

**AN EXAMINATION OF THE IMPLEMENTATION AND PRIORITIZATION OF THE
THREE-PRONGED ANTI-CORRUPTION STRATEGY IN NAIROBI COUNTY,
KENYA (2003-2011)**

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**A Thesis Submitted to the Board of Post-Graduate Studies in Partial Fulfillment for the
Requirements of Doctor of Philosophy Degree in Sociology of Egerton University**

EGERTON UNIVERSITY

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DECLARATION AND RECOMMENDATIONS

DECLARATION

This is my original work and to the best of my knowledge has not been presented for examination and conferment of a degree, award of a diploma or certificate in this or any other University.

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DEDICATION

This work is dedicated to all Kenyans as a way of encouraging them to fight corruption which has been detrimental to the country's socio-economic development and national cohesion.

ACKNOWLEDGEMENTS

Now it seems as if I have come to an end of this long journey where I sought to provide for an alternative on how to improve on the three-pronged strategy used to fight corruption. Whatever I have done could not have been possible without the supports of various people, institutions and the Almighty God. I may not exhaustively be able to thank or to mention the contribution provided to me by each and every individual but at least I will endeavour to mention a few. First, I will start by thanking my supervisors namely; Prof. Kibet Ng'etich and Dr. Eric Bor both of Department of Peace, Security and Social Studies, Egerton University and Prof. Matthew Theuri formerly of the Department of Philosophy, History and Religion, Egerton University. They worked tirelessly to ensure that this study met the required standards and in the process they mentored me to be become an academician. I thank the Egerton University for enrolling me into the programme and allowing me to utilize its facilities. Additionally, my gratitude goes to the staff of the Faculty of Arts and Social Sciences and the Graduate School of Egerton University for their support. Further, I am appreciative to the research assistants who helped in data collection and analysis. I also thank individuals who tirelessly proof-read this work despite their busy schedules among them Dr. Florence Kithinji of Kenya School of Government. I too recognize the members of my family for understanding my commitment to this study. Specifically, I thank my father, Nyaga M'Miti who warned me not to engage in corruption when I joined the public service over two decades ago. Finally, once again, I thank the Almighty God for enhancing my wisdom and health throughout the period of this study.

ABSTRACT

This study examined the factors which influenced the implementation and prioritization of the three-pronged strategy which the Government of Kenya adopted in 2003 to fight corruption. Despite its adoption, the prevalence of corruption in the country remained high as reported in the anti-corruption commission reports, corruption perception surveys, parliamentary reports and in the media. The widespread corruption was an indication that the strategy faced challenges in reducing it and this situation propelled this study to be conducted to make suggestions on how to address the problem. The objectives of this study were to; examine the factors which influenced the institutional efforts of implementing the strategy, to assess its prioritization and to draw modifications in its implementation. Bureaucratic Theory and Rational Choice Theory were used to demonstrate how public officials abused power and authority bestowed on them to make selfish decisions which adversely influenced the implementation of the strategy and reduction of corruption. This study was conducted in Nairobi County due to the high prevalence of reported mega corruption cases and the fact that the site provided the requisite population being the centre of most of the public and private entities where major public decisions were made. The study relied on a Survey method, primary data was collected using structured and unstructured questionnaires administered among the three categories of the respondents. A discussion guide containing keys issues related to the objectives of the study was also provided to steer the focus group discussions. Additionally, secondary data was obtained from published and unpublished academic materials, public documents and internet sources. Majority of the respondents (75%) indicated that Government had not succeeded in implementing the strategy while 89% were of the opinion that political and socio-economic factors significantly influenced the strategy's implementation. Judiciary was blamed by 97.9% of the total respondents for failing to facilitate the implementation of the strategy. Civic Education was given the highest priority by 51% of the total respondents as very effective strategy for reducing corruption, followed by Prevention (26%), and Investigation strategy (21%). This study concluded that corruption was still rampant and Government should enhance reforms required to address the political and socio-economic shortcomings affecting the strategy. It should also introduce anti-corruption studies in academic institutions and develop a criterion of prioritizing the three prongs. Corrupt offenders should be seriously punished and the unexplained assets recovered to deter potential offenders.

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LIST OF ABBREVIATIONS AND ACRONYMS

ACECA	Anti-Corruption and Economic Crimes Act
CDF	Constituency Development Funds
CPI	Corruption Perception Index
EACC	Ethics and Anti-Corruption Commission
FY	Financial Year
FGD	Focus Group Discussions
ICAC	Independent Commission Against Corruption
KACA	Kenya Anti-Corruption Authority
KACC	Kenya Anti-Corruption Commission
KANU	Kenya African Nation Union
KENAO	Kenya National Audit Office
KNA	Kenya National Assembly
KNBS	Kenya National Bureau of Statistics
KEVEVAPI	Kenya Veterinary Vaccines Production Institute
LATF	Local Authority Transfer Funds
DPM	Directorate of Personnel Management
NARC	National Rainbow Coalition
NACP	National Anti-Corruption Plan
NCST	National Council of Science and Technology
NSSF	National Social Security Fund
PSIP	Public Service Integrity Programme
TI	Transparency International
USAID	United States Agency for International Development
UNCAC	United Nations Convention Against Corruption
UNODC	United Nations Office on Drugs and Crime

CHAPTER ONE

INTRODUCTION

1.1 Background to the Study

Chapter One introduces the contents of the entire study and lays down the ground rules as per the requirements and objectives which enabled this study to suggest and address the way forward in the improvement of the three-pronged strategy. This study examined the factors which influenced the implementation and prioritization of the three-pronged strategy used to fight corruption in Kenya. The Government adopted the strategy in 2003 following the enactment of the *Anti-Corruption and Economic Crimes Act*. This strategy is composed of three complementary prongs or strategies namely; Investigation, Prevention and Civic Education. Despite the adoption of the strategy, the prevalence of corruption in the country has remained high as reported in the corruption perception surveys conducted by Transparency International and the Anti-Corruption Commission. The annual reports issued by the anti-corruption commission also showed continuous increase of mega cases of corruption which occurred in the country overtime.

Further, both print and electronic media, the *Parliament Accounts Committee* and *Parliamentary Investment Committee* had on numerous occasions reported occurrence of many cases of corruption despite the adoption of the strategy. The continuous disclosure of corruption incidents was an indication that the strategy faced challenges in reducing corruption. To mention but a view, some of the reported cases included; The Report of the ‘Commission of Inquiry into the Illegal /Irregular Allocation of Public Land’, corruption transactions in the Government tenders worth about US\$ 102,564,102 in the award of government security contracts to foreign owned companies in what is referred to as the ‘Anglo-Leasing corruption scandal’. Additionally, corruption cases included the misappropriation of public funds under Constituency Development Funds (CDF) and the Local Authority Transfer Funds (LATF) (KACC, Annual Report, 2007/08).

An assessments survey on corruption trends conducted by the Anti-Corruption Commission also reported that corruption was rampant in the public procurement, service delivery and revenue collection points (KACC, Annual Report, 2008/2009). The EACC Annual Report for FY

2010/2011 also indicated that corruption reports made to the Commission increased with 62.5% compared to the figures reported in the FY 2010/2011. In realization that the strategy was not working as required, the Government held a workshop for its senior officials to lay strategy for fighting corruption. The theme of the workshop was; ‘Strategies to Fight Corruption and Eliminate it in the Public Service’. The officials agreed on various resolutions for enhancing the anti-corruption strategies and to fast tract the implementation of the strategies (Standard, 2010).

The examples cited above on the pervasiveness of mega corruption cases was an indication that the achievements of the Government in the fight against corruption were minimal despite the fact that the it had put in place mechanisms for implementing the strategy. These included the establishment of various institutions to enhance the war on corruption among them; the anti-corruption commission, Kenya National Audit Office, Efficiency Monitoring Unit, National Anti-Corruption Campaign Steering Committee, Procurement Oversight Authority, Parliamentary Accounts Committee and Parliamentary Investments Committee among others. Additionally, the it had laid down a legal framework for fighting corruption by enacting the Anti-Corruption and Economic Crimes Act and other enabling legislations which included; Public Officers and Ethics Act, Public Procurement and Disposal Act, Government Financial Management Act, Witness Protection Act, Proceeds of Crime and Anti-Money Laundering Act, Mutual Legal Assistance and the Truth, Justice and Reconciliation Act.

This Chapter presents the objectives of this study which were to; examine the factors influencing the institutional efforts of implementing the strategy, to assess its prioritization and to draw modifications meant to improve on its implementation. The factors were attributable to lack of commitment by the government actors to implement the strategy and to initiate sound policies to mitigate the negative socio-economic factors affecting the implementation process. Hence, the failure of the strategy to reduce corruption was an indication on how the factors influenced its implementation.

In this part of this Chapter, this study briefly discusses the roles played by each of the three prongs of the strategy as a way of providing an insight of their roles in the fight against corruption. First, in regard to the Investigation prong, it is worth to note that there are several prerequisite for a successful investigation. Scholars have explained how investigation should be conducted, the laws applicable and the necessary implements for it to be successful, (Colin,

2006). The World Bank Anti-Corruption Tool Kit and the Anti-Corruption Investigation and Trial Guide recommend tools and techniques required for a successful investigation (USAID, 2005). The ACECA forms the basis for anti-corruption investigations in Kenya. Investigation requires both artistic and scientific approaches to achieve the desired goals, it involves; developing mechanisms for obtaining adequate information or intelligence for evidential materials required for any criminal or civil proceedings (Dempsey, 2003).

Investigations process entails thorough planning, availability of technical equipment, trained personnel, financial and logistical resources and adequate legislations. Its objectives include ascertaining that a crime was committed, identification and apprehension of suspects, recovering the stolen property and assisting in the prosecution at the law court (Swanson, 2003). Effective investigation of corruption offences involves the use of four intertwined inextricable competencies namely; intelligence, interview, forensics and field operations, (Hean, 2010). One of the anti-corruption institutions with such competencies is the Independent Commission Against Corruption of Hong Kong (Tony, 2011).

Prevention strategy (prong) aims at reducing opportunities for engaging in corruption by eliminating loopholes and avenues of corruption in the public service delivery systems. The foundation of this strategy is based on Section 7 (d) (e) and (f) of ACECA, Source Book for Corruption Prevention in the Public Service, (Department of Personnel Management, 2003) and Articles 5 to 12 of the UNCAC. It requires personnel with certain professional skills like auditing among others to detect corrupt practices and secure the revision of methods of work or procedures to prevent corrupt practices.

Civic education strategy is designed to educate the public on the dangers of corruption and mobilize them to combat it. This prong creates awareness on corruption in the society and encourages the public to engage in whistle blowing as one way of disclosing corruption to the authorities. It is supported by the provision of the National Anti-Corruption Plan (2007), Section 7 (g) of ACECA and Article 13 of UNCAC.

In Chapter Two this study reviewed literature on the factors affecting the implementation of the strategy, its prioritization, modification and presented an overview of the anti-corruption strategies. This study established that the strategies vary from jurisdiction to jurisdiction but basically they are approaches or measures which are initiated by government in-conjunction with

stakeholders to curb corruption. Mostly they encompasses an aspect of; prevention, investigation, enforcement, prosecution of the corrupt offenders, community and civic education (Langseth *et al*, 1997). The strategies also include an aspect of international cooperation, institutional capacity building, improvement on the national integrity institutions and formulating of enabling legal framework to fight corruption. The three-pronged strategy incorporates the elements noted above.

Briefly the notable jurisdictions which have successfully adopted the strategy and enormously reduced the level of corruption in their jurisdictions include Hong Kong and Singapore (McCusker, 2006). However, to create the equivalent of these institutions without proper reforms in the criminal judicial system (judiciary and police reforms) may affect the success of the strategy as a whole. This strategy was effective in the above jurisdiction because it emphasized on reducing corruption opportunities, improving the remuneration of the public officials and enhancing enforcement or policing (Quah, 2003). However, this was found to be farfetched in Nairobi County.

Even though this study established that there were challenges which influenced the implementation of the strategy making it to be ineffective, that ought not to be the case as the strategy was found to have been successful in other jurisdictions. According to Quah (2003) and McCusker (2006), its effectiveness depends on the obtaining political and socio-economic environment. Alan and Riley (1998) notes that in Hong Kong it led to growing community trust, support of the anti-corruption commission and; a cleaner public and private sector that understood the effects of corruption.

Understanding the nature of corruption in any given jurisdiction is crucial before deciding the type of the anti-corruption strategies to adopt because the situation may differ across the countries. Each country needs to examine its unique circumstance before developing a comprehensive strategy which incorporates the three ideals of the three-pronged strategy, (Tony, 2011). Further, efforts to reduce corruption require multi-approaches in order to get support from various stakeholders (World Bank, 2006).

Political actors were found to play a significant role in the implementation of anti-corruption strategy especially in the legislative process and allocation of resources as they had opportunities of facilitating or disrupting war on corruption depending on their will, commitment and

inclination. Normally, they disrupt the implementation of the anti-corruption strategies when they enter politics with intention of benefiting themselves through corruption (Kidombo, 2007; Mushamba, 2010; Wafawarova, 2011). Such individuals may lack commitment of curbing the vice. Further, it is vital to understand the underlying socio-economic environment when implementing anti-corruption strategies (Dong & Torgler, 2011).

Additionally in Chapter Two, this study discussed both theoretical and conceptual frameworks adopted by this study which were based on Bureaucratic Theory and further complemented by the Rational Choice Theory. The two theories demonstrated how Government actors abused power and authority vested on them to sabotage the implementation of the strategy and the war on corruption for selfish gain.

Chapter Three, discusses the survey method which was applied in this study where data was obtained from both primary and secondary sources. Primary data was collected by administering structured and unstructured questionnaires to the three categories of the respondents namely; the General members of public, Business people, and the Professionals/Public Officers. A survey discussion guide was used to aid deliberations with the key informants and focus group discussions, major variables of the study were included in the guide. Secondary data was obtained through collection and review of the relevant literature from; published and unpublished academic journals, books, theses and internet among other sources. The data was analyzed for the purpose of getting the facts and generalization on the anti-corruption strategies and the phenomenon of corruption.

Nairobi County was chosen as the study site because it was the centre of most of the public and private entities in Kenya where public and commercial activities are transacted and also due to the prevalence of many mega corruption cases among them Goldenberg scandal and the renowned case of Security contracts (Anglo-Leasing scandal) among others. As the major headquarter of the Government departments, most of the decisions on public affairs are undertaken here compared to the other Forty six (46) Counties in the Country. Also many political and socio-economic opinion leaders and people of diverse backgrounds were found in the County.

The findings and discussions are presented in Chapter Four, briefly the study established that majority of the total respondents (75%) indicated that Government had not succeeded in implementing the strategy while 89% were of the opinion that political and socio-economic factors significantly influenced the implementation of the strategy. Judiciary was blamed by 97.9% of the total respondents for failing to facilitate implementation of the strategy. Civic Education was preferred by (51%) of total respondents as the most effective prong to fight corruption, followed by Prevention (26%) and Investigation strategy by 21%.

Chapter Five provides the study's recommendations on the way forward, the respondents implored on Government to enhance policy reforms to address political and socio-economic shortcomings affecting the implementation of the strategy. Further, it should introduce anti-corruption studies in learning institutions and also develop a criterion of prioritizing the three prongs of the strategy, while recovery of unexplained assets should be fast tracked to deter potential corrupt offenders.

1.2 Statement of the Problem

Corruption is a global problematic issue that affects the development of any nation and Kenya has not been spared by it, as it has adversely affected its political and socio-economic development agenda. The prevalence of corruption in the Country is largely reflected in Nairobi County, because as the major headquarter for most of the Government's departments and other commercial activities major decisions are made here. Despite the Government having adopted the three-pronged strategy in 2003, major cases of corruption have taken place in Nairobi County. They include to mention but a few; illegal acquisition of public properties, misappropriation of funds meant for infrastructural developments, fraudulent deals in public procurement, bribery to influence the outcome of elections and embezzlement of funds meant for the security contracts (Anglo-Leasing) among other examples.

The continuous prevalence of corruption in the period of study implied that implementation of the three-pronged strategy and its prioritization faced challenges. Consequently, it could not achieve its intended goals of reducing corruption in its current status and this was a pointer that there were few or no evaluative studies done to address the inadequacies. To address the problem, this study was conducted with views of examining the factors that impeded its implementation, to assess its prioritization and thereafter suggestions on modifications in the

implementation and prioritization of the strategy for optimal reduction of corruption in the County and beyond were made.

1.3 Objectives of the Study

1.3.1 Broad Objective

The broad objective of this study was to examine the factors that impeded the implementation of the three pronged strategy in the Nairobi County.

1.3.2 Specific Objectives

The following were the specific objectives of the study ;-

- (i). To examine the factors influencing the institutional efforts of implementing the three-pronged strategy and propose improvement in its implementation.
- (ii). To assess the prioritization of the three-prongs of the strategy to guide on the allocation of resources among them.
- (iii). To draw modifications in the implementation of the strategy for optimal reduction of corruption in Nairobi County and beyond.

1.4 Research Questions

The study was guided by the following questions;

- (i). What are the factors affecting the institutional efforts of implementing the three-pronged strategy in Nairobi County?
- (ii). How should the three-prongs of the strategy be prioritized in Nairobi County?
- (iii). Which are the probable modifications on the three-pronged strategy in the Nairobi County and beyond?

1.5 Justification of the Study

First, the widespread corruption as reported in the corruption perception surveys, annual anti-corruption commission reports, parliamentary accounts and investment committees and in the print and electronic implied that implementation of the three-pronged strategy experienced difficulties. This meant the strategy could not achieve its intended purpose of reducing

corruption in its current status and there was a need to look for alternative ways of modifying the implementation process. Hence, this study was conducted to examine the factors undermining the implementation of the strategy and come up with proposals to address the obtaining challenges.

Secondly, this study was justified in the sense that public resources are scarce and they must be allocated and utilized appropriately with expectation of maximum returns. Given that there was no known criterion in the study area for the prioritization of the three complementary prongs of the strategy, this study was necessary because it was intended to propose the way forward in regard to that aspect. The findings of the study would enable the anti-corruption commission, policy makers and other stakeholders to make sound decisions in the improvements in the anti-corruption strategies. Since prioritization varies due to institutional and socio-economic changes, this study was necessary to provide an insight on how it should be approached given the dynamisms in political and socio-economic environment.

Thirdly, since the issue of corruption has been a major challenge to the Government's attempts to improve the welfare of its citizens, this study was intended to address the shortcomings which have made it difficult to reduce corruption. The findings and recommendations will be of great importance in assisting it to formulate sound policies which discourage corrupt practices among them the poverty eradication programme.

Finally, this study was intended to enrich the existing literature on the phenomenon of corruption and contribute additional knowledge to enable scholars and investigative institutions involved in the war on corruption to perform their tasks more effectively. Findings will also contribute to the spirit of nation building by strengthening national cohesion and socio-economic development in a corruption free society. This is informed by the understanding that if the problem of corruption is not addressed properly, in the long run it causes political and economic instability leading to the collapse of the Government or the State.

1.6 Scope and Limitations of the Study

This study covered the period between 2003 and 2011; because within this period, the Government had put in place mechanisms of implementing the three-pronged strategy after the enactment of ACECA and establishment of anti-corruption institutions. This study focused on

the implementation and prioritization of the three-pronged strategy in attempt to reduce corruption in Nairobi County. The study was conducted in the Nairobi County and three categories of the respondents namely; General members of public, business people and the public/professional officials were involved. This thesis examined the factors which influenced the institutional efforts in the implementation of the strategy and made suggestions on how to mitigate the adverse effects of factors on the strategy. This study further assessed the prioritization of the three prongs of the strategy in the obtaining situation and proposed modifications in the implementation of the strategy.

In terms of the limitations, this study encountered several obstacles discussed as herein. Some of the respondents were afraid of disclosing information on corruption they had encountered because the subject matter as viewed as sensitive. This was due to the perceived possible negative repercussions from those involved in the corruption acts. To overcome this limitation, the respondents were assured of their confidentiality in regard to any information they volunteered. Additionally, literature on corruption in Kenya was scarce because very few scholars ventured in this area of study due to the fear of victimization by the authorities and the beneficiaries of corruption deals. The literature on the prioritization of the three-pronged strategy in the research site was not adequate but efforts were done to source for it from other jurisdictions.

Some of the limitation included difficulties in obtaining official documents from the public officials who claimed that they could not give out information because they were restricted by various legislations including the Code of regulations and professional ethics. For instance, they cited the provisions of the *Official Secrets Act* (Chapter 187, Revised Edition, 1970) as posing such challenges. The Act prohibits the revealing of government secrets before the expiry of Thirty years since the time when the event took place. To overcome this problem, the authority to access any sensitive information or data was requested from the relevant public officials provided it did not contravene the law of the land.

Further not all the respondents were willing to disclose the details of the nature of corruption perpetuated in their departments, the identities or designations of those involved for fear of victimization. However, after being assured of the confidentiality of the study they gave the requested information. There were also respondents who did not have an idea on the three-

pronged strategy and what it entailed. They were unwilling to respond to the questions put to them due to lack of the understanding of the subject matter. To address this issue the researcher explained to them what it entailed in order to get favourable responses from them.

Limitations also arose from the fact that some people appeared to have embraced corrupt practices as they viewed it as a normal way of life. This was because corruption appeared to have been institutionalized in their daily life encounters. This category of people was not willing to supply any required information because they could have benefited from the vice. In some cases, they even provided biased information which did not reflected the truth on the ground. To handle this situation, the credibility of respondents and the accuracy of the information offered were thoroughly scrutinized to ensure that the information availed was factual and relevant to the study.

Language also affected the study given the fact that what constitutes the meaning of the term ‘corruption’ differed due to the diverse background and multi-ethnicity of the respondents available in the County. To solve this problem the study relied on the meaning of corruption as stipulated in the ACECA. Interpreters were used to translate the term to arrive at its specific meaning as understood in their relevant ethnic background.

