enormity of the problems on the ground and their best efforts amount to very little in the end.

The issue of sit tight political leaders is another huge problem of governance on the continent. Several governments elected for a fixed term of 4 or 5 years and a maximum of two tenures have refused to relinquish power. Some have been in power for over 30 years, some over 25 years and so on. They have continued to use all sorts of legal and illegal tactics to perpetuate themselves in power while their country and its people continue to suffer. According to Obama (2015) on his address to the African Union, "Sometimes you will hear leaders say 'I'm the only person who can hold this nation together.' If that's true, then that leader has failed to build their nation." This is one of the sad narratives you usually hear from some of the sit-tight African leaders. Sometimes this assertion can be right as they have ensured that there are no substantial formal structures in the country that can counter them or be used to challenge them.

Another serious challenge in governance in Africa is a bloated and reactionary public service. Although there have been attempts in African countries to reform the public service, still there is an inherent lack of motivation and dedication in the public service in many of these countries. This has created a situation where functions and activities of government are not carried out efficiently and effectively and perhaps one of the major contributing factors to the decline in government effectiveness on the continent. Olaniyan (2016) noted that African countries have faced challenges in their public service reforms bid, but nonetheless there was the urgent need to boost capacity, provide enhanced incentives for public servants as a means of motivation, increasing performance, accountability, reducing corruption and retaining highly qualified staffs.

The respect for the rule of law and human rights is still a huge problem in Africa. Journalists and human rights activists at most times have been at the receiving end of intimidation, harassment and even bodily harm by government apparatus, extremist groups and other vested interests on the

continent. The International Federation of Journalist 2016 report “Journalists and Media Staff Killed 1990-2015” revealed that 424 Journalists lost their lives on the continent within the reviewed period 1990-2015 through targeted killings, bomb attacks, and crossfire killings. The report showed that of these number 22 were killed in 2015. At times state security apparatus seem to operate as if they are above the law and are high-handed in dealing with trivial matters. The culture of impunity where influential members of the society in some countries can get away with wrongdoings in some cases due to their affiliation with the ruling class is also an issue that should be checked.

Over-centralization is another major problem of governance in Africa. The ways government is arranged is such that the middle is very powerful. A classic example is the Nigerian federation with 50 states. The constitution recognizes three tiers of government; the federal government, the 50 state governments and the 776 local governments constituting the country. Over time, the federal government has become so powerful that every activity in the country revolves around it, and the states have become moribund. The states and local governments sustain and run their affairs with handouts from the federal government dole out to the component parts of the federation every other month. The local governments which are supposed to bring governance closer to the people have been relegated to the background, and persons in the rural areas are far cutoff from governance and development. According to Olaniyan (2016), “the policy of devolution of power and authority to sub-national governments is perceived as a method of re-establishing the African State and rebuilding its legitimacy from the bottom up.”

Political upheaval, civil wars, and extremist activities have significantly undermined the security of lives and properties in several African countries. The Council on Foreign Affairs’ “Global Conflict Tracker” website showed that at January 2016, there were seven African

countries where there are ongoing armed agitations. Conflict situations undermine governmental powers, disrupts plans and programmes and affect governance negatively.

According to Olaniyan (2016), “Some countries are still handicapped following current conflicts and others by the challenges of recovery following the termination of conflicts. The challenges following these include the consolidation of national capacities for the prevention of governance crises, conflict and natural emergencies and taking initiatives on peace-building.”

Corruption is also an enormous problem in governance in Africa. The Organisation for Economic Cooperation and Development (2014) states that “corruption is the abuse of public or private office for personal gain. It includes acts of bribery, embezzlement, nepotism or state capture. It is often associated with and reinforced by other illegal practices, such as bid rigging, fraud or money laundering.” Institutionalized corruption, the likes of the one in Africa is usually tough to fight. Regimes have been rendered useless by institutionalized corruption which is hard to trace as it always involves a large number of people who have become entrenched in the system for a very long time in Africa. The African Union estimates that corruption costs African economies more than US\$ 148 billion dollars each year. This figure represents 25 percent of Africa's GDP and increases the cost of goods by as much as 20 percent thereby deterring investment and inhibiting development. Bugnacki (2014) asserts that “without reforms that dismantle the financial, political, and administrative structures that perpetuate corruption, Africa will be unable to break the cycle of cronyism and bad governance that has constrained its tremendous potential for economic, political, and social development.”

Other issues plaguing governance and creating legitimacy crisis on the African continent are lack of an independent judiciary and poorly remunerated judges, lack of popular state philosophy, low civil society engagement in governance, lack of an independent electoral commission, low legislature performance and low women participation in governance.

Conclusion

It is clear that Africa's slow paced human and economic development is majorly brought about by lack of good governance. Years of poor and inefficient governance has created a plethora of problem for the continent. The World Bank Datasets shows that efficiency of governance on the continent has increased from the abysmal levels they were in the late 1980s and the 1990s but have hovered below and around 50 percent since the turn of the 21 century. A look at the individual country's data also showed an interesting dimension where countries with an above average governance efficiency also had very impressive human development indices while the converse was the case in countries with low governance effectiveness. Governance is a multidimensional endeavor with several stakeholders among whom are the government, the people, private businesses, civil society, foreign countries and international organisations. These stakeholders have to work together to ensure good governance. To ensure good governance amongst other things, the following should be put in place; (1) there should be necessary structures and legal framework to ensure that the constitution and all other extant laws of the country are obeyed and enforced to the later. (2) ensure that periodic free and fair elections conducted by an independent umpire and popular participation in the elections are guaranteed. (3) governance should be consensus oriented and take into consideration all interests including those of minority groups. (4) there should be transparency in all dealings and information about issues should be provided timely and made accessible to all relevant parties. (5) governance should ensure accountability (6)

governance should be responsive and be able to cater adequately for all stakeholders welfare. (7) governance must be effective and efficient for any meaning results. (8) should ensure equity and inclusiveness where the interest of stakeholder are taking into consideration and ensured.

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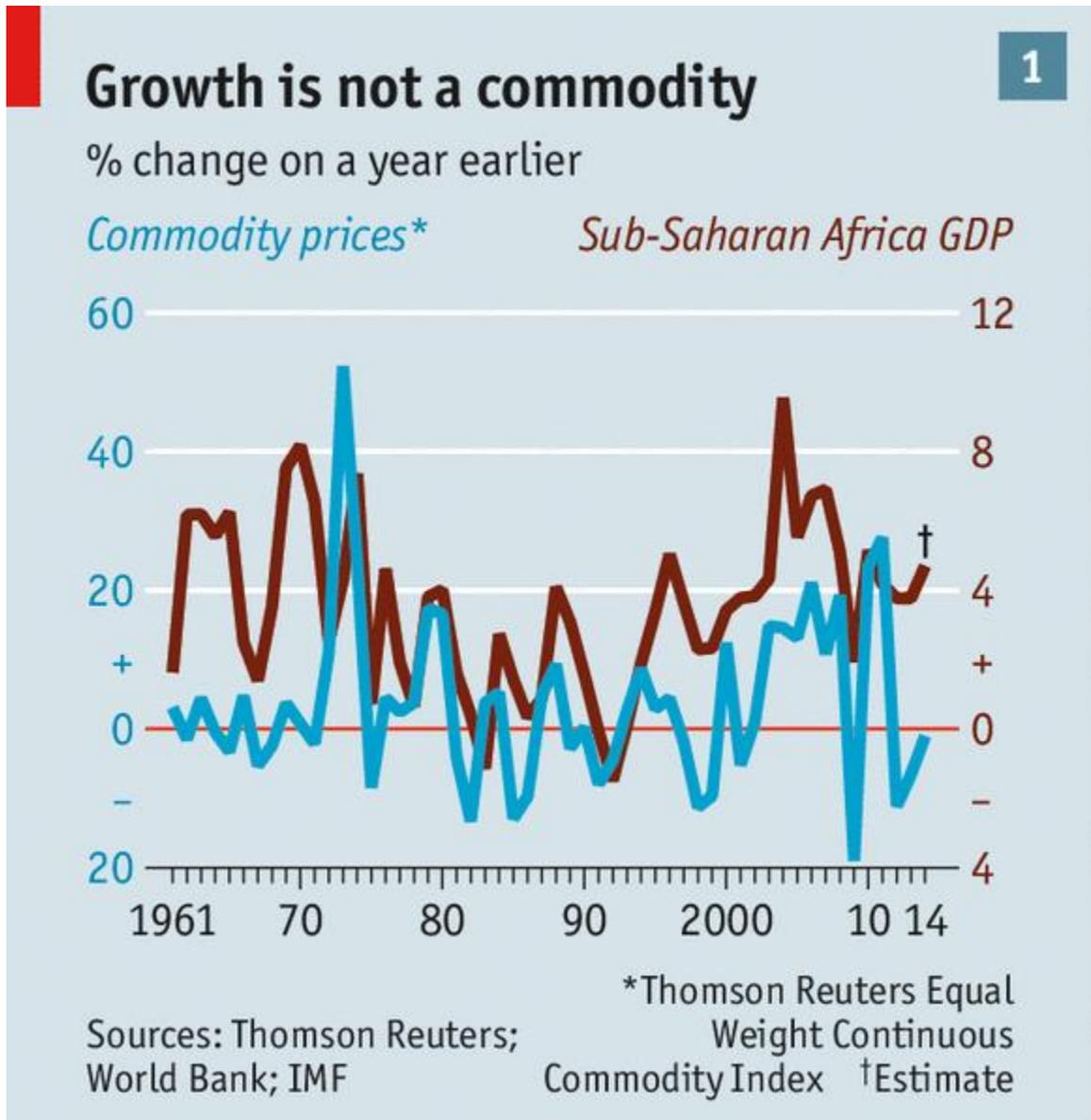


Figure 1: Culled from The Economist- 10th January, 2015