There were cases where the respondents were not willing to justify their responses or where they became indifferent; they did not want to comment on certain questions despite the fact that they appeared knowledgeable about the matter under investigation. This was possibly because either they feared that they could be quoted as the source of the information or they had previously been involved in corruption practices. Hence, they were hesitant to contribute to the study since its results would negatively affect their corrupt deals or exposed them to sanctions from both the Government and society. In such circumstances, the researcher encouraged them to volunteer whatever information they had since their confidentiality was professionally guarded as per the provision of the research ethics.

1.7 Definition of Terms

Civic Education: In this study, it refers to the creation of awareness on the dangers of corruption in the society, by sensitizing the public on how to address corruption issues. This is done in workshops and outreach programmes and through the use of publicity materials and the media. The public is encouraged to refrain from corruption and to report to the authorities when corruption activities are detected. Article 13 of UNCAC and Section 7 (1) (g) of ACECA lobby for the civic education as a way of inculcating a culture of corruption intolerance in the society.

Corruption: This implies dishonesty or illegal behaviour, especially of people in authority (Oxford Advanced Learner's Dictionary, 2000). For the purpose of this study, the term 'corruption' refers to the statutory meaning assigned in ACECA section 2 (1) (a) as; An offence under sections 39 to 44, 46 and 47, (b) Bribery,(c) Fraud,(d) Embezzlement or misappropriation of public funds, (e) Abuse of office, (f) Breach of trust and (g) an offence involving dishonesty in relations to payment of taxes or levies or under any written law relating to the elections of persons to public office.

The Act goes further to include the meaning of the term economic crimes which sometimes is intertwined with corruption. Hence, economic crimes means; (a) an offence under section 45; or,(b) an offence involving dishonesty under any written law providing for the maintenance or protection of the public revenue. In a simpler explanation, corruption is the abuse of power and authority by those appointed or elected in public office to maximize their selfish interests or the interests of their associates at the expense of the society needs. It is failure by the public officials to act formally in anticipation of benefiting materially or non-materially for oneself or for another.

Investigation: As the meaning provided by Section 7 of ACECA, EACC Act and the UNCAC articles in regard to criminalization and enforcement of anti-corruption laws. For the purpose of this study it referred to the process of ascertaining that a crime was committed or not committed, identification and apprehension of suspects.

Additionally, it involves the process of facilitating tracing and recovery of unexplained public assets acquired through corruption.

Modification: Modification in this study refers to the policy reforms and other improvements which the Government and the stakeholders should undertake to improve the implementation and prioritization of the strategy for optimal reduction of corruption.

Prevention: It refers to the process of identifying opportunities in public delivery systems which facilitate corruption to take place and the measures intended thereof to seal the loopholes or avenue in public system or policies. Articles 5 to 12 of the UNCAC and Section 7 (1) (e) and (f) of ACECA provides for the adopting preventive measures to curb corruption. The measure includes conducting system audits and examination of procedures in the public delivery systems.

Three-Pronged Strategy: In this study the term refers to the combination of the three strategies namely; investigation, prevention and the civic education used in the fight against corruption.

Prioritization: This term in this study referred to the preference given by the respondents to each of the three prongs or strategies namely; investigation, prevention and civic education in regard to each prongs' impact in reducing corruption. It meant that each prong was to be allocated resources for manpower, time, operational and logistics costs depending on its impact in reducing corruption. The highly preferred prong would therefore get more resources, followed by the second and the third getting the least. The prong with the highest impact was ranked as the 1st, followed by the 2nd and lastly the 3rd. The resources were to be allocated on pro-rata basis.

CHAPTER TWO

LITERATURE REVIEW AND THEORETICAL FRAMEWORK

2.0 Introduction

This study was informed by comprehensive review of both theoretical and empirical literature relevant to the research problem. The theoretical review helped in building up an in-depth understanding of the current body of knowledge on the research topic. The empirical literature reviewed helped in understanding what other related studies had done and recommended on the subject matter. The objectives of the study were to examine the factors influencing the institutional efforts of implementing the strategy, to assess its prioritization and to draw modifications in its implementation of the strategy. This Chapter covers the review of the relevant literature by considering an overview of the anti-corruption strategies. Thereafter, the review focused on the literature relevant to of the objectives to inform the choice of the theoretical framework and development of the conceptual framework which helped the study to meet its goals.

2.1 An Overview of the Anti-Corruption Strategies

Literature available in Nairobi County and generally in Kenya on the three-pronged strategy and the phenomenon of corruption was scarce since very little work had been written in regard to the implementation of the strategy. Similarly, there were few studies that had been done locally which were directly linked to the implementation, prioritization and modification of the strategy for optimal reduction of corruption. Some of the major works or studies on corruption available in the study area took an approach which was more interested in the historical, political, and socio-economic causes and effects of corruption rather than on the effectiveness of the three-pronged strategy.

These studies did not dwell on the problem of corruption in Nairobi County by virtue of it being the headquarters of all the public and private activities but rather they generally focused on its phenomenon in Kenya. Further, they considered the historical perspective of the existence of corruption in the country and they did little to examine or evaluate the efficacy of the three-pronged strategy. This was partly due to the fact that prior to the enactment of the ACECA and the establishment of the anti-corruption commission, efforts to fight corruption mostly relied on

investigation strategy with little use of the prevention and civic education strategies. Additionally, this role was undertaken by the Kenya Police Force which was not specialized in anti-corruption matters.

In discussing about the corruption phenomenon, what constitutes anti-corruption strategies varies from jurisdiction to jurisdiction. Nevertheless, the strategies are understood as approaches or measures which are initiated by the Government in-conjunction with other stakeholders to curb corruption. Mostly they encompass an aspect of; prevention, investigation, enforcement, prosecution of the corrupt offenders and community or civic education. They also include international cooperation, institutional capacity building, improvement on the national integrity institutions and formulating of the appropriate legal framework to reduce corruption. In general they have the elements of National Integrity Systems as advocated by Pope (2000).

This study took cognizance of the fact that the three-pronged strategy encompassed almost all the dimensions mentioned above. Langseth *et al* (1997), notes that globally country's anti-corruption strategies differ but the policy responses to corruption include one or more of the eight pillars of National Integrity Systems. These pillars includes; public sector anti-corruption strategies, Watchdog agencies and the public participation in the democratic process. Other elements of the pillar revolve around; public awareness and the role of the civil society, accountability of the judicial process, the media, the private sector and international business and the international cooperation.

Anti-corruption activities mentioned by Langseth *et al* (1997) though they seem to be more elaborate, when summarized they fit well in the three-pronged strategy. For instance, the prevention strategy could be marched with the issues of accountability and transparency in the public duties. Investigation strategy entails the work done by the anti-corruption watchdog agencies, while the civic education involves public participation in the democratic process and the creation of the public awareness among other issues.

Explanation of what constitutes three-pronged strategy is discussed here to distinguish the strategy and the general anti-corruption strategies. The development of anti-corruption strategies varies from jurisdiction to jurisdiction and they are designed to address specific issues or sectors. Hence, it was important to pin-point the components or the main elements of what comprises the

three-pronged strategy for easier understanding of the area of interest in this study. Generally, anti-corruption strategies can be designed to address corruption in specific sectors among them; political Sector, law Enforcement, public finances, public procurement and the business environment. They can also be grouped into various categories depending on the corruption risk assessments, (Kosovo Anti-Corruption Agency, 2011).

2.2 Factors Influencing the Institutional Efforts of Implementing the Strategy

Literature reviewed showed that political and socio-economic factors influence the institutional efforts of implementing the strategy to a greater extent. The political aspect and especially the legislature plays a great role in influencing the efforts intended to reduce corruption. The role played by the political leadership is crucial in facilitating decision-making on socio-economic policies which discourages corruption from taking place.

Legislative power possessed by the political elites is crucial in facilitating the implementation of the anti-corruption strategies but this does not mean that the elite will always be positive in supporting the strategies. This is because they can improve for instance the legal framework but fail to meet their legal obligations (National Assembly of the Republic of Serbia, 2013). However, those committed in the implementation of the anti-corruption strategies should have enough power to initiate and implement the strategies, (Jancsics & Javor, 2013). Though public officials may have the power and will to implement the strategies, sometimes the influence of the political elite can prevent them from achieving their goals.

According to Werner (2006), an effective anti-corruption strategy needs to be tailored putting into consideration the political, socio-economic and cultural environment changes. The same observation has been made by Stefan (2009) who argued that many countries in Africa have adopted the three-pronged strategy without reviewing their historical and social-cultural background. He avers that since the anti-corruption strategies have to be implemented steadily over long-time, there is a need to build a system that focuses on institutional reforms as well as the socio-cultural factors. Presence of high level of corruption in the study area was attributable to the failure by political elite to consider the above factors before the strategy was adopted.

Systemic nature of corruption in Nairobi County could partially be attributed to the shortcomings in the public institutions which affect the implementation of the anti-corruption strategies due to

political influences or interferences which unnecessarily disrupts the proper functioning of the government systems. Political influence in developing countries sometimes defies the rules governing the separation of power, checks and balances, transparency and good practices in the judicial system. Political aspect was found to be one of the factors influencing the war against corruption and the effectiveness of the strategy. Political elites in most cases are likely to maximize their self-interests by disrupting the implementation of the strategy or the war on corruption because they are not sure whether they will be re-elected again in the coming general elections, (Wafawarova, 2011; Mushamba,2010).

Political, socio-economic and the legal perspectives factors present a greater influence on the effectiveness of the strategy and the reduction of corruption, (Kibutha *et al*, 1996). Kibutha *et al*, 1996, examined the phenomenon of corruption in Kenya from the early days of independence up to around 1996 when their work was released. They focused on the political, economic, sociological and the legal perspectives of corruption in the country. Some of the major areas addressed by this study revolved on; the colonial transitional period, the nature of corruption in the society and the legal framework put in place for combating corruption. It also reviewed several case studies of major corruption incidents that had taken place in that period among other issues.

Kibutha *et al* (1996) did not put a lot of effort to examine the aspects of investigations, prevention and community education strategies simply because by then, the war on corruption was based on the investigation strategy which was implemented by the police force. In regard to the investigations strategy, it cited some of the corruption cases that had taken place and how they were handled by the relevant government regimes. It did not deeply scrutinize the prerequisite of an effective investigation strategy and its efficacy in the combat against corruption. Nevertheless, it examined and made a critique of the Prevention of Corruption Act of 1956 which was the legal framework in place to fight corruption by then. The study did not benefit much on the aspects of prevention and community education strategies simply because the only approaches of fighting corruption by then was through the use of investigations and prosecutions.

In the period when Kibutha *et al* (1996) study was undertaken, there was little attention paid to prevention and civic education strategies as there was no public institutions specialized on the

implementation of the two strategies. Indeed, the Anti-Corruption Police Squad and Kenya Anti-Corruption Authority attempted to apply prevention and civic education strategies but this was short lived because the two institutions were disbanded at their early stages of their existence (Anassi, 2004; Chweya *et al*, 2005). However, it is worth noting that the Prevention of Corruption Act provided for preventive measures to be applied in fighting corruption but the police led institutions lacked adequate capacity to implement the preventive measures leave alone the Force itself being susceptible to corrupt practices.

These institutions were deficient in manpower and faced unfavourable environment for implementing the anti-corruption strategies. As explained above, the work of Kibutha *et al* examined and evaluated the influences of the legal, political and the socio-economic factors in combating corruption in Kenya. This was to some extent similar to the objectives of this study but their study was less concerned with three-pronged strategy since it was not fully applicable by then. Hence the issues of the prioritization of the strategies could not have arisen.

Economic related factors like poverty and high level of unemployment, influences implementation of the anti-corruption strategy in dissimilar ways. For instance, poverty affects the standard of living of the citizens who become vulnerable to corruption and public officials take this disadvantage to engage in corruption as a way of illicitly enriching themselves. In poor economic situation, the government may fail to allocate enough resources for fighting corruption or for implementing anti-corruption strategies leading to increase in the level of corruption. Corruption undermines social, political and economic development; it distorts public investment and foreign direct investment leaving the poor vulnerable (USAID, 2005). This implies that poverty among other socio-economic miseries increases the level of corruption as public officials engage in rent-seeking behaviour and this complicates the implementation of the anti-corruption strategies.

Aspect of how poverty influences anti-corruption strategies was addressed by Mullei *et al* (2000). This work focused on the implementation of enforcement, prevention and education strategies as the major approaches used by defunct Kenya Anti-Corruption Authority to combat corruption. The study examined how poverty influenced the levels of corruption in the country and further focused on the existence of corruption and its effects in government structures. Like the approach taken by this research, their study examined the influences of the political and

socio-economic factors on corruption and more specifically the relationship between poverty and corruption.

The study of Mullei *et al* (2000) did not scrutinize the prioritization of the strategies possibly because by the time it was undertaken, KACA was an infantile institution whose short time of existence was not conducive for analyzing the effectiveness of strategies. The study only gave a brief explanation of how KACA attempted to operationalize the three-pronged strategy but did not examine or evaluate the effectiveness and achievements of the strategy. This was unlike this study which moved a step further and examined the implementation and the effectiveness of the strategy in reducing corruption. However, their study reported that economic factors like poverty and high cost of living among other issues affects the implementation of the anti-corruption strategies, an aspect which this study confirmed.

Influence of political factor in the implementation of the strategy and reduction of corruption was further demonstrated in the study of Kibwana *et al.* (2001) which concluded that the re-introduction of multi-party politics in Kenya and mobilization of the civil society in the war against corruption were instrumental in reducing corruption in the country. However, due to the fact that KACA was a young institution whose effectiveness was much curtailed by the existing political leadership, the study did not deeply examine the efficacy of the three-pronged strategy which the Authority had fairly initiated.

Nyong'o (2006) demonstrated how political and economic factors were responsible for the increase in corruption in the County and to some extent to the whole of the Country. He gave an insight of the definition of corruption and took time to present the historical perspective of corruption in Kenya. For example, he notes that attempts by the post-independent Kenyan government to africanize the economy in the 1960s, gave an opportunity to leaders in the ruling political class to take advantages of africanization programmes. This enabled them to fraudulently acquire public property at the expense of the ignorant citizens. He examined the influences of the politics in Kenya including the institution of the presidency and its impetus in providing an enabling environment for corruption to take place.

According to Nyong'o (2006) some of the major corruption incidents in Nairobi County among them the Goldenberg and Anglo Leasing fraudulent transactions took place because there was

lack of political will and commitment to stop them among the various political regimes which handled the matter. He concluded by making several suggestions which if they were adopted by the government, coupled with adequate political will among its actors corruption would drastically reduce. Some of his recommendations included; voting for a politically committed leadership with a clear democratic and national developmental vision, elimination of the culture of impunity in the political system and transparency in the government expenditure among other recommendations he put forward.

Despite the call by Nyong'o (2006) for government to enhance the democratization process as a way of addressing challenges of corruption and considering the democratic steps undertaken since the introduction of multiparty politics in 2002 in Kenya, less has changed. Cases of lack of accountability and transparency continue to be reported almost on daily basis in various forums among them the electronic and print media. This study found similarities of his arguments and that of this study in terms of the factors that affected the implementation of the strategy as it emphasized on the central role played by the political and socio-economic factors in the fight against corruption. Lack of political commitment to fight corruption by various political regimes that have been in power explains why the government was not willing to provide for an enabling environment for implementation of the anti-corruption strategies. Some of the recommendations he presented for addressing the problem of corruption are similar to the ones proposed by this study.

Other than the political and economic factors which influence the anti-corruption strategies, socio-cultural factors also affect the implementation of the strategies and generally the war on corruption. There are individuals who have a belief that engaging in corruption practices is a way of life or an accepted cultural practice. This corresponds with the findings of study by Blundo *et al* (2006) on three West African states namely; Benin, Niger and Senegal which focused on the forms of corruption and how it had embedded itself in the public structures and the administrative institutions.

This study considered the historical perspectives of the emergence of corruption in these states and noted that it had become pervasive to the extent of being legitimized on the day to day public transactions. Stefan (2009) argues that in the developing countries, introducing integrity expectations benchmarked on the developed countries standards may not succeed fully because

of socio-cultural beliefs. For example, whereas in the western countries giving of gifts is limited, regulating this aspect in Africa has been viewed as interfering with social relations. This implies that, the implementation of the anti-corruption strategies is predisposed to challenges if the obtaining socio-cultural factors are not addressed.

Government actors responsible for implementing the strategy are likely to be influenced by the socio-cultural factors if corruption is seen as legitimized in the day to day operations of the society. This is because when corruption is accepted as a way of life, it becomes systemic and difficult to defeat or minimize. Further, when it becomes a way to get things done over a long time, the society internalizes corrupt practices (Yasar, 2005). Therefore, changing the attitude of the society on corruption tendencies is crucial for the successful implementation of the strategies.

Institutional dysfunctions factors are blamable for influencing the implementation of the anti-corruption strategies especially when the Government is not fully committed in the war on corruption. Mbaku (2007) argues that corruption in Africa is rampant because of the poorly developed and inappropriate institutional arrangements, which came up because the post independent leaders failed to adopt a reconstructive constitutional framework. Instead, they chose to implement laws and created institutions which do not reflect the values of the citizens. Hence, the malfunctions in the institutions enabled those in the authority to engage in rent-seeking or rather in corrupt behaviour.

Additionally, he notes that fighting corruption does not only involve the use of laws but requires behavioral change which is not necessarily enforced by the State but could be achieved by adapting good morals and ethics. According to Huther & Shah (2001), training public officials on good governance and ethical values which includes; integrity, rule of law, honesty and transparency can assist in the fighting against corruption. Training leads to change in attitude of the officials and this can assist in the implementation of strategy. Implementing the strategy without corresponding change in the attitude of the public and the government actors may not have impact in reducing corruption. Subsequently, dependence on the laws may not fully facilitate the implementation of the strategy and this was clearly demonstrated in this study as it was established that despite the government having undertaken several reforms in the criminal judicial systems, the problem of corruption still persisted.

Enactment of the Anti-Corruption and Economic Crimes Act in 2003 and other enabling legislations that were intended to strengthen implementation of the anti-corruption strategies was dogged by vested interests among the legislature (political factor). This resulted in creation of weak anti-corruption legislations which did not provide a favourable environment and legal framework for implementing the strategy. Weakness of the legislations was witnessed in the various constitutional interpretations filed in the High Court by the corruption suspects challenging the validity and applicability of the law in the prosecution of corruption cases. The National Council for Law Reporting over the time has reported on the numerous cases filed by corruption suspects before the courts on validity and applicability of some of the sections of the anti-corruption legislations.

Institutional weakness due to political influence especially in the criminal judicial system affect the smooth implementation of anti-corruption strategies, similarly, the failure by government to enact appropriate anti-corruption legislations weakens the implementation of the strategies. This is supported by McKoy (2009) in his study on the corruption phenomenon in Common Wealth Caribbean countries. He argued that there is an identifiable and distinct body of legislations on state enterprises, governance, anti-corruption and public sector ethics emerging in these countries. He contended that the regimes are anchored on the common law, United Kingdom legislations and other contemporary legislations. He traced the development of these legislations as emerging from the international efforts of fighting corruption which has resulted in the Common Wealth members coming up with initiatives to curb corruption.

Further, according to McKoy (2009), anti-corruption projects require high standard in administration of justice and the initiatives adopted by the Common Wealth countries would require more time to become fully operational. Additionally, the implementers require time to learn and experiment the initiatives. The above contention implies the need for the implementers to internalize and familiarize themselves with the requirements of the three-pronged strategy before fully adopting it. However, many countries in Africa have adopted the strategy hurriedly because of political pressure or to please the international community, while it may not fit well in some jurisdiction (Doig, *et al*, 2005).

McKoy (2009) argument served to explain how inadequate development of institutions in the administration of justice could affect the implementation of the strategy if adequate adaptable

measures are not put in place. There is possibility that the Government in its attempt to implement the strategy, it faces numerous challenges because the anti-corruption legal framework is not fully homegrown but partly borrowed from the Commonwealth practices among other jurisdictions and it may not be wholly adoptable in the local situation.

Anassi (2004) focused on the dysfunctions of the public institutions and the economic impoverishment which predisposed the African continent to socio-economic instability and which are blameable for the increase in corruption. Impoverishment by the colonial Government later on acted as impetus for corruption to take place in post independent African countries. He started his work by presenting the definitions of corruption and thereafter examined the growth and existence of corruption in the various Government Ministries and departments in Kenya.

Ministry of the Local Government, Immigration and Police Departments were some of the institution he found to have been afflicted by the problem. He also focused on the role of the media and the international community in fighting corruption in the country. His work did not specifically address the issues of the anti-corruption strategies even though it wholesomely examined the extent of corruption in the country. Its contention that dysfunctions in the public institutions are blameable for increase in the level of corruption has been attested by the findings of this study.

As a way of attesting the failure in the implementation of the strategy leading to the reported widespread corruption in the County, the Corruption Perception indices produced by the Transparency International and the annual corruption reports and corruption survey findings made by the anti-corruption commission in Kenya were examined in the period before the commencement of the study and during period of the study (2003-2011). This was done with an assumption that the level of corruption in the Country was reflected in Nairobi County by virtue of it being the Capital City of Kenya where most of the public and private activities were transacted compared to the other Counties. Both the perception surveys and Commission's reports showed a trend of high level of corruption in the Country in period between 1995 and 2003. Kenya's TI Corruption Perception Indices showed that between 1995 and 2012, the country score was between 2.2 and 2.7. This was an indication of the challenges faced in the implementation of the strategy and war on corruption in general.

2.3 Prioritization of the Three-Prongs of the Strategy

Debate on how to adopt anti-corruption strategies is unending since they are complex, multi-faceted and beset with problems of transferability, suitability and cost-effectiveness among other problems. Hence a choice of any strategy has implications to the different elements of government functions (Williams *et al*, 2000). For instance, focusing on investigating corruption has obvious implications for the criminal justice system in terms of allocation of resources and independence. The challenges arise due to the complexity, transferability, suitability and cost-effectiveness of the strategies. These challenges should not be seen as major obstacles in implementation of the anti-corruption strategies since all the arms of the government (executive, legislature and judiciary) should work in unison to solve the arising problems.

Sithole (2013) notes that anti-corruption strategies are complex and their implementation could take a long time because the people who are expected to implement them could equally be corrupt or the attitude of the public could affect their implementation. Perhaps this could be one of the challenges which affected the implementation of the strategy in the Nairobi County. The UN Convention Against Corruption (UNCAC) gives the member states various provisions on how to adopt effective anti-corruption strategies. However, the strategies for each country varies but generally they involve; enforcement of anti-corruption laws through investigation, prosecution and recovery of illegally acquired wealth.

They also involve implementation of preventive anti-corruption policies and improving the administration of justice. The involvement of the private sector and civil society in the war against corruption is also crucial since they play integral roles in many transactions involving the public sector. Additionally, the creation of public awareness on corruption through civic education strategy and the use of other Outreach programmes are recommended to mobilizing the citizens to work against corruption practices. This is intended to change their attitude on corruption and demystify its culture in the society (UNCAC, 2003).

Though the literature review did not come across any material explaining the criterion of prioritizing the three prongs, there was available literature which indicated that the three-pronged strategy has proved to be effective in reducing corruption in other jurisdictions. It was noted that application of the strategy has been implemented with much devotion by government and

stakeholders in these jurisdictions unlike in the case of Nairobi County where the commitment was found to be minimal.

Internationally, some of the known anti-corruption commissions that have embraced the three-pronged strategy include; the Corrupt Practices Investigation Bureau of Singapore, Independent Commission Against Corruption (ICAC) of Hong Kong and the Independent Commission Against Corruption of Australia. Quah (2003), in a Symposium held in Hong Kong explored the effectiveness of the three-pronged strategy in reducing the level of corruption and observed that the strategy had proved to be effective in combating the vice in the above jurisdictions.

The Independent Commission Against Corruption of Hong Kong was created in 1974 through the enactment of the Independent Commission Against Corruption Ordinance to fight corruption through law enforcement, education and prevention to make Hong Kong a fair and just society (Hong Kong Special Administrative Region Government, 2011). The Commission is composed of three functional departments which include the Operations, Corruption Prevention and Community Relations departments.

Operations department is mandated to receive and investigate cases of corruption reported to the Commission; the Prevention department among other things examines the practices and procedures of the government and public bodies to secure the revision of the methods of work or procedures which may be conducive to corrupt practices. On the other hand, the Community Relations department educates the public against the evils of corruption and enlists their support in the fight against corruption. Over the years, the commission has succeeded in minimizing corruption in Hong Kong through the use of the three pronged strategy.

Another anti-corruption agency which has succeeded in reducing corruption through the use of the three-pronged strategy is the Independent Commission Against Corruption of New South Wales. The Commission was established in 1989 by the Independent Commission Against Corruption Act of 1988, as a response to the growing concern on integrity of the public service. The commission curbs corruption through the use of the three-pronged strategy, which involves investigating and exposing corruption and preventing corruption by advising and assisting the public sector to adopt measures which ensure that corruption is managed through the implementation of anti-corruption policy and plan.

This Commission also uses the education strategy to create awareness on corruption in the community and public sector of the New South Wales and this involves use of media and outreach programme to educate the community members about corruption and its effects to the community. The Independent Commission Against Corruption Act gives the legal backing to the commission in undertaking its work as stipulated in Section 13 (1) (a)-(k) of ICAC Act (Independent Commission Against Corruption Act No. 35, 1988).

Former KACC conducted several corruption surveys in the year 2006, 2010 and 2011, the surveys examined the perception of the public on the government efforts of combating corruption. In most cases the public was of the view that the level of corruption was persistently high despite the adoption of the three-pronged strategy. The surveys conducted by Commission basically aimed at finding out how the public perceived the existence of corruption but they did not focus on the prioritization of the three prongs of the strategy.

National Anti-Corruption Plan (2007), which among other issues dwells on the implementation of the three-pronged strategy has not step up an adequate criterion for reviewing strategy's achievements but rather the plan wholesomely looks at an integrated approach of fighting corruption. Hence, it is not clear how the activities of implementing the strategy are shared among the stakeholders, since in some cases the responsibility of implementing anti-corruption activities among them overlaps. For instance, the National Anti-Corruption Steering Committee and Efficiency Monitoring Unit play roles similar to those of the anti-corruption commission.

Overlaps in the responsibilities of the agencies may impact negatively on the implementation of the strategy in terms of the duplication of duties and budgetary allocations. Globally, there are several models of anti-corruption institutions depending on each country's needs. Some are multipurpose agencies with law enforcement powers while others deal with preventive and policy development matters among others issues, (Organization for Economic Co-operation and Development, 2008). There is a need to review the current anti-corruption policies to establish whether the current anti-corruption model of the three-pronged strategy is the appropriate for fighting corruption in the obtaining socio-economic environment.

Though the Commission is mandated by the law to implement the strategy, there are other institutions involved in the war against corruption on different perspectives. Unlike the anti-

corruption commission, these bodies are involved in the auditing process, examination of the procedures and creating public awareness on corruption. The Commission is mandated to investigate corrupt conduct, trace and recover corruptly acquired public property, devise corruption prevention mechanisms and create awareness through the use of civic education.

This mandate is to a larger extent based on the provisions of the United Nation Convention against Corruption but the Commission has not succeeded fully in meeting its mandate. This raises the question as to whether; the three components of the strategy have been addressed as required. Indeed, the Government has not fully implemented the provisions of UNCAC and the failure to do so affect the implementation of strategy and the war on corruption (Ministry for Justice, National Cohesion & Constitutional Affairs, 2009).

McCusker (2006) argues that in attempting to design anti-corruption strategies, it is necessary to construct a set of incentives to encourage rule-abiding and discourage rule-averse behaviour by individuals engaged in corrupt practices. Similarly, an attempt to provide a universal anti-corruption strategy is unlikely to succeed, hence there is need to involve other stakeholders in the anti-corruption programmes. This implies that the strategies must be supported by reforms which bring together the stakeholders in all relevant sectors. However, this can be adversely affected by lack of cooperation among the three arms of the Government. For example, when it comes to the implementation of institutional reforms meant to improve the administration of justice; the law enforcement agencies, judiciary and prosecution complaints of inequalities in the allocation of the resources among them arises. This eventually affects the morale of the actors and this discourages them to fight corruption.

This study noted that in some cases Government efforts of implementing the strategy were devoid of incentives to encourage observance of law and discourage or deter potential corrupt offenders. This was mostly witnessed in the process of the administration of justice where in most cases political elites involved in high corruption transactions got lenient treatment from law enforcement and judicial officers. This behaviour encouraged the perpetuation of corruption and further weakened the process of the implementation of the strategy. Therefore, in prioritizing the strategies or prongs efforts must be geared to ensure that their resultant effect is deterrence of corruption.

Prioritization of the anti-corruption strategy should enable the strategy to address the problems which normally arises out of the corruption networks, complexity and multiplicity of the relationship between the players. Zoltan *et al* (2011) carried out an empirical research in Hungary on the ideal typical corruption transactions as expounded in the Principal-Agent-Client model and categorized it into two different types. They divided it into bribery and extortion in the principal-agent relationship and embezzlement and fraud in the principal-agent relationship. They examined the phenomenon of corruption by focusing on the relationship in the networks between the actors and noted that the roles of the actors in the networks changes as they evolve with new actors coming on board and the original actors taking the behind the scene or the hidden roles.

They concluded that while corruption transactions can be traced to well-defined types, there were complexity of manifestation of its networks and the multiplicity of the relationship between the players. Further, they observed that the realization of corruption is influenced by the actors estimation of risk involved in terms of being caught, punished and the benefit thereof. The findings of Zoltan's study emphasizes; why the effectiveness of the strategy needs to be evaluated because the relationship in the networks and the actors could change with new actors coming into board and the original actors taking the behind the scene or the hidden roles. Such a situation could impede the implementation of the strategy not unless it is occasionally reviewed and the prioritization done depending on the obtaining political and socio-economic environment.

However, it should be noted that corruption networks and the role of the actors may not necessarily change because of the new actors coming on board and the original actors taking the behind scene or the hidden roles. Rather, institutional weaknesses characterized by the presence of poor democratic system (political factors) and weak economy among other challenges provide a suitable locale for corruption to persist.

In such a situation, the ruling elites ensure that they are always represented in the key leadership positions through favouritism, nepotism and cronyism. They employ and maintain their political and commercial supporters in the key public institutions who guarantee that corruption is perpetuated and that the anti-corruption strategies do not succeed. Such behaviour was noticeable in Nairobi County and it served to explain why the strategy was not effective. Hence, as

advocated by Mbaku (2008), there is a need to prioritize the strategy aiming at reducing the opportunities which provide the public officials with a chance to maximize their self interest at the expense of the public.

Anti-corruption strategies require a sound framework for policy analysis. Klitgaard (1988), provided a framework which is based on an equation; $\text{Corruption} = \text{Monopoly} + \text{Discretion} - \text{Accountability}$ for such analysis. The literature reviewed did not find any evidence of a laid down criterion of prioritization of the strategies (prongs). This is a clear indication that the failure of the strategy to reduce corruption in the County was partly due to lack of sound framework for its evaluation. Therefore, the process of prioritizing the strategies (prongs) should be guided by a framework which makes it easy for the anti-corruption strategies to be easily monitored and evaluated.

Abuse of monopoly and discretionary power by the Government actors influence the prioritization of the strategy and reduction of the level of corruption. This is because those in Government (executive, judiciary and legislature) have avenues of influencing the decision making process in terms of enacting appropriate anti-corruption legislations, their enforcement and the allocation of adequate resources. Ian (2006) emphasizes that political class (legislature) plays a significant role when it comes to the process of allocating resources for fighting corruption. Hence, mechanisms which discourage abuse of monopoly and discretionary powers should be put in place to ensure that prioritization is not distracted by Government actors for self-fish gain.

A serious strategy intended to reduce corruption must be focused on four sides which includes; committed leadership which is inclined towards zero tolerance on corruption, adopting policy changes that reduce the demand for corruption, reducing supply of corruption and solving the problem of financing of political parties (Tanzi, 1998). It is worth to note that an effective strategy should be able to address challenges emanating from all areas of political and socio-economic dimensions that could hamper its implementation.

In deciding on how to prioritize the three components of the strategy, it should be understood that the levels of corruption are not static and could change over time in any given jurisdiction. The adopted prioritization criteria should be able to address such challenges arising for the

changes in political and socio-economic environment. Gurnadi (2008) dissertation raised several questions among them; the causes of corruption, its consequences and whether it was persistence among various countries in the world over the period of his study.

The dissertation found that corruption was not always static though it was persistent among some countries in any given time and its levels may change over span of time. Hence, there could be a decline in the level of corruption in the countries where it was previously high. The study established that many clean countries were found to become less clean overtime. This assertion may not be absolutely true because as observed in Transparency International Corruption Perception Indices, some of the less corrupt countries in Europe like Sweden and Denmark, have reported low incidents of corruption over long time with less indications that they may report high cases of corruption in the near future.

Assertion by Gurnadi (2008) that level of corruption could vary over time in a given country, underscores the need to regularly examine the three-pronged strategy to establish the challenges which affects its implementation for remedial action to be initiated in time. This calls for constant evaluation of effectiveness of its prongs to guide on its prioritization and modifications in the obtaining socio-economic environment. Also it is advisable to consider the priority of anti-corruption strategies including their costs and impacts to assist in deciding on the best approach of fighting corruption (Williams *et al*, 2000).

2.4 Modifications on the Implementation of the Three-Pronged Strategy

This study other than examining the factors which affected implementation of the strategy and proposing how the three complementary prongs ought to be prioritized, it also made suggestions on the modifications of the strategy for optimal reduction of corruption. Klitgaard *et al* (1988), argues that sustainable anti-corruption strategy should be able to remedy a corrupt system and it should involve formulation and implementation of policy reforms. The reforms should address the systemic problem by not only focusing on individuals engaged in corruption malpractices but also by seeking to address the dysfunctions in the system.

Additionally, when corruption is systemic, usual solutions like application of strong laws among other quick fix attempts will not reduce the problem. In such a situation, corruption could be reduced by applying strategies which address issues related to governance like; separation of

power, checks and balances, transparency, good judicial system and defined administrative and managerial roles among other issues.

A serious strategy to reduce corruption must be focused on four sides which includes; committed leadership which is inclined towards zero tolerance on corruption, adopting policy changes that reduce the demand for corruption, reducing supply of corruption and solving the problem of financing of political parties (Tanzi, 1998). However, it is worth to note that an effective strategy should be able to address challenges emanating from all areas of political and socio-economic dimensions that could hamper its implementation.

Gurnadi (2008) observed that in order to reduce the level of corruption, there is a need to undertake improvements on the quality of government and the rule of law and also to formulate and undertake both bureaucratic and judicial reforms. This involves the provision of a system of incentives, a prevention mechanism and sanctions. Other than these recommendations, countries are encouraged to work together in regional cooperation as a way of fighting corruption given the fact that its network may cut across the borders (UNCAC, 2003).

International interventions to solve the problem of corruption are a requirement and the improvement of the anti-corruption strategy should address this aspect. This implies that the local anti-corruption agencies have to work together with other international bodies and to learn the best practices from the advanced anti-corruption commissions. The local anti-corruption commission should therefore develop liaison with advanced foreign anti-corruption Commissions like the Independent Commission Against Corruption of Hong Kong among other advanced commissions to learn how they have successfully managed to implement the strategy.

In regard to the provision of a system of incentives, it is worth to point out that some of the remedial actions meant to reduce corruption have not yield fruits. For instance, the attempt by the government to improve the quality of government and the rule of law by adopting a new Constitution in 2010 has met some challenges. This includes lack of clarity in interpretations of some of its provisions, especially when they relate to corruption accusations leveled against the political elites or high ranking government officials. Similarly, despite the provision of a system of incentives like increasing salary and remuneration of high ranking officials, still some of them

continued to engage in corruption activities. This is an indication of how the institutional factors influence the implementation of the strategy and the reduction of corruption in the County.

Mbaku (2008) argues that Government needs to undertake reforms which reduce opportunism which encourages corruption to take place by adequately constraining the state custodians and minimizing their ability to engage in corruption. Further, he points that appropriate laws should be enacted to ensure that the law enforcement agencies investigating corruption are constitutionally constrained to prevent them from abusing the authority bestowed on them by the society. He notes that modifications of the existing rules must be undertaken to discourage public officials and judiciary from taking advantage of the opportunities which are available and engage in corruption. Efforts should be made to undertake institutional reforms which encourage economic freedom and improve entrepreneurship and wealth creation. Hence, there is a need to formulate and implement sound socio-economic policies which address the challenges arising from the factors which affect the implementation of the strategy. Additionally, transparency, accountability and participation in public decision making process should be adopted through a democratic constitutional making process.

Efforts must be also made to have a broad-based approach of fighting corruption by mobilizing the actors of the three branches of the Government, media, civil society and the private sectors in order to improve on the implementation of the anti-corruption strategies. This is because there is no single approach that can lower the level of corruption (Tony, 2011; World Bank, 2006). Involvement of stake holders is therefore essential as it enhances as it encompasses a participative process in the fight against corruption.

Stefan (2009) notes that success in anti-corruption strategies in the developing countries can be hampered by Government actors who have traditionally benefited from corruption and are unwilling to implement the new measures. However, he recommends that in designing effective strategies, it is crucial to ensure that public officials' discretionary powers are reduced, punish corrupt practices, instill moral values and rectify the perception of corruption in the society among other things. However, despite the efforts that can be undertaken to improve or modify the strategies, it is worth to note that anti-corruption strategies may not necessary reduce corruption but they can reduce its vulnerability and some of its harmful effects (Matei & Matei, 2011).

The Principal-Agent-Client model stipulates that corruption occurs when an Agent (A) betrays the principal's interest in pursuit of his own accepting and seeking a benefit from a service seeker, the client (C). In the model, according to Klitgaard (1988), the Principal (P) is the head of the institution, C is the Citizen and A is the Subordinate or rather the Client. The conditions for corruption presents themselves when the principal (P) is in a powerful position and the agent (A) to whom (P) has been entrusted to carry out the services as an element of discretion in administering the services.

The agent is better informed about the details of the common daily work and therefore can benefit from informational advantages and end up concealing important information to the principal. The Agent does this through deceit, manipulation or distortion of information (Lambsdorff, 2007). Due to this advantageous position, the agent engages in corruption to the disadvantage of the principal. In undertaking modifications in the implementation of the strategy, factors which facilitate the agent or Government actors to abuse discretionary power bestowed on them or the opportunities which allow corruption to take place should be addressed. Further, the cost-benefit relations between the agent and client should be destabilized to prevent them from engaging in corruption against the interest of the principal, (Lambsdorff, 2002; Hanna,2009).

Public Service Anti-Corruption Strategy (2002) for the South Africa public services posits that for anti-corruption strategies to be successful, several interrelated and dependent activities have to take place. These activities include reviewing and consolidation of legislative framework to improve its efficiency and increasing the institutional capacity of the existing institutions to make them work harmoniously. Other activities includes; improvement on the corruption reporting system, protection of whistle blowers and witnesses, prohibition of corrupt individual and business.

Further, the strategy advocates for the government to partner with stakeholders, promote professional ethics, public awareness and encourage social analysis, research and policy advocacy by organizations in the civil society with interest in corruption. Perhaps some of the reasons why the three-pronged strategy faced challenges in its implementation, it is because the government did not effectively consider the activities discussed above before adopting it. In

deciding the prioritization and modification of the strategy, the suggestions volunteered in the literature reviewed above were considered.

In conclusion, the literature review demonstrated how Government actors and socio-economic factors influence the implementation of the strategy, its prioritization, modifications and the reduction of corruption. Having examined the literature at hand, the study linked the same to the theoretical and conceptual framework as herein discussed.

2.5 Theoretical and Conceptual Framework

2.5.1 Theoretical Framework

This part of the study discusses the theories which this study adopted to develop the theoretical framework which provided the foundation which helped in predicting the relationship of the various variables of this study and the resultant outcome. Bureaucratic Theory (Weber, 1947; Arifianto, 2001; Sharma, 1982) was used to explain how government actors abused power and authority vested on them to sabotage the implementation of the three-pronged strategy. Weber's postulation on three ideal-types of authority (Weber, 1978) elucidates the existence of corruption when members of a society or organization abuse power and authority to justify their corrupt behaviour. Understanding the role played by authority is crucial because a large part of any type of corruption involves abuse or misuse of public authority by public officials for private gain (Sherman, 1980). Weber argued that the type of authority possessed by the state explains its political system under which conditions variables like corruption exists. Hence, when rulers operating under legal or rational authority disregard the formal laws and incorporate traditional authority or patrimonialism approach in their decision-making process, corruption is bound to take place (Arifianto, 2001; Aguilera & Vadera 2007).

Influence of authority and power whether positive or negative affects implementation of the anti-corruption strategies in either way, depending on the way public officials approach the fight against corruption. This implies that when the actors are committed to fight corruption they will implement the strategy as required, whereas if they are not committed they will not implement it appropriately. For instance, those in control of the criminal judicial system will disregard the values of accountability and transparency and end up conducting substandard investigation and prosecution. Eventually this leads to unnecessary acquittals of the accused person by courts and this discourages the implementation of the strategy. Additionally, actors are expected to

formulate and implement policy reforms to address socio-economic limitations which adversely affect implementation of the anti-corruption strategies. When actors are not committed in fighting corruption they fail to implement the policies as required. For example, the actors misappropriate the funds allocated for the implementation of the strategy or they end up enacting weak anti-corruption laws.

Further, Weber posited that in rational authority, bureaucracy is typified by a legal authority, set of rule, structures and channels meant to control the behaviour of individuals under the system. Though he opined that bureaucracy would result to attaining the highest degree of efficiency and rationality, he was equally concerned that it would affect the human spirit by attempting to regulate all spheres of social life. This is what Weber viewed as 'red tape', which slowed down government transactions and it is characterized by abuse of discretionary powers to delay the provision of public services. It is this kind of unpleasant bureaucratic tendencies which interfere with the implementation of the anti-corruption strategies as corrupt officials in powerful public positions abuse discretionary powers to make decisions or regulations which weaken the anti-corruption strategies.

Weber thought that where state was based on the traditional authority the officers in the bureaucracy were not recruited on professionalism and merit requirements but on family, clan relations or on personal loyalty to the ruler. To maintain officers in the system, the ruler pays them salaries and discreetly allows them opportunities to collect illegal income from the public. This leads to corrupt and extortionist practices among the public officials. Lenski *et al* (1987) observes that those seeking to be employed as government officials in the circumstance described above have to pay bribes to get employment in the public sector and also they have to be loyal to the ruler. As a result the public has to pay huge rents to officers to receive government services. Such officers who are employed without considering merit cannot be trusted to implement anti-corruption strategies as they sabotage the process and also fail to initiate reforms meant to address the socio-economic shortcomings which impede the implementation of the strategies.

Though the leadership in Nairobi was not based on the traditional authority, nepotism is common and some of public appointments made have been influenced by family, ethnic background ties present in various previous regimes that have been in power. Despite the

existence of the laid down laws and the procedures on public employment, public officials ignored recruitment processes and engaged in improprieties. However, with new Constitution in place, there was an improved trend on the way public recruitment is being done, even though questionable issues have arose on some of the appointments made. Abuse of power and authority in the recruitment of public officials affects the successful implementation of the strategy and this leads to increase in the level of corruption.

Weber (1947) argued that corruption could serve as way of promoting political integration among fractious tribes, parties and factions within the government, the reasoning here was that a ruler could retain his power and prevent political turmoil and the disintegration of the country by sharing wealth with other parties in the government. This has been witnessed in various political regimes that have governed the County and Kenya overtime, where political elites have shared corruptly acquired wealth as a way of maintaining grip to the power. This was reflected in some of the corruption incidents discussed in this Chapter One, where public officials and ruling political party leaders illegally acquired and allocated themselves public land as a means of retaining power and remaining loyal to the government. They capitalized on the socio-economic disadvantages and institutional shortcomings which enabled them to fraudulently acquire public property at the expense of the disadvantaged members of the society. Because of the gains which they derived from corruption, it was not easy for them to have strong interest in the implementation of the strategy and this increased corruption.

Weber observed that power and authority were factors which encouraged corruption to take place but did not dwell much on the fact that despite the presence of the rules and norms, corruption takes place because of other aspects among them deviance by individuals in society. He stressed that there exists a body of rules or social norms which are the legitimate order supported by all members which defines certain kinds of conduct as appropriate or desirable (Haralambos,2004). In the case of reducing corruption the body of rules or social norms can be viewed in terms of the various legislations which the government has enacted to facilitate implementation of the strategy. The society expects its members to accept and respect the legal provisions but this is not always the cases as some people adopt a deviant behaviour and ignore the laws (Calhoun, 2011). Implementation of the strategy faces challenges due to deviant behaviour among individuals in the society, who view corruption as a part of their culture.

Though Weber viewed corruption in a bureaucratic set up as arising from abuse of power and authority by the actors, the actors also engage in corruption or sabotage the implementation of the anti-corruption strategies after conducting costs and benefits analysis of the actions they intend to undertake. Hence to complement the Bureaucratic theory this study also used Rational Choice theory to demonstrate that actors adversely influence the implementation of the anti-corruption strategies not necessarily because of the power and authority they possess but after making rational decisions which predicts the benefits they will gain from their actions. Rational Choice theory holds that individuals predict the outcome of the optional courses of action and calculate what best suits them, thereafter they choose the alternative that gives them the greatest satisfaction (Carling, 1992; Coleman, 1973).

George Homans (1961), a critical figure in development of Rational Choice theory contented that human behaviour is determined and controlled by reward and punishment, hence individuals partake things which they are rewarded for and avoid actions which lead to punishment. Treisman (2000) notes that by engaging in corruption, public officials weigh the expected cost of corruption act including psychological, social and financial cost against the expected benefits. The costs could be in terms of losing the employment, being jailed, losing salary and remunerations, denial of pension benefits and social disapproval among other costs. When actors decide to sabotage the implementation of the anti-corruption strategies, they act as goal-seekers, selfish and only interested in benefiting themselves.

They considers the effects of failing to facilitate the implementation process and the anticipated outcomes, this enables them to carry out cost-benefit analysis. When the benefits exceed the costs, they sabotage the process. For instance, failure by the legislature to enact strong anti-corruption laws or to allocate adequate resources for the implementation of the strategies does not necessarily cost them anything but it provides them with a conducive environment to benefit from the proceeds of corruption. When the anti-corruption laws are weak, they are sure that criminal judicial system will not function properly, and the likelihood of being punished is remote. Therefore by enacting weak laws, their actions are not solely based on the power and authority they possess but on their individual rational judgement and the anticipated benefits from the future corruption transactions.

Further, rational choice theory hypothesizes that human beings are rational agents and engage in corruption activities driven by self interest, they attempt to maximize the gains or profit and minimize the loss or cost in any transaction they undertake (Bert & Sydie, 2001). Based on this understanding, public officials weigh the costs and benefits of adequately implementing the anti-corruption strategies and the resultant effects of failing to implement the strategies as required. This explains why actors fail to address the socio-economic shortcomings which adversely affect the implementation of the anti-corruption strategies as they are well aware that by doing so they reduce the chances of benefiting from corruption. The above views are supported by the arguments that man is egoistic, rational and would do anything to maximize self-interest (Mueller, 1989). Additionally, public officials engage in corruption as they are inclined to maximize their self interest at the expense of society (Mbaku, 2008).

Even though the study was guided by the above theories it is important to note that there is no single theory which can solely explain the phenomenon of corruption. Undeniably most of the literature and studies done on corruption have presented diverse theoretical frameworks based on different social science disciplines among them political science, economics and sociology to mention but a few. This is mostly because corruption is viewed differently in any given jurisdiction and each discipline takes different approach to explain what amounts to corrupt behaviour.

Attempts to explain the existence of corruption in a given society varies a lot and many perspectives have been put forward to conceptualize what it is comprised of. Yasar (2005) notes that literature explaining corruption phenomenon are often based on specific disciplines but there has been little attempt to give an interdisciplinary link which explains the causes of the corruption. He asserts that most of the causes or explanations on the phenomenon of corruption are based on political, economic and sociological perspectives.

The above theoretical explanations helped in demonstrating how the behaviour of the Government actors influenced the implementation of the strategy, its prioritization, modification and the level of corruption. Having dwelt with theoretical framework, efforts were made to link it with the conceptual framework which was developed to act as a road map of the study as herein explained.

2.5.2 Conceptual Framework

Conceptual framework for this study was based on the Bureaucratic theory and Rational Choice theory which were discussed in the theoretical framework above. It served to explain how Government actors and socio-economic factors influenced implementation of the strategy, its prioritization, modification and the level of corruption.(See Figure 2 below).

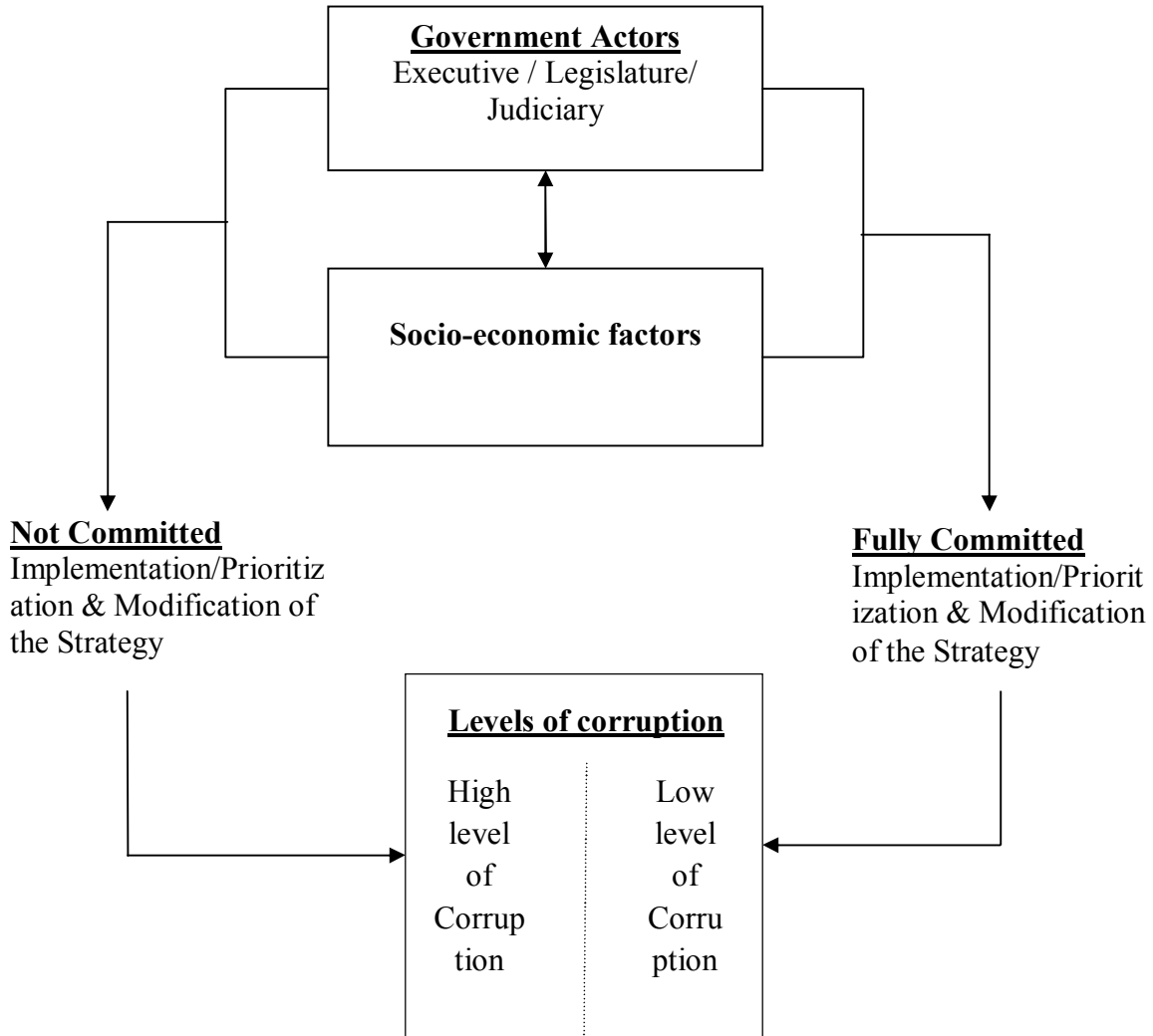


Figure 2: Influence of Factors on the Implementation of strategy and the level of corruption

The above framework was developed bearing in mind the objectives of the study and it exhibited how the behaviour of the actors and socio-economic shortcomings influenced the

implementation of the strategy. It showed how the failure by the actors to initiate sound socio-economic reforms impeded the smooth implementation of the strategy leading to increase in corruption. The behaviour of the government actors in legislature, judiciary and executive arms was a key factor which affected the implementation of the strategy, it acted as the independent variables in the model whereas the political and the socio-economic factors were the intervening variables. The implementation, prioritization, modification of the strategy and the reduction in the level of corruption were the dependant variables which depended on the actions of both independent and intervening variables.

Abuse of power and authority by the actors affected the implementation of the strategy and the reduction of corruption, the actions of the Government functionaries favour or disfavour the implementation of the anti-corruption strategies leading to high or low level of corruption. For instance, if the three arms of the government are committed in fighting corruption, they have the power or mandate to effectively implement the strategy by undertaking the required policy actions. This includes creating effective anti-corruption legislations, fair administration of justice and allocating adequate funds to facilitate the implementation process. This results to level of corruption going downwards. To the contrary as established by this study, Government actors lacked commitment in the fight against corruption and this affected the implementation of the strategy. Such actors discreetly sabotaged efforts meant for the effective implementation prioritization and modifications of strategy and this led to high prevalence of corruption.

Socio-economic factors (intervening variables) though they did not directly affect the implementation of the strategy, its prioritization and the level of corruption, in certain ways they affected its and the war on corruption. Effects of political and socio-economic dysfunctions have undesirable influences on the strategy. For example, lack of appropriate socio-economic reforms result in increase in poverty and unemployment, these were some of the shortcomings which were cited as part of the major causes of corruption. The influence of the socio-economic drawbacks affected the implementation of the strategy as they propelled public officials to engage in rent-seeking behaviour to get extra earnings on top of their official salaries and remunerations.

Therefore, even if the actors were committed to implement the strategy and the economy was weak, they ended up sabotaging the implementation process leading to increase in corruption.

Low economic growth also caused the government to underfund the war on corruption as it took this situation as a scapegoat to allocate inadequate resources; this adversely affected the implementation process. Indeed, the study established that one of the factors affecting the effective implementation of the strategy was the weak economy which experienced budgetary deficits from time to time.

Prioritization and modification of the strategy were dependent on the influence of the actors and the socio-economic factors. The commitment of the Government functionaries in adopting mechanisms of implementing the strategy and mitigating the negative influences emanating from the socio-economic shortcomings determined the trend of corruption. For the appropriate prioritization and modification to take place, the actors have to initiate policy reforms geared toward reforming the criminal judicial process and adopting socio-economic policies which favour implementation of the strategy. At the same time, the policy reforms should discourage public officials and public from engaging in corrupt practices. However, as established by this study the actors lacked commitment to initiate and implement the required reforms and this negatively affected prioritization and modification of the strategy.

In conclusion the above framework assisted in demonstrating how the influence of Government actors and socio-economic factors affected the implementation of the strategy, its prioritization, modification and the level of corruption. This was supported by the argument by majority of the respondents that Government actors were responsible for making policies which determined the trend of corruption, depending on their commitment to fight corruption and how they addressed the underlying socio-economic inadequacies.

CHAPTER THREE

METHODOLOGY

3.0 Introduction

This Chapter covers the research methodology and it explains various aspects among them; the research design, description of the study area, sampling procedure and the sample size. Further, it discusses the data collection instruments and the procedures used in collecting data and the research ethical requirements.

3.1 Research Design

This study used a survey method which relied on both primary and secondary data. The primary data was collected by administering structured and unstructured questionnaires which were administered among the three categories of the respondents namely; the General members of public, Business people, and the Professionals/Public Officers. A survey discussion guide was used to aid deliberations with the key informants and focus group discussions. The major variables of the study were included in the guide for discussions. The secondary data was obtained by the review of the relevant literature collected from; published and unpublished academic journals, books, and internet among other sources. The data gotten was analyzed for the purpose of getting the facts and generalization on the anti-corruption strategies and the phenomenon of corruption.

3.2 Study Area

Nairobi County was chosen as the study site because it was the centre of public and private entities in Kenya where public and commercial activities are transacted. Further, most of the mega cases of corruption reported in the anti-corruption commission annual reports, parliamentary reports and in the media took place here. As the major headquarter of the Government most of the decisions touching on public affairs were made here compared to the other Forty six (46) Counties in the Country. Additionally, many political and socio-economic opinion leaders and people of diverse backgrounds were found in the County.

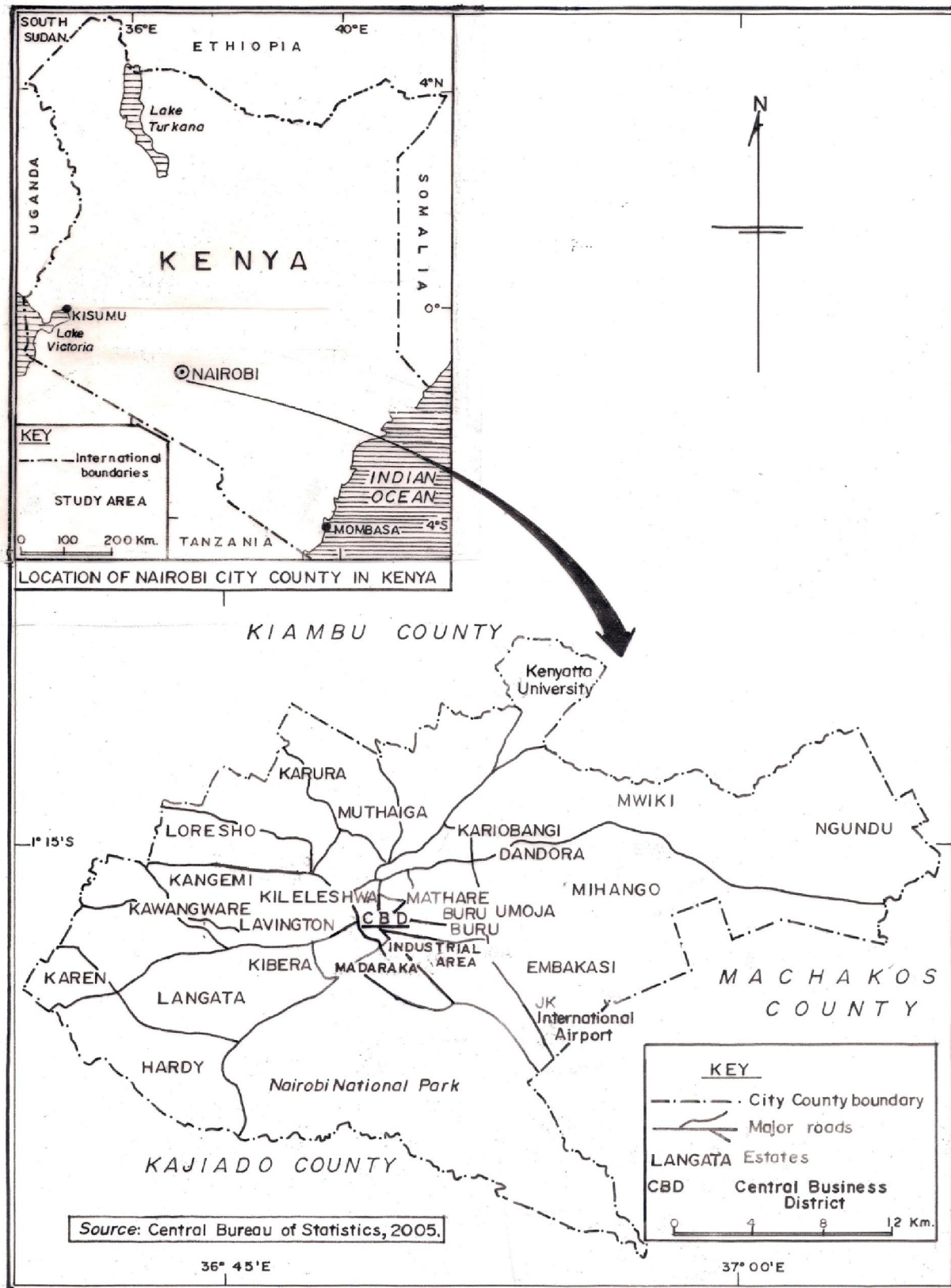


Figure 3: Map of Kenya Showing Nairobi County the Study Site

3.3 Sampling Procedure and Sample Size

This study focused on target population of 3,138,369 people, based on the population of the City of Nairobi according to the 2009 Kenya Population and Housing Census (Kenya National Bureau of Statistics, 2010). National Corruption Perception Survey (2008) conducted by KACC and the Kenya Bribery Index Report (2008) produced by Transparency International Kenya Chapter gave an insight of the prevalence of corruption in various Government ministries and departments. This helped in purposively distributing the questionnaires among the subjects of the three categories.

This study used Cochran formula (Cochran, 1963) which is suitable for choosing a sample size for population which is extremely large. Mugenda & Mugenda (1999) notes that the formula is appropriate for selecting a Sample size that is representative enough from a target population which is greater than 10,000.

$$n = \frac{Z^2 pq}{d^2}$$

Where in the formula;

n= the required sample size (where the target population is greater than 10,000)

z= the standard normal deviate at the required confidence level

p= the proportion in the target population estimated to have characteristics being measured (*If p is unknown, the study sets p at 50% i.e 0.5*).

$$q=1-p$$

d= the level of the statistical significance set (*The study set margin-of-error at 0.05 i.e. (5%)*).

Therefore; p=0.5, d=0.05

(5% margin-of-error), and α -error=0.05:

$$n = \frac{(1.96)^2 * 0.5 * 0.5}{(0.05)^2} = 384$$

This study applied the above formula and obtained a sample size of 384 at the Confidence Interval of 95% and Level of Significance of 5 %. Stratified random sampling method was used

to select the institution and respondents. This method has been method had been used in a survey of similar type and it proved to be useful (Public Officers' Integrity Survey, 2007). This method involves dividing the population into three or more relevant and significant strata based on one or a number of attributes. Dividing the population into a series of relevant strata means that the sample is more likely to be representative (Saunders *et al.*, 2007). Nairobi County had all the characteristics of the entire population required for the study. To minimize the effects of any extraneous variables, this study used testing, instrumentation and selection bias mechanisms (Chawla & Sondhi, 2011).

Based on the occurrence of the various categories of the respondents in the targeted population, the researcher purposively distributed the questionnaires as follows; General members of public (50%), Business people (30%) and Professionals/Public officials (20%). Purposive selection in this kind of study has been advocated for by Kombo & Tromp (2006). The difference in the percentages in the distribution of the questionnaires was due to the fact that the number of the General members of public was the greatest followed by that of Business people and the Professionals/Public officials being the least as generalized from the Kenya Economic Survey and Kenya Population and Housing Census (KNBS, 2010).

Public Officers/Professionals questionnaires relied on the respondents from the following institutions; public education and health institutions, Public Service Commission, local government, departments in the office of the president and the professionals in the private sectors. Under this category a total of 77 (20%) questionnaires were given out and only 61 questionnaires (79%) this category were completed and returned.

Business people questionnaires relied on data from business entities located in the Research Site. Most of the questionnaires were distributed in the Central Business District and individual firms in Industrial area within the research site. The questionnaires were distributed to 115 (30%) business people working in Building and Construction, Agriculture, Manufacturing, Hospitality, Wholesale and Retail Trade, Transport, Communications, Finance, Insurance and Real Estate among others. Directors of the firms or business entities were the major respondents and in their absence the leading top managers were approached for response. However, only 53 (46%) of business people completed and returned the questionnaires.

In the case of the general members of public 192 (50%) questionnaires were randomly given out to various respondents selected within the site and 167 (87%) of them completed and returned the questionnaires (See Table 3). This approach of administering questionnaires to random sample in a public place to capture people not represented in the other two categories has been used before in a survey conducted by the Transparency International in Nairobi (The Kenya Urban Bribery Index, 2001).

Table 3.1: Sample Distribution

Group	Sample		Response Level	
	Size	Percentage	Frequency	Percentage
Professionals/Public Officers	77	20%	61	79%
Business people	115	30%	53	46%
General Members of the public	192	50%	167	87%
Total	384	100.0%	281	73%

This study purposefully chose and invited individuals who were knowledgeable on the phenomenon of corruption to participate in the focus group discussions. These individuals were not part of the respondents in the three categories issued with questionnaires. Twelve participants were involved in the discussions and they were divided in two groups each consisting of six members. Twelve discussants were found to be adequate for the study as advocated by Johnson & Christensen (2004). Two separate meetings lasting for about two hours each were held by the groups, each group was chaired by a moderator. This was meant to ensure that all members were accorded equal opportunity to contribute.

The groups discussed the following issues which were related to the objectives of this study; (i).the prioritization of three complementary prongs, (ii). influence of socio-cultural factors on the level of corruption and (iii), the influence of political and socio-economic factors on the implementation of the three-pronged strategy. The deliberations from the groups were recorded

and thereafter analyzed to assess the level of consensus and dissent among the members of the groups. After the discussions an informed position on the views of the discussants on the subject matter were adopted as part of the findings.

3.4 Data Collection Instruments and Procedures

3.4.1 Primary Data

Primary data was collected using three questionnaires which contained both structured and unstructured questions and they were distributed to the three categories of the respondents namely; the general members of the public, business people and the professionals/Public Officers. (See Appendices 3-5). This was further enriched by the contributions from the focus group discussions. A discussion guide containing the key variables of the study for discussions was provided to the participants.

3.4.2 Secondary Data

This involved review of the literature collected from published and unpublished academic journals, books, dissertations and information from internet among other sources. This provided a generalized views and the position taken by other authors on the subject matter and this assisted in making keys decisions of the study.

3.4.3 Data Analysis

Once data was received from the field, the researcher coded open ended responses into desired thematic areas before entering the same using a data entry interface designed in Epidata. However, quantitative analysis was done using statistical analysis software known, Stata[®]. The findings of the study were presented in tables, charts and graphs. Finally, the results were discussed and the conclusion and recommendations on the way forward made.

3.5 Evaluation Tools

Methods provided by the UN Anti-Corruption Tool Kit (3rd Edition, 2004) and the KACC corruption perception survey questionnaire format used for corruption perception surveys were modified in developing the questionnaires for this study. The KACC perception survey reports and TI CPI released in the period under review (2003-2011) were analyzed and used as measurement tools since their consistency had been tested.

Over the study period, Kenya CPI ranking and the reports from the anti-corruption commission showed high prevalence of corruption in the Country. Most of mega corruption incidences were recorded in Capital City of Nairobi which is situated in the Nairobi County. This meant that the increase in corruption in the Country was reflected highly in Nairobi County by virtue of it being the commercial and administrative capital of Kenya than in the other Counties. The results of the above surveys were compared with the findings of this study to establish whether they had similarities in regard to increase or decrease of corruption in the County.

According to (Lambsdorff, 2007), measuring the actual levels of corruption poses challenges since the levels cannot be determined directly. Therefore, perception is mostly used to describe the trend of corruption in any given country. Kaufman *et al* (2006) argues that the challenges arise in the process of measuring corruption and monitoring progress in its reduction. They aver that corruption can be measured in various ways but also notes that no measure of corruption whether objective, subjective or aggregate can be 100 per cent reliable in the sense of giving the precise measures of corruption.

Corruption perception index is one of the major instruments used globally and its score relates to perception of the degree of corruption in a given country and the score ranges between 10 (less corrupt) and 0 (highly corrupt), Lambsdorff (2007). TI CPI data is sourced from expert institutions among them: Columbia University, Economist Intelligence Unit, Freed House, Information International, International Institute for Management Development, Merchant International Group, Political and Economic Risk Consultancy, United Nations Economic Commission for Africa, World Economic Forum and World Markets Research Centre.

CPI is sometimes criticized for ignoring the perception of a wider population and focusing on few experts, it has been argued that the method used in preparing the index cannot be used to measure institutional corruption. The TI CPI levels are useful but they are disadvantaged in that they do not always reflect the real situation and do not consult the victim of corruption in the countries surveyed. According to ‘The Global Programme Against Corruption’ (2004) the Indexes offer little guidance on ways of reducing the problem and this may discourage countries taking serious measures when their anti-corruption programme efforts are not seen as successful by an improved score against the TI Index. However, unlike the TI CPI, this study had the

advantage of interacting with respondents whom in some cases were victims of corruption and hence it provides the true position of the problem and the probable solutions.

TI Global Corruption Barometer is another tool administered globally since 2003 and provides a questionnaire format to get public opinion surveys on how corruption affects the daily lives of ordinary people. Appendix 1 of the TI Global Corruption Barometer, 2007 contains such Questionnaire (Global Corruption Barometer, 2007). The TI Kenya Bribery Index arises from the surveys conducted locally and captures corruption as experienced by the ordinary citizens in their interaction with both public and private officials. The index has a value range from 0 to 100, where the higher the value, the worse the performance (KBI, 2007).

Other than the CPI, the UNODC Global Programme Against Corruption Tool Kit provides corruption monitoring mechanisms and adduces that monitoring the effectiveness of national strategies is accomplished through the use of surveys. In this scenario, monitoring takes place on the basis of questionnaires, which include listing relevant questions on national policies and legislation (The Global Programme Against Corruption, 2004). KACC as the premier body charged with the role of fighting corruption also conducted corruption perception surveys which assessed the knowledge, level, attitudes, magnitude and practices of corruption in the country (National Corruption Perception Survey, 2007). KACC also generates the annual reports (Section 15 ACECA, 2003) which describe the situation in regard to combating corruption by the Commission. Both the TI CPI and the anti-corruption commission reports helped significantly in comparing the trend of corruption and the findings of the study.

3.6 Ethical Considerations

Before undertaking this study, the researcher sought permission and authority from the Ministry of Education through the Egerton University Graduate School and the National Council of Science and Technology. Therefore, ethical standards were observed and the research was not conducted for personal gain but as a contribution to the academic adventure and the war against corruption.

Any information or data obtained from the respondents and the informants remain anonymous and their identity was not and will not be disclosed to a third party. Also where necessary before obtaining information, informed consent was obtained from the respondents and they were made

aware of the purpose of the study and any possible risks that may arise in the process of conducting it.

Study also observed cultural norms and other regulations which governed any group in the society where the information was being sourced. The study also avoided plagiarism or misusing of privileges and opportunities accorded during the study time. Confidentiality, anonymity and privacy of the respondents were observed. In general, social science ethical standards were observed to ensure that the study did not raise unethical issues.

CHAPTER FOUR

RESULTS AND DISCUSSIONS

4.0 Introduction

This chapter presents the results and the discussions of the findings and presented bearing in mind the objectives of the study. Data obtained on various variables relevant to the factors which influenced the institutional efforts of implementing the strategy, its prioritization, modification and level of corruption was obtained, coded, analyzed and the findings made thereof. The presentations were made in graphs, charts and tables accompanied by the relevant explanations. Quantitative data was analyzed using STATA[®]. This study focused on a sample size of 384 respondents purposively distributed among three categories of the respondents categorized as; General members of the public, Business people and the Professionals/public officials to get their diversified views on the subject matter. (See the distribution in Table 4.1).

Table 4.1: Distribution of the Questionnaires and the Response Rate

Type of Interview Groups	Percentage of Questionnaires	Number of Questionnaires Distributed	Number of Questionnaires Returned	Responses Rate (%)
General members of Public	50%	192	167	87%
Business People	30%	115	53	46%
Professionals/public officers	20%	77	61	79%
Totals	100%	384	281	73%

Questionnaires were distributed to 384 respondents and it is only 281(73.2%) questionnaires that were completed and returned. The returned questionnaires among the categories comprised of

the following; (i). General members of public (n=167), (ii). Business people (n=53) and (iii). Professional/public officers (n=61). The respondents who did not return questionnaires were 103 or 26.8% of the total of the respondents.

Up a follow up on those who failed return the questionnaires, it was established that some of them had no time to respond to the issues raised because of their busy schedule, while some were unwilling to participate in the survey due to the sensitive nature of the subject matter. Others were non-committal and did not provide the reasons for not returning them. The response rate among the three groups ranged from 46 % to 87%.

4.1 Results

4.2 Demographic Characteristics of Respondents

4.2.1 Respondents by Gender

Of the 384 questionnaires distributed only 281 were filled and returned. Eighty Seven (87) females (32%) compared to 190 males (67%) completed and returned the questionnaires, while Four (4) respondents (1%) did not indicate their gender on the questionnaire. Male formed part of the majority of the respondents because and they were dominant in both public and private sectors activities. Figure 4.1 below shows the percentage of respondent by gender.

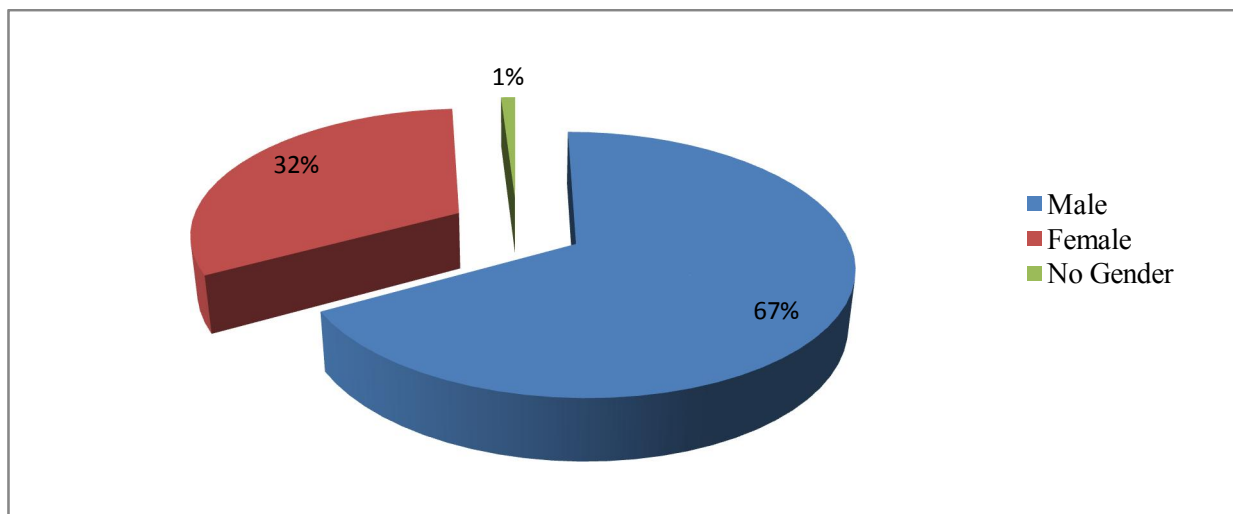


Figure 4.1: Respondents by Gender

4.2.2 Respondents Age Distribution

Table 4.2 below presents the distributions from all the sample strata and it shows the percentage responses among the various respondent's age groups.

Table 4.2: Respondents Age Distribution

Age	Respondent Categories							
	General Public		Business people		Public/Professional		Total	
	n=166	(%)	n=52	(%)	n=59	(%)	n=277	(%)
Below 20 Years	8	(4.8)	3	(5.8)	1	(1.7)	12	(4.3)
Between 21- 30 Years	90	(54.2)	28	(53.8)	20	(33.9)	138	(49.8)
Between 31-40 Years	43	(25.9)	12	(23.1)	18	(30.5)	73	(26.4)
Between 41-50 Years	20	(12.0)	9	(17.3)	14	(23.7)	43	(15.5)
Between 51-60 years	5	(3.0)	0	(0.0)	6	(10.2)	11	(4.0)

The respondents below the age of 20 years and above 51 years constituted just 4% each of the sample size. The respondents in the age group between 21 and 30 years accounted for 50% and it constituted the highest number of the respondents. This group was followed by age bracket of 31-40 years at 26%, 41-50 years at 16 %, above 50 years at 4%.

4.2.3 Religion Background

Out of the total respondents, 88% were Christians, Muslims accounted for 11% and other religions were only 1%. Figure 4.2 illustrates the distribution of the respondents as per their religion background.

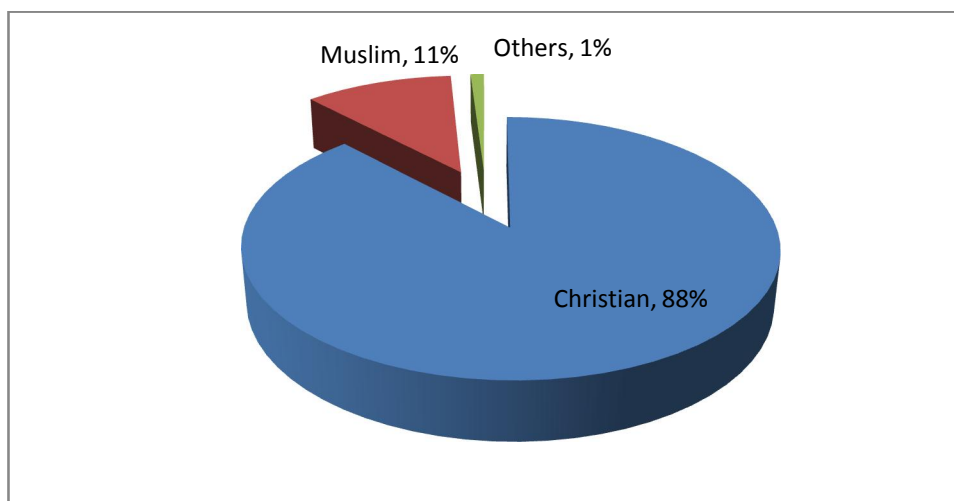


Figure 4.2: Religion Background

4.2.4 Level of Education

Slightly over 95.6% of the total respondents had attained secondary school level of education while only 4.4% had attained Primary education level and below. Table 4.3 gives the breakdown of the levels of education attained by the respondents.

Table 4.3: Level of Education

Level of education	Respondent Categories						Total	
	General Public		Business people		Public/Professional			
	n=165	(%)	n=51	(%)	n=59	(%)	n=275	(%)
Primary	12	(7.3)	0	(0.0)	0	(0.0)	12	(4.4)
Secondary	52	(31.5)	20	(39.2)	12	(20.3)	84	(30.5)
Diploma	65	(39.4)	18	(35.3)	19	(32.2)	102	(37.1)
University	36	(21.8)	13	(25.5)	28	(47.5)	77	(28.0)

4.3 Level of Corruption

The key interest of this study was to examine the factors influencing the implementation of the Three-pronged strategy since the continuous reporting of high incidents of corruption was an indication of the challenges affecting its implementation. Therefore, it was crucial to get the perception of the public on the level of corruption to justify that there was a problem in the

implementation of the strategy. Thus, this study sought for the views from the respondents on this aspect.

4.3.1 Opinion on the Level of Corruption in the County

Figure 4.3 shows the percentage views on the increase or decrease of the level of corruption as perceived by the respondents from the three categories.

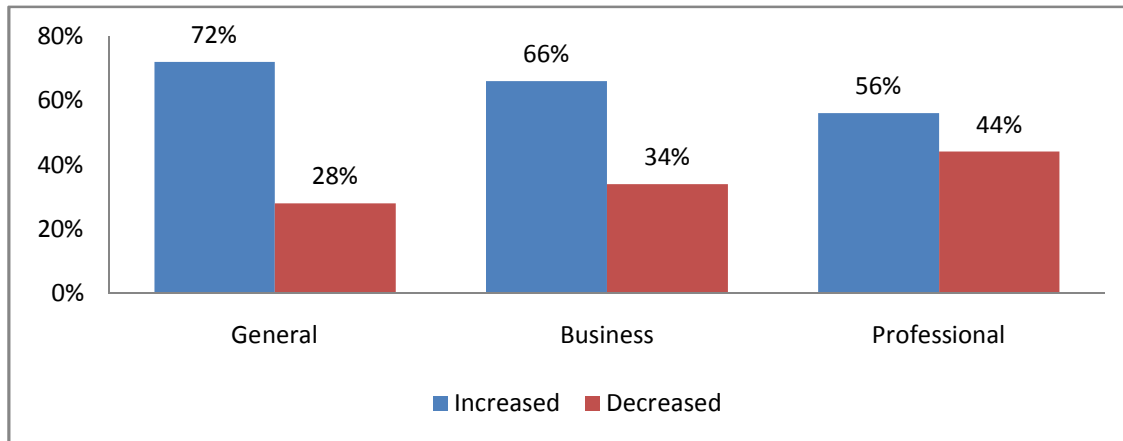


Figure 4.3: Level of Corruption

The study established that more than half of the total respondents (67%) were of the opinion that the level of corruption in the County had been increasing while 33% indicated it was decreasing. Among the three categories, Seventy two percent (72%) of the Members of General public, 66% of business people and 56% of Public officials/professionals pointed out that the level of corruption was increasing while 28%, of the General public, 34% and 44 %, of business people and Public officials/professionals respectively indicated that it was decreasing. The fact that majority of the respondents across all the categories indicated that the level of corruption was increasing was a pointer that the strategy had not managed to address the problem of corruption as expected.

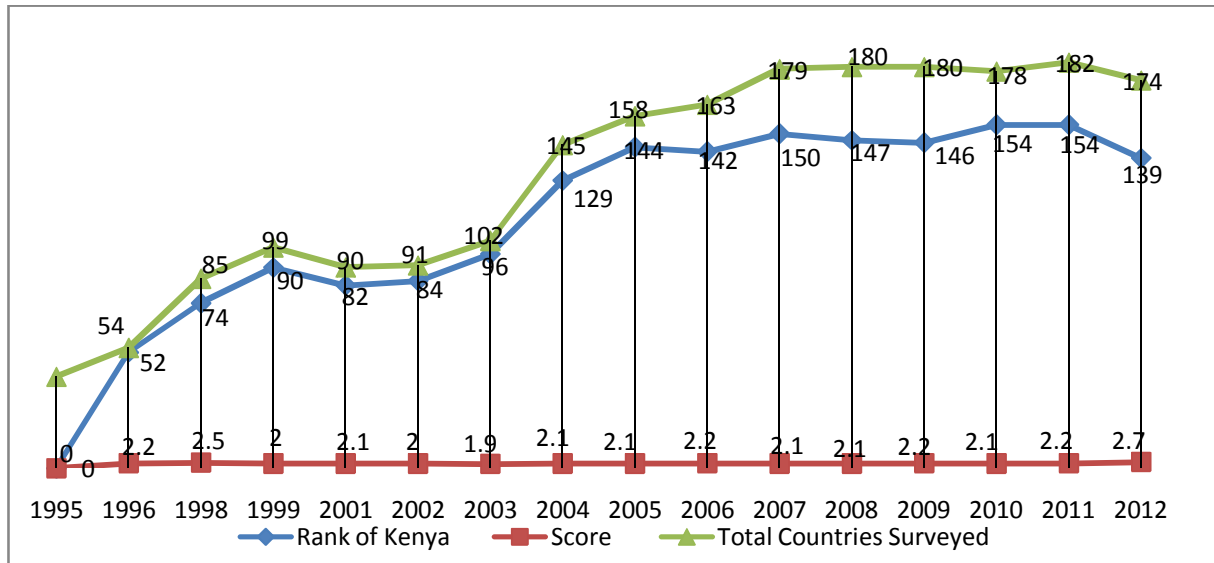


Figure 4.4: Kenya’s TI CPI 1995-2012

The above findings which indicated that the level of corruption was increasing corresponded with TI Corruption Perception Indices for the period 2003 and 2011 which showed that corruption levels in the country were high with the country being ranked number 122 out of 136 countries surveyed in 2003 and number 154 out of 183 of the countries surveyed in 2011. (See Figure 4.4 above). Its position did not drop down below position number 122 it had been ranked in 2003. Additionally, between 1995 and 2012, the country’s score was between 2.2 and 2.7. This was a further hint that the strategy faced numerous challenges in its implementation.

4.3.2 Perceived Changes in the Level of Corruption: 2006-2010

Tables 4.4 below shows the opinion of the respondents on the perceived changes in the level of corruption in the period in the period 2006-2010, this study established that 51% of the total respondents were of the opinion that corruption levels had increased in that period, 34% indicated that it had actually decreased while 14% reported that it had remained the same. Only 0.4% did not indicate their views on the trend of corruption in that period.

Table 4.4: Perceived Changes in the Level of Corruption: 2006-2010

Proportion who reported corruption level had;	Respondent Categories						
	General Public		Business people		Public/Professional		Total
	n=164	(%)	n=51	(%)	n=60	(%)	n=275 (%)
Increased	86	(52.4)	25	(49.0)	30	(50.0)	141 (51.3)
Same	25	(15.2)	9	(17.6)	4	(6.7)	38 (13.8)
Decreased	52	(31.7)	17	(33.3)	26	(43.3)	95 (34.5)
Don't know	1	(0.6)	0	(0.0)	0	(0.0)	1 (0.4)

Similarly, the number of the corruption reports made to the Commission that followed within its mandate in the same period kept on increasing, portraying an upward trend as demonstrated in Figure 4.5 below. This study presumed that in the period mentioned above, the institutions charged with the implementation of the strategy were well placed to handle the implementation process since the implementation framework had started in 2003 upon the enactment of the ACECA and other enabling legislations. However, the above reported perception on the changes in the level of corruption and the reported trend of corruption by the Anti-Corruption Commission as shown in the Figure 4.5 implied that the strategy had difficulties in reducing corruption.

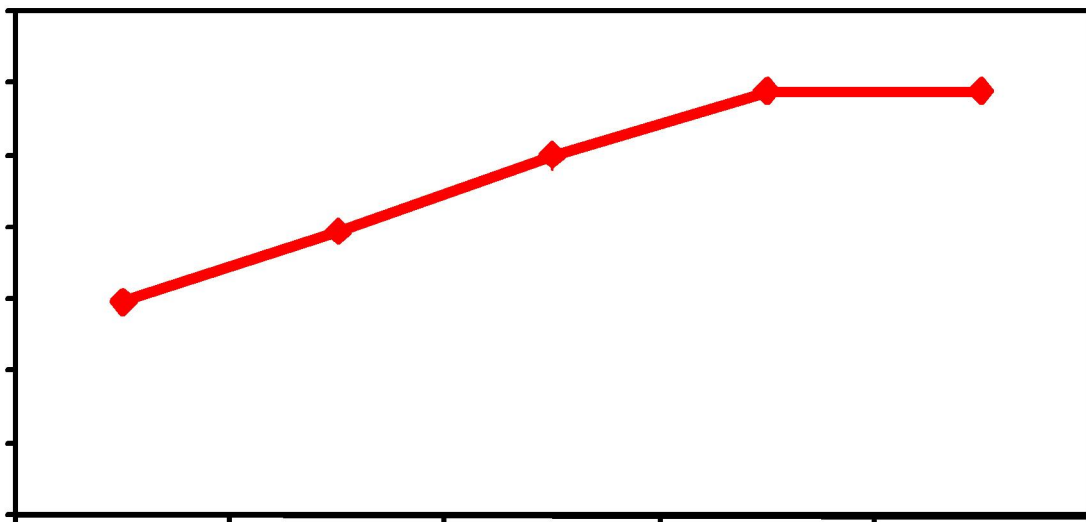


Figure 4.5: Trend of Corruption Reports Made to KACC: 2005-2010

4.3.3 Basis of Assessment of the Level of Corruption

Table 4.5 herein present the distribution of reported sources of assessing the level of corruption, this study established that 47% of the respondents assessed the level of corruption through personal experiences as a result of the incidents they came across in their normal life encounters. Print and electronic media (including Internet), accounted for 43.4%, 25% got information from the relatives and friends and 25.6 % from the Anti-Corruption Commission. The political and the religious gatherings were found to disseminate 12.5 % and 7.8 % information on corruption respectively. The fact that quite a larger percentage (47%) indicated that they assessed corruption through personal experience was a pointer that it was widespread due to the inadequacy of the strategy. Further, the high reliance on the media (43.4%) to gauge the level of corruption was an indication that corruption was pervasive and the public always expected it to disseminate information on the detected cases of corruption once encountered.

Table 4.5: Basis of Assessment of the Level of Corruption in the County

Basis of Assessment	Respondent Categories						Total	
	General Public		Business people		Public/Professional			
	n=167	(%)	n=53	(%)	n=61	(%)	n=281	(%)
Personal experience	73	(43.7)	32	(60.4)	27	(44.3)	132	(47.0)
Relatives/Business partners	44	(26.3)	13	(24.5)	14	(23.0)	71	(25.3)
Information from media	64	(38.3)	23	(43.4)	35	(57.4)	122	(43.4)
Information from KACC	40	(24.0)	12	(22.6)	20	(32.8)	72	(25.6)
Information from politicians	18	(10.8)	10	(18.9)	7	(11.5)	35	(12.5)
Information from place of worship	14	(8.4)	7	(13.2)	1	(1.6)	22	(7.8)

4.4 Implementation Status of the Strategy by the Mandated Institutions

Figure 4.6 below gives the views of the respondents on the implementation of the strategy by the mandated institutions. Despite the presence of the factors which affected its implementation, this study sought to establish how the institutions had performed in the period under review.

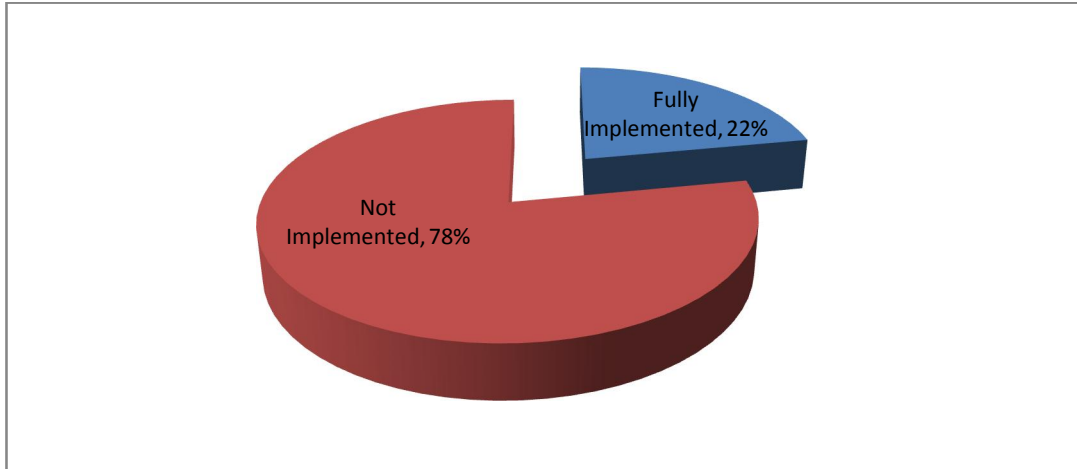


Figure 4.6: Implementation Status of Strategy by the Mandated Institutions

Generally, 22% of the total respondents indicated that the strategy had been fully implemented while 78% of the total respondents indicated that the institutions had not fully implemented the strategy. The higher percentage of the respondents who reported that the above institutions had not implemented the strategy as required was a signal that there existed numerous challenges which affected its implementation.

4.4.1 Success of the Institutions Mandated to Fight Corruption

To further strengthen the responses on the performance of the institutions mandated to fight corruption, the respondents were requested to give their opinion on whether the institutions had succeeded in fighting corruption by implementing the strategy. Their percentage responses are shown in Figure 4.7 below.

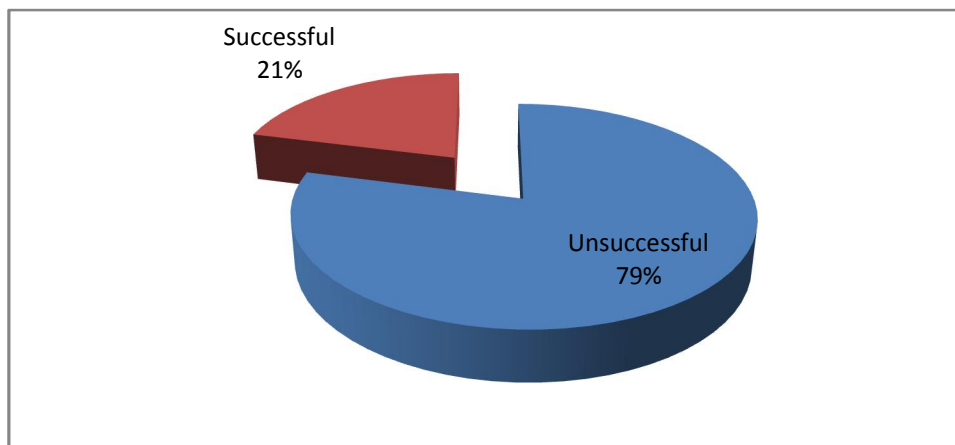


Figure 4.7: Success of the Institutions Mandated to Fight Corruption

Overall, 21% of the total respondents agreed that the institutions had succeeded while 79% indicated that the institutions were unsuccessful. This was a further indicator of the complexities facing the implementation of the strategy which led to the increase in corruption. Figure 4.7 above shows the percentages of views of the respondents.

4.4.2 Institutions Effectiveness in Facilitating the War on Corruption

In regard to the effectiveness of the institutions which facilitated the war on corruption, Media was ranked highly (66.7%) followed by the anti-corruption commission at 41.6%, development partners 40.2%, religious bodies/churches 32%, Office of the Attorney General 4.5%, Parliament/Cabinet 17.2%, Judiciary 14.4% and the Police /Law enforcement agencies 10.3%. The percentage responses are contained in Table 4.6 below.

Table 4.6: Institutions Effectiveness in Facilitating the War on Corruption

Proportion who reported the following institutions helped tremendously in war against corruption	Respondent Categories							
	General Public		Business people		P/Professionals		Total	
	n=158	(%)	n=50	(%)	n=55	(%)	n=263	(%)
Judiciary	27	(17.1)	5	(10.0)	6	(10.9)	38	(14.4)
KACC	58	(36.7)	28	(56.0)	23	(42.6)	109	(41.6)
Police/ Law enforcement agencies	20	(12.7)	2	(4.0)	5	(9.3)	27	(10.3)
Parliament/Cabinet	32	(20.3)	6	(12.0)	7	(13.2)	45	(17.2)
Media	97	(61.0)	42	(84.0)	37	(67.3)	176	(66.7)
Development partners	64	(41.0)	22	(44.9)	18	(33.3)	104	(40.2)
Religious bodies/Churches	47	(32.0)	19	(41.3)	13	(24.1)	79	(32.0)
Office of the AG	9	(6.1)	1	(2.2)	1	(1.9)	11	(4.5)

The above findings emphasizes the importance of engaging media to strengthen the implementation of the strategy as it enjoys wide coverage and its suitability in supporting investigations and creation of public awareness.

4.5 Factors Affecting Institutional Efforts of Implementing the Strategy

The first objective of the study was to identify the factors which affected the institutional efforts of implementing the strategy. In order to get the views related to this aspect, the respondents were provided with various questions to respond and their responses are reported herein.

4.5.1 Government Performance in Dealing with the Problem of Corruption

In regard to the government's efforts to address the problem of corruption, Seventy Five percent (75%) of all the respondents were of the view that the government had performed badly in facilitating the implementation of the strategy and the fight against corruption in general, 24% pointed out that it had performed well. One percent (1%) of the respondents did not present their views. Figure 4.8 below shows the percentages of the respondents.

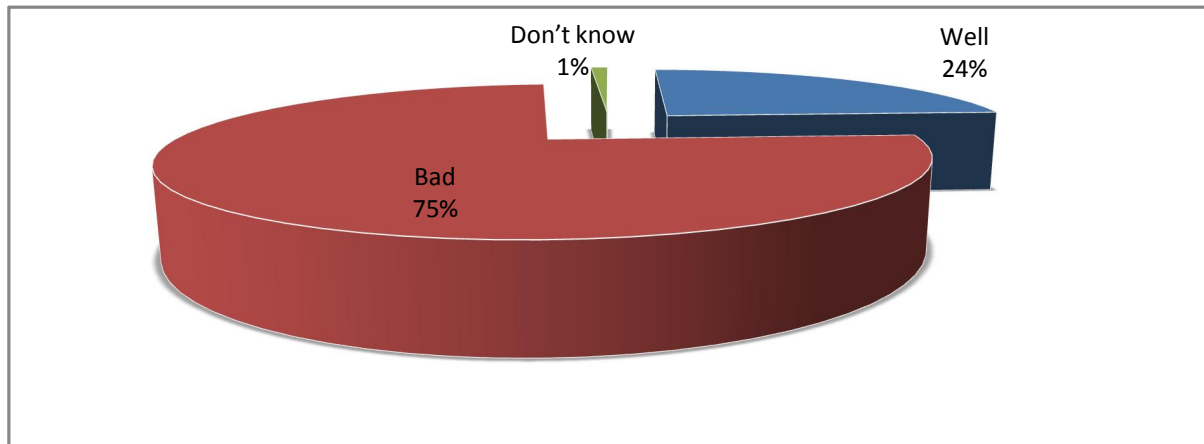


Figure 4.8: Government Performance in dealing with the Problem of Corruption

Government plays a crucial role in supporting the implementation of the strategy, the perception by the majority of the respondents (75%) that it had performed badly implied that its actors were not fully committed in the war against corruption. Hence only a small percentage (24%) was committed.

4.5.2 Influence of Political and Socio-Economic Factors

As tabulated in Figure 4.7, of the total respondents, 89% indicated that political and socio-economic factors influenced the implementation of the strategy and the war on corruption, while 9.2% indicated that the factors had no influence. Those who did not respond to this question constituted 1.8% of the respondents.

Table 4.7: Influence of Political and Socio-Economic Factors

Proportion who reported:	Respondent Categories						
	General Public		Business people		Public/Professional		Total
	n=87	(%)	n=29	(%)	n=47	(%)	n=163 (%)
Political and socio-economic factors have major influences on Anti-corruption war	73	(83.9)	26	(89.7)	46	(97.9)	145 (89.0)
Political and socio-economic factors have little influences on Anti-corruption war	11	(12.6)	3	(10.3)	1	(2.1)	15 (9.2)
Don't know	3	(3.4)	0	(0.0)	0	(0.0)	3 (1.8)

The reported higher influence of the political and socio-economic factors is due to the fact that political elites (legislature) play a crucial role in the implementation of the strategy. This includes their participation in the enactment of anti-corruption legislations and deciding on allocation of resources for fighting corruption.

4.5.3 Influence of the Social Life on the Strategy and Corruption

This study established that 73.9%, 41.2% and 35% of the total respondents in the Professionals/Public Officers, Business people and General Members of public categories respectively indicated that the strategy was not working well because corruption had been entrenched in social life. Hence most people viewed it as a way of doing things in the society. (See Table 4.8). On the other hand, 26.1%, 58.8% and 65% of the Professionals/Public Officers, Business people and General Members of the public categories, respectively indicated that negative political influence and impunity were the impediments but not the social aspects.

Table 4.8: Influence of Social Life on the Implementation of the Strategy

Proportion who think	Respondent Categories						
	General Public		Business people		P/Professional		Total
	n=103	(%)	n=34	(%)	n=46	(%)	n=183 (%)
Corruption is part of social life	36	(35.0)	14	(41.2)	34	(73.9)	84 (45.9)
Corruption is driven by politics and Impunity	67	(65.0)	20	(58.8)	12	(26.1)	99 (54.1)

Overall, slightly less than half (45.9%), of the total respondents reported that social life (culture) had influence on the war on corruption, while 54.1% did not agree that it had significant influence on the strategy and the war on corruption. below presents the percentages.

4.5.4 Influence of the Judiciary in Reducing Corruption

As indicated in Table 4.9 below, no respondent from the business people category indicated that judiciary had positively affected the anti-corruption efforts. Only 2.3% of the total respondents from Professionals/Public Officers and (2.8%) from General Members of the public reported that judiciary had influence in reducing the level of corruption. About 97.7%, 100% and 97.2% of the Professionals/Public Officers, Business people and General Members of the public respectively, opined that it had minimally influenced the reduction of corruption. Overall, 97.9% of the total respondents concurred that judiciary had not positively influenced the implementation of the strategy while 2.1% argued that it had effectively facilitated the implementation of the strategy and reduction of corruption.

Table 4.9: Influence of the Judiciary on Corruption

Proportion who think	Respondent Categories							
	General Public		Business people		P/Professionals		Total	
	n=106	(%)	n=40	(%)	n=44	(%)	n=190	(%)
Judiciary supports war against corruption	3	(2.8)	0	(0.0)	1	(2.3)	4	(2.1)
Judiciary is corrupt and encourages corruption	103	(97.2)	40	(100.0)	43	(97.7)	186	(97.9)

Judiciary plays a critical role in facilitating the implementation of the three pronged strategy; specifically it contributes in the war against corruption by adjudicating over the investigated cases that are prosecuted before the anti-courts laws. The extremely high perception by majority of the respondents (97.9%) who indicated that it was corrupt meant that it negatively influenced the implementation of the strategy since in most cases the prosecution and corruption victims got unfair treatment before the courts.

4.5.5 Obstacles Which Slowed Down the War on Corruption

As a way of reinforcing the responses in regard to the factors influencing the efforts of implementing the strategy, the respondents were further requested to provide their opinions on

other factors which slowed down the war on corruption. Their percentage responses in regarding to the factors which they thought slowed the war on corruption is as reported in Table 4.10.

Table 4.10: What Slowed Down the War on Corruption

Proportion who reported:	Respondent Categories						
	General Public		Business people		P/Professionals		Total
	n=124	(%)	n=45	(%)	n=51	(%)	n=220 (%)
Lack of commitment by public official/Investigators	29	(23.4)	2	(4.4)	11	(21.6)	42 (19.1)
Impunity	28	(22.6)	18	(40.0)	16	(31.4)	62 (28.2)
Bad leadership/political commitment	34	(27.4)	13	(28.9)	5	(9.8)	52 (23.6)
Socio-economic issues/Poverty	8	(6.5)	4	(8.9)	2	(3.9)	14 (6.4)
Tribalism/Nepotism/Favoritism	7	(5.6)	5	(11.1)	12	(23.5)	24 (10.9)
Lack of civic education	13	(10.5)	3	(6.7)	5	(9.8)	21 (9.5)

Among the total respondents, 23.6% cited bad leadership and lack of political commitment by the legislature, 19.1% indicated corruption among the public officials (including the investigators both in police and the anti-corruption commission), 6.4%, poverty and other socio-economic factors, 10.9% quoted; nepotism, favouritism, tribalism, ethnicity, racism, greed and selfishness among the public officials. Impunity among the political elites and the lack of effective civic education in the society were indicated by 9.5% and 28.2% of the total respondents respectively. Among the total respondents, 2.3% did not respond to this question. The above findings were a further manifestation of how the political factor (legislature) affected the implementation of the strategy and the war on corruption in general.

4.6 Prioritization of the Three-Pronged Strategy

The second objective of the study dwelt on assessing the prioritization of the three prongs of the strategy (Investigation, Prevention and Civic Education) to establish the order of their preference in terms of their impact in reducing the level of corruption in the obtaining socio-economic situation. Hence, the resources would be allocated proportionally depending on the impact of each of prong in the reduction of corruption. Figure 4.9 gives the percentages of the respondents in the regard to the matter.

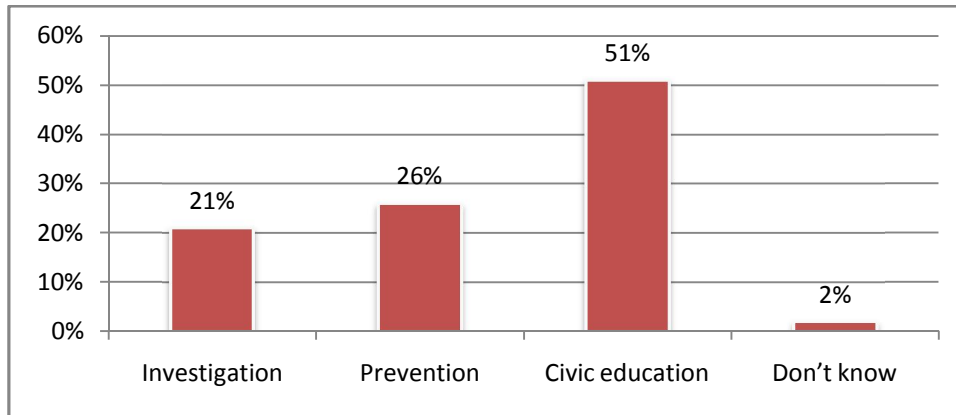


Figure 4.9: Prioritization of the Three-Pronged Strategy

Fifty One percent (51%) of the total respondents indicated that Civic Education should be given the highest priority, while 26% and 21% preferred Prevention and Investigation respectively. Two percent (2%) of the respondents did not indicate their preference.

4.6.1 Effectiveness of the Strategies in Fighting Corruption

As to the strategy (prong) which was rated as very effective in fighting corruption, all the client categories preferred; civic education, followed by prevention and lastly investigation. Civic education was rated as very effective by 47.9% of respondents while the prevention and investigation strategies were preferred by 35.8% and 27.4% respectively.

In regard to the preferences of the prongs which were viewed merely as effective, the overall preference by all client categories showed that civic education strategy was preferred by 27.4% followed by prevention (43.6%) and investigation strategy at 37.1%. Whereas civic education was rated as less effective strategy in the war on corruption by the overall respondents at 25.9%, prevention by 20.6% and investigation strategy by 35.3%. Table 4.11 presents the percentages of the respondents.

Table 4.11: Effectiveness of Strategies in Fighting Corruption

Proportion who reported the following strategies as very effective ways of fighting corruption	Respondent Categories						Total
	General Public		Business people		P/Professionals		
	n=155	(%)	n=46	(%)	n=58	(%)	
Investigation	51	(32.9)	7	(15.2)	13	(22.4)	71 (27.4)
Prevention	55	(35.5)	15	(32.6)	22	(37.9)	92 (35.5)
Civic education	70	(45.2)	25	(54.3)	29	(50.0)	124 (47.9)

Proportion who reported the following strategies as effective ways of fighting corruption	Respondent Categories						Total
	General Public		Business people		Professionals		
	n=155	(%)	n=46	(%)	n=58	(%)	
Investigation	60	(38.7)	17	(37.0)	19	(32.8)	96 (37.1)
Prevention	68	(44.4)	19	(41.3)	25	(43.1)	112 (43.6)
Civic education	42	(27.1)	11	(23.9)	18	(31.0)	71 (27.4)

Proportion who reported the following strategies as less effective ways of fighting corruption	Respondent Categories						Total
	General Public		Business people		Public/Professionals		
	n=155	(%)	n=46	(%)	n=58	(%)	
Investigation	44	(28.4)	22	(47.8)	26	(44.8)	92 (35.5)
Prevention	30	(19.6)	12	(26.1)	11	(19.0)	53 (20.6)
Civic education	45	(29.0)	11	(23.9)	11	(19.0)	67 (25.9)

The slight variations on the preferences by the respondents was due to the fact the three prongs of the strategy are complementary to each other and none of them can solely reduce corruption without the input of the other.

4.6.2 Ranking of the Three Strategies in Terms of their Effectiveness

The highly prioritized strategy (prong) as having the greatest impact in reducing the level of corruption was ranked first, followed by the second and third in that order. Therefore, the respondents ranked the prongs as follows; Civic education (1st), Prevention (2nd), and Investigation (3rd).

4.7 Modifications in the Implementation of Three-Pronged Strategy

The third objective of the study was interested in coming up with suggestions on how to undertake modifications in the implementation of the strategy for effective reduction of corruption in Nairobi County and beyond. The respondents among the three categories made suggestions which were almost similar on how to address the issues that affected its implementation. The respondent's responses percentages are presented in Table 4.12.

Table 4.12: Suggested Ways of Improving the Strategy

Suggested ways	Respondent Categories						Total
	General Public		Business people		P/Professionals		
	n=112	(%)	n=39	(%)	n=46	(%)	
Build investigation & enforcement capacity	38	(33.9)	12	(30.8)	21	(45.7)	71 (36.0)
Strengthen civic education	52	(46.4)	23	(59.0)	21	(45.7)	96 (48.7)
Strengthen judiciary	5	(4.5)	0	(0.0)	1	(2.2)	6 (3.0)
Strengthen prevention strategies	14	(12.5)	4	(10.3)	2	(4.3)	20 (10.2)
Don't know	3	(2.7)	0	(0.0)	1	(2.2)	4 (2.0)

Among the total respondents across the three categories, 48.7% called for strengthening of Civic education, 36% advocated for building capacity on investigations and enforcement, 10.2% and 3 % called for strengthening of prevention measures and judiciary respectively. While 2 % did not make suggestions on the matter.

Further, the respondents, implored on the Government to enhance policy reforms meant to address institutional, political and socio-economic factors which the respondents rated as the major causes of corruption, which affected the proper implementation of the strategy. The respondents rated the factors in order of their severity in causing corruption as are expressed in Table 4.13.

Table 4.13: Major Causes of Corruption

Proportion who reported	Respondent Categories						Total
	General Public		Business people		P/Professionals		
	n=154	(%)	n=49	(%)	n=55	(%)	
Inadequate transparency in polity	108	(70.1)	46	(93.9)	42	(76.4)	196 (76.0)
Ineffective and un-independent judicial system	114	(73.1)	38	(76.0)	41	(80.4)	193 (75.1)
Poor controls & accountability in public services	108	(69.7)	41	(82.0)	41	(78.8)	190 (73.9)
Others/Poor investigations	112	(71.3)	39	(78.0)	39	(75.0)	190 (73.4)
Ineffective systems of punishing corrupt culprits	106	(67.5)	41	(82.0)	42	(80.8)	189 (73.0)
Poor remuneration of public employees	96	(63.2)	42	(85.7)	45	(86.5)	183 (72.3)
Inadequate law enforcement mechanisms	103	(66.0)	42	(82.4)	42	(79.2)	187 (71.9)
Poverty	103	(66.0)	38	(76.0)	41	(77.4)	182 (70.3)
Poor corruption reporting mechanism	100	(64.1)	41	(80.4)	39	(75.0)	180 (69.5)
High cost of living	93	(60.8)	34	(68.0)	43	(79.6)	170 (66.1)
Inadequate job security	92	(58.6)	32	(62.7)	43	(82.7)	167 (64.2)
Unemployment	88	(56.8)	35	(70.0)	39	(73.6)	162 (63.0)
Poor incentive mechanisms	88	(56.8)	35	(68.6)	35	(67.3)	158 (61.2)
Socio-cultural reasons	85	(54.5)	31	(62.0)	33	(64.7)	149 (58.0)
Inadequate economic policies	78	(50.6)	28	(59.6)	34	(66.7)	140 (55.6)
Greed / selfishness	8	(5.1)	1	(2.0)	0	(0.0)	9 (3.5)

4.8 Focus Group Discussions

The groups discussed issues related to the objectives of this study among them the influence of political and socio-economic factors on the implementation of the three-pronged strategy and the prioritization of its three complementary prongs. The information from the two groups was recorded and thereafter analyzed to assess the level of consensus and dissent among the group's members. After the discussions an informed position on the views of the discussants on the subject matter were adopted as part of the findings.

The views by the discussants were to some extent similar to those obtained from the respondents in the three categories in regard to the influence of political and socio-economic factors in the implementation of the strategy and its prioritization.

The discussants concurred on some aspects while they had divergent views on others. They observed that “political elites interfered with institutions mandated to implement the strategy as they enacted weak anti-corruption legislations and allocated inadequate funds for the implementation of the strategy”. However, some were of the opinion that “it was not the weak laws and inadequate funding that effected the implementation but lack of commitments by the public officials managing the anti-corruption institutions”. Further, they argued that “the members of the legislature lacked the will and commitment to facilitate the implementation of the strategy as they were part of beneficiaries of corruption transactions ”. Nevertheless, there were those participants who pointed out that “ not all members of the legislature lacked commitment in the fight against corruption since some of them were known for advocating for the strengthening of the anti-corruption legislations and anti-corruption institutions.”

Participants argued that socio-economic factors influenced the implementation of the strategy depending on the policies created by the government. Some of the observations were that, “poor socio-economic policies led to slow economic growth which was characterized by unemployment and poverty”. To them “the prevalence of unemployment and poverty affected the implementation of the strategy as public officials charged with the role of its implementing the strategy took advantage of situation to engage in corruption”. Hence, the discussants called on the government to initiate socio-economic policy reforms which discourage corruption from taking place and at the same time it should provide adequate funding for fighting corruption.

In terms of the social influence in the implementation of the strategy, some discussants observed that “ the implementation of the strategy faced challenges because of the perception among the citizens and the public officials that corruption had indeed become part of the culture that was difficult to discourage.” However, there were those who observed that , “the difficulties faced in the implementation of the strategy were not as a result of the cultural belief that it was part of the culture in the County but due to lack of commitment among the actors in the government”. Hence, they called on the actors and the public to adapt a positive change on attitude on corruption for the successful implementation of the strategy.

As to the prioritization of the three complementary prongs of the strategy, the discussants had varied opinions on how the three prongs ought to be prioritized in terms of resources allocation.

Majority of the discussants supported civic education strategy, followed by prevention strategy and few of them preferred the investigation strategy. However, as noted from the other respondents in the three categories who were issued with questionnaires, the participants were also of the view that civic education strategy would take a long time to have an impact as the majority of the citizens requires time to change their attitude towards corruption as they were “accustomed to it”. To remedy the situation they suggested “that government and the private sector should work together and enhance awareness programmes meant to change the attitude of the citizens on corruption”.

The participants who advocated for the prevention strategy to be given more priority, argued that “ it provided for anti-corruption measures which reduced opportunities that encouraged corruption to take place while at the same time it acted as a deterrent by detecting the possibility of corruption taking place”. However, there were those with dissenting views who argued that this strategy, “like investigation is costly and time-consuming because it was a challenge to carry out adequate audits and procedures examinations in all the public institutions”. They viewed the periodical audits “as mere exercises which have been done ceremoniously over the years but the government had not implemented their recommendations as required”. They observed that the government had on annual basis continuously carried out audit operations in the public bodies yet fraudulent activities were observable in most of these institutions. Hence, they supported the other two strategies as more effective in reducing the level of corruption in the County than the prevention strategy.

The discussants from the law enforcement agencies and judicial system expressed the difficulties which they experienced in the cause of conducting investigations and prosecutions of corruption cases. They argued that “interference of investigation and prosecutions by the political elite was one of the greatest challenges which affected the smooth implementation of the strategy. The participants from the above institutions preferred investigation strategy to be accorded more priority arguing that it had major advantages over the other two strategies. They cited that “it has the capability of acting as deterrent to potential offenders due to the punishment meted on those found culpable”. Further, they added that this strategy would result in the recovery of the unexplained assets which the government could use to fund its socio-economic development projects”.

4.9 Discussions of the Results

The discussions of this study were guided by its three objectives which aimed at; examining the factors which influenced the institutional efforts of implementing the strategy, assessment of the prioritization of its three prongs and drawing modifications in its implementation for optimal reduction of corruption. In terms of the response, the response rate was impressive since out of 384 Questionnaires distributed, 281 were returned and this marked a response rate of 73%.

This was remarkable since normally a study on corruption is sensitive and as noted in the limitation of this study, some of the respondents had expressed fear of victimization or general apprehension in responding to questions related to corruption. However, the high response rate was an indication on willingness of respondents to volunteer their suggestions on how to improve the implementation of the three-pronged strategy to enhance the reduction of corruption.

4.9.1 Demographic Characteristics of Respondents

In terms of the respondent's age distribution, from all the sample strata, the respondents below the age of 20 years and above 51 years constituted just 4% each of the sample size. See Table 4.2. This was explained by the fact that those below 20 years were mostly pursuing their education and the questionnaires were not distributed to them. Also, only a few of those below 20 years had started venturing into the public activities which could have predisposed them to corruption transactions. The highest number of respondents fell under the age group between 21 and 30 years and they accounted for 50% of the total respondents. They were followed by those in the age bracket of 31-40 years at 26%, 41-50 years at 16 %, above 50 years at 4%.

Nearly half (49%) of the respondents were aged between 21-30 years. This implied that they were either actively engaged in employment, business activities or were seeking employment opportunities. This exposed them to corruption by virtue of their life adventures. Only 4% of persons aged 51 years and above were available for the interview. The above finding demonstrate that young people who are 20 years of age and below have less likelihood of engaging in corruption practices. This is because they have few encounters with authorities as they are dependent on the parents and guardians for their daily needs. However, the people

above this age are likely to engage in corruption or encounter it in various forms as they seek public services or while pursuing their normal business activities.

Christians were the predominant respondents (88%), Muslims accounted for 11% and other religions accounted for only 1% of the total respondents. The proportion of Christian respondents was the highest because Christianity was the predominant religion in the County compared to other religions combined. Therefore, most of the questionnaires went to the Christians than the members of the other religions. The higher numbers of the Christians and the lower numbers of the other respondents had no implications on the finding of the study.

In regard to the level of education the fact that most of the respondents (95.6%) had attained the secondary level of education and this was an indication that they were capable of assessing the political and socio-economic environment issues in the County. Therefore, they were familiar to extent of the major issues related to the anti-corruption strategies and the problem of corruption in the County and Kenya in general. Hence, they were able to respond to most of the issues in the questionnaire in a logical manner and they contributed immensely to the study. However, this did not mean that those who had attained the level of primary education and below (4.4%) did not contribute to the study. Corruption affects both educated and non-educated, hence they had their experience on the corruption matters and were guided where necessary on how to present their views.

4.9.2 Perceived Changes in the Level of Corruption: 2006-2010

This study sought to find out whether the level of corruption had gone down in the last period of five years between 2006 and 2010 since the three-pronged strategy was operationalized in 2003 upon the enactment of the Anti-Corruption and Economic Crimes Act and other enabling legislations. Subsequently, the anti-corruption commission was established the same time following the enactment. This study had presumed that in this period, the institutions mandated to fight corruption had matured and were optimally operational, hence their performance in implementing the strategy could be gauged or assessed.

Majority of the respondents (51.3%) were of the view that corruption had increased in that period while 34.5% opined that it had decreased, 14.8% indicated that it had remained the same while 0.4 % did not respond to the question. The reported increase in the level of the corruption

in the earlier years of the implementation of the strategy was an indication that the strategy started experiencing difficulties right away upon its adoption. This was due to inappropriate environment for its implementation and the unavoidable challenges which usually faces implementation of any policy reform at its early stage of initiation.

Normally, anti-corruption strategies face challenges from time to time and government ought to lay down mechanism for evaluating the progress in the implementation process. Klitgaard (1988) posits this requires a sound framework for policy analysis, yet in the cases of implementing this strategy an evaluation mechanism was lacking. Hence, the challenges were not identified early enough and addressed appropriately; this was evidenced by the fact that almost a decade since the adoption of the strategy, the problem of corruption still remained a great challenge in Nairobi County and in Kenya as a whole.

4.9.3 Basis of Assessment of the Level of Corruption

This study sought to find out how the respondents assessed the levels of corruption in the County in order to get an insight on whether they were knowledgeable on the subject matter of the study and to establish the reliability of the sources of their information on corruption. The fact that majority of the respondents (47%) reported that they assessed the level of corruption through personal experiences as a result of the incidents they came across in their normal life encounters, was indicator of wide spread corruption and the failure of the strategy to address the matter. Further the role played by media in terms of creating awareness was highly notable, therefore anti-corruption agencies needs to partner with it as means of fighting corruption. This was vindicated by the greater percentage of the respondents (43.4%), who rated it in terms of influencing the war on corruption.

Political and the religious gatherings were found to disseminate 12.5 % and 7.8 % information on corruption and this showed that the public is not convinced on the commitment of political and religious elites in the fight against corruption. The political elites and more specifically the members of the legislature have a role in combating corruption by enacting effective legislations and allocating the required resources. Hence, they should strongly observe their obligations for their commitment and political will to be appreciated by the citizens.

4.9.4 Implementation Status of the Strategies by the Mandated Institutions

Despite the presence of factors which affected the implementation of the three-pronged strategy, the study sought to establish how the institutions mandated to implement it had fared in the period under review. This was done in the understanding that despite the challenges posed by the factors discussed above; at least the institutions could not have failed totally in their anti-corruption efforts. Their achievements are supported by the anti-corruption corruption annual reports and the reports released by other bodies which disclosed the progress made in the war against corruption.

Generally, 22% of the total respondents indicated that the strategy had been fully implemented while 78% of the total respondents indicated that the institutions had not fully implemented the strategy. See Figure 4.6. The 78% gave their opinions based on various reasons. They argued that the anti-corruption commission had not fully succeeded in most of the investigations it initiated because were either incomplete or they had not succeeded at the anti-corruption courts. They noted that very few illegally acquired public properties had been recovered due to poor investigations and prosecution of the offenders.

Further, it was also pointed out that since the establishment of anti-corruption body in the year 2003, there was no single case of any top public official or key politician who had been jailed for corruption offences. Rather, only petty offenders involved in bribe taking like the police and administration officers had been punished for the vice. This was seen as an indicator that the institutions were unable to investigate those involved in the grand corruption, since very few high ranking officials had been punished for the offences they had committed.

Additionally, they noted that the institutions lacked adequate funding to implement the strategy and in some cases they lacked experienced qualified personnel to professionally to enable them meet their mandate. Judiciary and the law enforcement agencies (police) were some of the institutions seen to experience such problems. Also criminal judicial reforms had not been significantly implemented to promote successful investigations and prosecution of offenders. Interference from politicians and lack of political goodwill were also given as some of the indicators that the institutions could not successfully implement the strategy.

It was also argued that civic education awareness programmes had not been conducted in all sectors and their effects were not fully manifested in the society. Similarly, most of the public service delivery systems had not been examined to establish loopholes and weakness which enabled corruption to thrive and thereafter recommend the necessary remedial actions to be undertaken seal the loopholes. This was as a pointer of inadequacies in implementing the prevention strategy.

This study also noted that some of the provisions in the UNCAC had not been domesticated as required; an example was the 'Proceeds of Crime and Anti-Money Laundering Act,' which was meant to curb money laundering among other matters. The Act had been not been operationalized fully as both the Assets Recovery Centre and the Financial Reporting Centre were not well staffed and active. These offices would assist in recovering the illegally acquired wealth as per the requirements of UNCAC to curb corruption in the partner states. The two centres are crucial in the war on corruption because most of the funds or assets acquired corruptly are usually laundered to conceal their illegal origin. These centres would help in tracing and recovering such assets.

Respondents also indicated that judiciary had not fully supported the implementation of the strategy and they cited major cases of corruption like the Goldenberg scandal that had not been completed almost two decades, since the time when the fraudulent transaction took place. They observed that the former KACC had not finalized investigation into fraudulent deals related to the Security Contracts (Anglo-Leasing Scandal) more than a decade since the time when this fraudulent transaction took place.

Respondents also indicated that the institutions did not have adequate capacity and faced problem of employing incompetent officials through nepotism and favouritism and this affected their capacity in implementing the strategies. This was further worsened by the fact that the Commission did not have the prosecutorial powers to enable it fast-track the cases it had investigated. This caused perception that investigations conducted by the Commission were unsuccessful as the culprits did not appear in court as expected by the public.

On the other hand, there was a concurrence among 22% of the total respondents that the anti-corruption commission had to some extent implemented the strategy. This was evidenced by the

prosecution of offenders and repossession of illegally acquired public properties among them the grabbed public lands. The commission had also raised the level of awareness by conduct seminar and workshops to educate the public on the ills of corruption and this had made the citizens to know the action to be taken when they come across it.

Prevention strategy was found to have been implemented through various systems audit and examinations of procedures conducted by anti-corruption commission, Kenya National Audit Office and the Efficiency Monitoring Unit. The audits and examination of systems had led to the identification and sealing of loopholes and the adoption of best practices in the public financial management. They noted that these achievements amounted to success given that the institutions were working in a society where corruption was glorified by most of its members.

4.9.5 Success of the Institutions Mandated to Fight Corruption

To further strengthen the responses on the assessment of performance of the institutions, the respondents were requested to give their opinion on whether the institutions had succeeded in fighting corruption by implementing the strategy. Overall, 21% of the total respondents agreed that the institutions mandated to fight corruption had succeeded in fighting corruption while 79% indicated that the institutions were unsuccessful, (See Figure 4.7). The respondents gave various reasons as to why the institutions had succeeded or not succeeded in the war against corruption. There reasons were all most similar to the ones given part 4.8.4 above.

4.9.6 Institutions Effectiveness in Facilitating the War on Corruption

In regard to the effectiveness of the institutions which facilitated the war on corruption, 66.7% of the total respondents indicated that Media played a key role in fighting corruption through whistle blowing and creation of awareness among the citizens. It was followed by anti-corruption commission at 41.6%, development partners 40.2%, religious bodies/churches 32%, Office of the Attorney General 4.5%, Parliament/Cabinet 17.2%, Judiciary 14.4% and the Police /Law enforcement agencies 10.3%. See Table 4.6. The higher highest number of respondents who indicated that the media plays a significant role in the fight against corruption underscores the need for the Government and the stakeholders to involve it in the promotion of the civic education strategy as it enjoys a wide coverage. This calls for sustained partnership between the government and the media in the war on corruption.

4.9.7 Level of Corruption

This study gathered opinions or views of respondents in the areas of interest according to its objectives, first it sought the views of the respondents as to whether the level of corruption was high than expected. This was necessary to establish whether the strategy had achieved its main goal of reducing corruption. The opinions of the respondents in regard to the level of corruption in the County were an integral part of this study because this was one of the major issues which propelled the study to be conducted. More than half of the total respondents (67%) were of the opinion that corruption had been increasing while 33% indicated it was decreasing.

Increase in corruption was reflected in the ranking of Kenya in the Transparency International, CPI between 2003 and 2011 which showed that corruption had increased in the country, with Kenya having been ranked number 122 out of 136 countries surveyed in 2003 and number 154 out of 183 of the countries surveyed in 2011. The country continued to be ranked poorly even after the implementation of the three-pronged strategy in 2003 and inclusive of the period of this study. The poor ranking of the country corresponded with findings of this study which showed that corruption was increasing in this period. This was an indication that the high level of corruption in the country was reflected in Nairobi by virtue of it being the Centre of most of public and private activities. The reported increase in corruption was an indicator that there were challenges affecting the effective implementation of the strategy.

Views on the level of corruption from across all the three categories in this study were almost similar implying that the effects of corruption were experienced almost in the same magnitude in the society. There were minimal variation in the views of the respondents in the various categories, especially in regard to the level of corruption, factors affecting the strategy and its prioritization. Indeed, this finding conforms to the argument that corruption affects all and it works in comparable ways across the world in business and political contexts (Torsello, 2014). The respondents mentioned other multiple factors that were responsible for the increase in the level of corruption. These included socio-economic factors like high cost of living and poverty among the citizens which exacerbated corruption overtime. They argued that some public officials engaged in corruption and rationalized their actions by claiming that they were doing so to make 'ends meet' or rather to earn extra money illicitly to meet the ever rising cost of living.

Disclosure by the respondents that socio-economic factors were influenced the increase in the level of corruption was an indication that the Government had not succeeded in initiating and implementing sound socio-economic reforms which are crucial in facilitating implementation of the anti-corruption strategies. High cost of living and poverty disrupts the implementation of the strategies because public officials are attempted to engage in rent-seeking behaviour to earn extra benefits through corruption. The link between corruption and poverty was well explored by Mullei *et al* (2000).

Most of the respondents indicated that lack of transparency in political process was an obstacle in the fight against corruption. They quoted the Government complicity in undertaking criminal judicial reforms as a major cause of increase of corruption since perpetrators were not appropriately punished. This was occasioned by weaknesses in anti-corruption laws and the presence of corrupt judicial officials. They gave examples of the Goldenberg Scandal and the Anglo-leasing scandal (Security Contracts) case as some of the major cases which took place in the County more than a decade ago but had not been fully resolved. Corruption in the criminal judicial system is an impediment in the implementation of anti-corruption strategy. Even though the Government had attempted to address the matter through the creation of Commissions of inquiries and vetting of the judicial officials, the problem still remains and it affects the war on corruption. The various reports on integrity, ethics and corruption in the judiciary support the above arguments (Report of Judges and Magistrate Vetting Board, 2014 & The Report of the and Anti-Corruption Committee of Judiciary,2003).

The NARC coalition government was seen to have condoned and perpetuated corruption in the period 2003-2011 because during its tenure, there was no strong official opposition political party to check the activities of the political coalition. This was because cabinet ministers and the members of parliament in the coalition government could not challenge any impropriety in the government as they were part of the beneficiaries. Further, the key principals in the coalition feared taking action on the corrupt coalition partners as this posed a threat to the existence of the coalition whose fall out could have led to the collapse of the Government. The respondents also indicated that corruption had increased due to the high number of corruption incidents reported almost on daily basis in both electronic and print media.

Further, the above respondents pointed out that even though the veracity of the reports could not be immediately ascertained by the citizens, their daily occurrence as reported in the media created a perception that it was still high in the County. Even though there were indications from some of the respondents that the level of corruption varied depending on the political party in leadership, the corruption perception indices produced by the Transparency International and the anti-corruption commission annual reports indicated that it was still high irrespective of the changes in the political regimes. This was an indication of lack of political commitment which affected the implementation of the strategy. The role played by political elites in fighting corruption is crucial (Ian, 2006; Hechler & Hussmann, 2007).

Majority of the total respondents (67%) observed that the situation was worsened since most of the culprits involved in mega corruption deals, were still occupying higher positions in the government. The failure by the government to take swift administrative and legal actions against the suspects encourages the culprits to engage in the vice unabated. These respondents also reported that the increase in corruption was driven by impunity among the political elites (legislature) who interfered with investigations and prosecution of cases. This led to subjective prosecution of the corrupt offenders and this it failed to deter the potential offenders as they knew that the evidence obtained would not be sustainable in the anti-corruption courts.

Anti-Corruption and Economic Crimes Act requires that public officials who are charged before court for corruption related offences to be suspended until the cases are concluded and the verdicts issued. However, this has not been the issue in the cases involving senior public officials like the cabinet secretaries since instead of being suspended they have been asked to 'step aside' by the Chief Executive of the Government. The term 'step aside' is not provided in law (Kimeu, 2015) and this has left the officials to enjoy privileges and immunities which they should not enjoy while under prosecutions as they were likely to interfere with the outcome of the investigations or prosecutions.

Other respondents opined that changes in technological developments had made corruption more sophisticated and difficult to detect. The argument by the respondents that technological developments were impeding the war on corruption was an indication that government had not fully invested enough in the capacity building of its anti-corruption institutions. Corruption is a form of white-collar crime (Sutherland, 1940; Cressey, 1973) committed by people in high

offices and technocrats. Hence, to reduce it government needs to employ specially trained personnel to undertake investigations and preventive measures. This calls for improvement in anti-corruption institutional capacity to effectively address the emerging technological challenges. The UNCAC advises the governments of partner states in the convention the need to establish specialized anti-corruption units to address the challenges mentioned above.

Some of the respondents averred that corruption was increasing since top public officials including anti-corruption officials were engaged in it, thereby complicating the efforts to reduce it. They contended that corruption was highly entrenched in the public service such that in every transaction or services rendered by its officials, they had to give a bribe to speed up the process. They argued that the changes in the level of corruption were minimal and the government needed to enhance its anti-corruption efforts for the benefits of the strategy to be realized.

Among the reasons which they gave as the cause of increase was the failure by the anti-corruption institutions to conclude old investigations and other cases that were reported on daily bases in the print and electronic media. To them, this was a pointer that corruption was rampant in the County. They also observed that the anti-corruption commission was using the same methods to fight corruption which had proved fruitless overtime. With modernization taking place it's appropriate for the Government to reviews it anti-corruption strategies regularly to cope with the technological advancements.

Respondents observed that public officials continued to solicit for bribes before rendering official services and those who did not offer bribe faced bureaucratic hindrance before being offered official services. The hindrance was meant to coerce the service seekers to give the bribe or the demanded favour, they pointed out that job seekers in the County had to give the recruiting officials a bribe before one could get a job. They observed that in most cases the recruitment processes were not done in a transparent and accountable manner as they were influenced by nepotism and favouritism perpetuated by public officers who lacked integrity in performance of their duties. This was an implication of abuse of power and authority by public officials (Lenski *et al*, 1987).

Lack of enough employment opportunities was also blamed for escalating corruption as job seekers competed for the few available vacancies and this drove them to give bribes to get the

jobs. Similarly, poor salaries and remunerations of the public officials were among other reasons which accounted for the increase in the level of corruption as the officials resorted to corruption as a way of getting extra money and other resources to meet their daily needs. This was indication that the Government had not adequately managed to implement the socio-economic reforms which were geared towards reducing the opportunities for engaging in corruption as envisaged in the Poverty Reduction Strategy Paper (KNBS, 2010) and the Economic Recovery Strategy Paper (KNBS, 2010). Implementing the reforms is crucial because in the long run it will provide a conducive environment for the implementation of the anti-corruption strategies and reduce vulnerability to corruption.

Thirty three percent (33%) of the total respondents who indicated that corruption was decreasing attributed the decrease to accountability and transparency initiatives which the post KANU governments had put in place to minimize corruption. Some of the anti-corruption efforts embraced by the post KANU governments they noted included the creation of the KACC and the subsequent changes in its leadership. They also mentioned the roles played openly by the parliamentary departmental committees delegated with the role of addressing matters of integrity and corruption.

They also argued that public awareness campaigns conducted by anti-corruption bodies and the civil society had influenced public officials and the public to desist from engaging in corruption to a greater extent. The changes in political leadership from the year 2003, when KANU government came out of power and the NARC government took over the political leadership was also given as another contributory factor to the decrease in the level of corruption. Further, they were of the opinion that the post KANU coalition government and the appointment of the new directors to head the defunct KACC had led to the enhancement of the anti-corruption war hence reducing the level of corruption.

Respondents also indicated that even though it was decreasing, lower cadre public servants were less involved in it than the top cadre public servants, a scenario that discouraged the lower cadre officials. It is worth to note that the celebrated decrease in the level of corruption after the KANU government was removed from power was short lived because as observed in the Anti-Corruption Commission annual reports, TI Corruption Perception Indices and the print and electronic media, the level of corruption still is high as it was during the single party era.

Similarly, the concerted efforts by parliament were also fronted as some of the reasons responsible for the decrease in the level of corruption. These efforts were viewed as deterrence to corruption activities. However, the decrease was termed by the respondents as gradual or slight, hence requiring a lot to be done to achieve a drastic decrease in the level of corruption in the County. Vigour of the role of *Parliamentary Accounts Committee* and *Parliamentary Investment Committee* was high in the post-KANU Government but with time it dwindled and the parliamentarians efforts to fight corruption have been affected by controversies arising from alleged biasness and bribery to influence the outcome of the reports. The Kenya National Assembly Committee on Privileges report of the year 2015 expounded on the challenges faced in addressing corruption issues (KNA Hansard, 2015).

Despite their views that corruption was reducing, it was noted that many cases of corruption had been reported in the post KANU Governments despite the promise that the government had given more priority to anti-corruption war as a way of attaining high economic growth and development to meet the requirements of Kenya Vision 2030. They indicated that it had decreased in very slight margins and they noted that there was a probability that corrupt offenders had devised new ways of executing corrupt deals to escape detection by the public or the authorities. This situation presented an impression that its level was going down whereas it was increasing. The respondents pointed out that since corruption in the county was decreasing at a lower pace, anti-corruption institutions and the stakeholders should work together to give the war on corruption a higher momentum.

Of the 33% of the total respondents who indicated that corruption had gone down observed that it had reduced in low percentage and some of the reasons of its decrease were as a result of increased creation of awareness and the strategies implemented by KACC in its effort to combat the vice. The presence of anti-corruption commission was viewed as a deterrent measure, though not very significant, it had made some people afraid to engage in the vice. They also pointed out that the decrease was more noticeable in the post KANU era than in the KANU era but noted that more efforts ought to be done since according to them it was rampant in key government institutions like; the police and health facilities among others.

4.10 Factors which influenced the Implementation of the Strategy

4.10.1 Government Performance in Dealing with the Problem of Corruption

Normally, the government is the key actor in the implementation of strategy and this study endeavoured to establish how it had handled the problem of corruption. In general, 75% of all the total respondents were of the view that it had performed badly in implementation of the anti-corruption strategies. Twenty Four percent of the total respondents pointed out that it had dealt well in implementing the strategy, while One percent (1%) did not comment to this question. See illustrations in Figure 4.4. The higher proportions of discontent implied that the government had not managed to control corruption as expected and this was a strong sign that corruption was still thriving despite the implementation of the strategies designed to reduce it.

Seventy five percent (75%) of respondents who reported that it had not performed well in facilitating the implementation of the anti-corruption strategies and fighting corruption in general blamed it for failing on several issues as herein discussed. They blamed the legislature for lack of accountability and transparency in the political process and they castigated the members of parliament for engaging in rhetoric talks on corruption issues while they were covertly engaged in the vice. The talks were usually witnessed in the news aired by the local media where the members of the legislature blamed their opponents for perpetuating corruption in public rallies. Additionally, the legislature was blamed for failing to enact strong anti-corruptions laws to mitigate the problem of corruption. The respondents argued that in most of corruption cases where the political elites were involved, the matter ended up being referred for constitutional interpretation at the High Court.

This study observed that the legal interpretations presented before court normally took long time and eventually the accused persons were acquitted. The possibility of punishing the suspects in most of these cases was minimal and even where punishment was imposed it was not deterrent enough to deter the potential offenders. As already pointed in this part of discussions, the government faced challenges in streamlining operations of the judiciary necessitating it to form commission of inquiries and vetting board to investigate and vet the conduct of the judicial officials (Report of Judges and Magistrate Vetting Board, 2014 & Report of the and Anti-Corruption Committee of Judiciary,2003). This was an indicator of the problems which afflicted the judiciary and subsequently affected the strategy implementation.

Of the total respondents, 75% noted that anti-corruption courts had not managed to punish senior public officials or political elites for corruption offences during the period of this study and mostly the courts had succeeded in punishing lower cadre officers. These junior officers were involved in petty corruption whereas those engaged in grand corruption were mostly acquitted by the courts. They also contended that the anti-corruption commission had not performed well because it lacked the capacity to investigate corruption and the situation was worsened by the fact that it could not on its own prosecute the corrupt offenders.

The reason why the Commission could not initiate its own prosecutions was because the prosecution function was the preserve of the former Attorney General and later the Director of the Public Prosecutions whose opinion to prosecute the corruption suspects sometimes differed with that of the anti-corruption commission. To them, this was an indication that anti-corruption legal framework was weak and could not adequately address the vice. The higher number of respondents who blamed the government for failing to facilitate the war on corruption was an indication of the critical role it played in fighting corruption. Hence, if its actors are not committed the implementation of the anti-corruption strategies faces challenges.

Twenty Four percent (24%) of the total respondents, who argued that the government had performed well in implementing the strategy and addressing the problem of corruption, pointed out some of the achievements that were indicators of its performance. The achievements included the enacting of various legislations, establishment of anti-corruption agencies and mobilizing the private sector to create awareness on effects of corruption in the society.

They also noted that the anti-corruption commission had encouraged both public and private institutions to introduce programmes meant to reduce corruption like the integrity testing programme and the corruption prevention committees. Other than these efforts, they noted it had also prosecuted corruption offenders and recovered the illegally acquired assets even though the process had not gained the full momentum. To them, these efforts had enhanced the government performance in implementing the anti-corruption strategy.

Majority of the members of focus group discussions in their deliberations were of the view that the Government actors significantly influenced the implementation of the anti-corruption strategies and the war on corruption. They observed that the actors were responsible for

developing political and socio-economic policies which minimize corruption and their commitment was crucial in determining the successful implementation of the strategy. Respondent's perception in assessing the role played by the Government (Executive, legislature and judiciary) in the implementation of the strategy implied that for effective implementation of the strategy to take place, its actors must work harmoniously with the sole commitment of reducing corruption.

4.10.2 Influence of Political and Socio-Economic Factors

Other than the actions of the Government actors (Executive, Legislature, and Judiciary) that were found to directly influence the implementation of the strategy, political and socio-economic factors also influenced the implementation of the strategy and the level of corruption. Majority of the participants in the focus discussion groups argued that the level of corruption could either go upwards or downwards depending on how the actors addressed the socio-economic problems. This further, depended on the efficacy of the socio-economic policies they initiated to mitigate the problems which encourages corruption to take place.

To assess how the above factors affected the implementation of the strategy, a question was posed to the respondents on this regard and majority of them (89%) reported that the factors influenced the implementation of the strategy and the war on corruption to a greater extent. The participants in the focus group discussions were of similar view. For instance, they posited that a weak economy affected the implementation of the strategy and reduction of corruption. A weak economy is mostly affected by budgetary deficits and this makes it difficult for the Government to provide enough resources to fund the war on corruption. Further, public officials engage in corruption to get extra earnings to supplement their official earnings because the Government usually unable to compensate them appropriately.

About 9.2% of all the respondents indicated that the above factors had no influence, while 1.8% did not indicate whether the factors influenced or did not influence the implementation process. The 9.2% of respondents, who indicated that political and socio-economic factors had no effects, did not give their views on why they thought that the factors had no influence, (See the illustration in Table 4.7).

Majority of the respondents (89%) mentioned various reasons on how the above factors affected the anti-corruption strategies and the war against corruption as discussed below. They blamed the political elites in the County for being a stumbling block in the war on corruption and causing its level to increase. They were also faulted for failing to enact effective anti-corruption laws to strengthen the strategy and for influencing the court process to delay justice in the cases where they had interest. Further, they were accused for using their corruptly acquired wealth to influence investigations and prosecutions to protect those involved in the corruption networks.

This study noted that political elites and more specifically the members of parliament and local authority representatives were viewed by majority of the respondents as the key leaders and role model in their respective communities. This implied that they possessed a lot of influence in the community life style. Therefore, their involvement in the major corruption scandals and the lavish life style they enjoyed, coupled with the fact that most of them had not been prosecuted or punished for corruption offences, propelled more people to engage in corruption.

Political elites were the key government representatives in the ministries and by virtue of being cabinet ministers they influenced public policies, development agenda and procurement process, the respondents argued that when they were not committed in the war on corruption, they sabotaged the processes of implementing the strategy. As part of legislature, the politicians are responsible for making laws and socio- economic policies to improve the standard of living including creation of employment opportunities. They were accused of failing to initiate sound socio-economic policies to spur economic growth and creation of job opportunities to improve the wellbeing of the citizens. Failure in the policy making process led to increased level of poverty and unemployment which in turn increased the level of corruption.

Majority (89%) of the respondents also noted that legislature could influence war on corruption by providing checks and balances since they had the opportunities both in and outside the parliament to question any shady deal which they come across. They could do this by referring the matter to various parliamentary select committees or by raising a motion in parliament to discuss any reported case of corruption. However, the respondents argued that there was suspicion that parliamentarians were compromised not to investigate or deliberate on key cases where influential persons were accused of corruption. In such circumstances, they were

unwilling to carry out inquiries and debates where they were of the opinion that the outcome of the investigations could wreck the survival of their political parties or their political careers.

Political elites were further castigated by the respondents (89%) for engaging in political corruption especially during General Elections leading to misuse of public resources. The corruptly acquired resources were used to mobilize their supporters to vote for them; eventually this increased the level of corruption. It was also observed that they were capable of influencing the implementation of civic education strategy by creating awareness on corruption during political rallies and this would tremendously change the attitude of public on corruption and greatly reduce it.

However, to the contrary it was established that mostly they did not use the political rallies to mobilize their followers to abstain from corruption but in most cases they used the rallies as a platform for defending those accused of the vice. The political elite also viewed attempts to investigate and prosecute their political counterparts accused of corruption as efforts meant to destroy their political careers by their opponents. Their political statements in the rallies were meant to diffuse the truth in regard to allegations of corruption levelled against them.

Political elites were further accused for looting public money which they siphoned it abroad to the safe havens and this contributed to poverty which was a major cause of corruption. Additionally, this denied Government resources required to the implement strategy leading to increase in the level of corruption. Similarly, the poor economic conditions experienced in the County were seen as a contributing factor to the increase in the level of corruption. The conditions led to competition and conflicts in the sharing of the scarce resources which caused some people to opt to engage in corrupt deals to benefit themselves at the expenses of the less fortunate in the society.

Eighty nine (89%) of the total respondents also indicated that corruption was deeply rooted in the society and had become part of the culture of Nairobi people. This belief caused the level of corruption to increase as it was seen as a way of achieving one's goals especially when one wanted to be offered public services without following the laid down regulations. This perception created difficulty in implementing the civic education strategy because of the negative attitude that corruption was there to stay and as such the awareness campaigns could

not reduce it easily. As discussed above in regard to political and socio-economic factors, the political factor was presented as the most influential factor affecting the strategy and the reduction of corruption. It had the capability of influencing the effectiveness of the strategy and war on corruption either positively or negatively depending on the inclination or commitment of the main actors in the Government.

This is because adequate legislations and policies to fight corruption and to improve the socio-economic status are made through a political process which is the preserve of the political elite. Yet the legislature as established had not provided the best environment for fighting corruption. The literature in this study demonstrated how political and socio-economic factors influenced the implementation of the anti-corruption strategy. The members of the focus group discussions presented views which were almost similar to the ones discussed above. Majority of the discussants censured the government for failing to initiate policies which discouraged corrupt practices. Similarly they accused it for lack of political will and commitment in the war on corruption.

4.10.3 Influence of the Social Life on the Strategy and Corruption

Influence of the social life or rather the culture was a crucial phenomenon which was examined to establish how it influenced the implementation of the strategy and the war on corruption. It was established that 73.9%, 41.2% and 35% of the total respondents in the Professionals/Public Officers, Business people and General Members of public categories respectively indicated that the strategy was not working well because corruption had become part of the social life which was difficult to refrain from because almost everybody was engaged in it.

Twenty six percent (26.1%), 58.8% and 65% of the Professionals/Public Officers, Business people and General Members of the public respectively indicated that it was the political environment which impeded effective implementation of the strategy but not the social aspects. They argued that political leaders played crucial role in the war on corruption but since they lacked commitment, accountability and transparency, they mostly interfered with the implementation process. Overall, slightly less than half (45.9%), of the total respondents reported that social life (culture) had influence on the war on corruption. However, 54.1% of the respondents did not agree that it had significant influence on the strategy and the war on

corruption. See Table 4.7. The members of the focus discussion groups were of the view that political factors played a great role in the war on corruption unlike the social factors.

Respondents advanced various reasons on how the social life or rather the culture affected the implementation of the strategy and corruption in the study site. Forty six percent (45.9%) of the total respondents indicated that corruption had become part of social life simply because some people in the society were greedy and served self interests at the expense of the greater interests of the society. Therefore, this category of corrupt people always advocated for corrupt practices and persistently did anything at their disposal to disrupt the implementation of the anti-corruption strategies. For instance, they would go to any length to disrupt on-going investigations and prosecutions to ensure they did not succeed. Such actions ended up weakening the investigation strategy.

About 45.9% of the respondents mentioned that corruption enriched a few individuals in the society who enjoyed lavish life style and controlled many aspects of the political, economic and socio-cultural issues in the society. They asserted that this class of people was envied by the less advantaged people who eventually rationalized corruption as a means of ascending higher in the social status in the society. The respondents reported cases where corrupt individuals were glorified by poor people for managing to loot public coffers and eventually moving to higher class status due to the benefits they derived from corruption. This attitude towards corruption significantly affected the implementation of the strategy as individuals in the society rationalized that corruption was not bad.

On the other hand, 54.1% of the total respondents who indicated that social life did not affect the implementation of the strategy and corruption level blamed the institutions mandated to fight it for not addressing obstacles which hindered the implementation of the strategy. The obstacles mentioned included; failure to implement judicial and police reforms, allocation of inadequate resources, political interferences in cases under investigations and prosecution. They also cited lack of adequate political will, discriminative investigations and prosecutions, non-recovery of the illegally acquired property, failure to enhance civic education and lack of checks and balances in the public systems among factors. They observed that if the institutions mandated to fight corruption were strict in enforcing their mandate, corruption would be greatly reduced.

Similar observations were made in the focus discussion groups which noted that the increase in corruption in the county was caused by those individuals who failed to did not observe good morals and ethics. They argued that this was precipitated by socio-economic and modernization changes which had taken place and to some extent which threatened to break the social fabric in the society. They reasoned that this had led to a society composed of corrupt people with no feelings on the welfare of the less fortunate amongst themselves. Such people were ready to fraudulently acquire public resources in disregard of the norms and values of the society. This deviance behavior further incapacitated the process of implementing the strategies.

A minority of participants in the groups argued that corruption was rampant not because of the above mentioned changes but it was as a result of lack of strong compliance and enforcement mechanisms in the public institutions. They appealed to the Government to enhance accountability and transparency by enacting appropriate legislations and initiating programmes which would sustain the war on corruption. To remedy, the situation they suggested that government and the private sector should continuously develop awareness programmes to change the attitude of the citizens towards corruption. They envisioned that this approach would eventually improve on the implementation of the strategy and more specifically the Civic education strategy.

In the African culture context, traditionally the exchange of gifts in social relations is common. However, there is tendency by some individuals to view corruption as a form of exchange (Torsello, 2014). Traditionally, the exchange was seen as a way of reciprocating certain social actions and the society had set parameters of such exchanges. Nevertheless, there are individuals in the modern time who attempts to disguise their corruption acts as a form of traditional exchange whereas they are actually actions of corruption.

Torsello (2014) notes that this is common in petty corruption, therefore, even though 45.9% of the total respondents reported that corruption was a part of social life, this amount to ignorance or deviance behaviour as individuals attempt to justify their corrupt practices in social relations. Cultural beliefs affect the implementation of anti-corruption strategies and this call for enhanced civic education to change the public attitude on corruption. It is for this purpose, the Government enacted the Public Officers Ethics Act and that Leadership and Integrity Act to provide

guidelines on areas where cultural or traditional behaviours conflicts with the modern expectations.

4.10.4 Influence of the Judiciary in Reducing Corruption

This study sought to establish how judiciary affected the implementation of the strategy and the level of corruption. This was done bearing in mind that the resultant effect of the investigation strategy was to recommend cases for prosecution before the anti-corruption courts. Therefore, understanding how the behaviour of the judicial officials influenced the implementation of the strategy and generally the war on corruption was of paramount importance to this study. To ascertain its influence, opinions were sought from the respondents and their views showed that it considerably affected the implementation process and the war on corruption. It was found that judiciary had both positive and negative influences on the strategy and the war on corruption as discussed herein.

No respondent from the business owners' category indicated that judiciary had positively affected the anti-corruption efforts. Only 2.3% of the total respondents from Professionals/Public Officers and (2.8%) from General Members of the public reported that judiciary had influence in reducing the level of corruption. About 97.7%, 100% and 97.2% of the Professionals/Public Officers, Business people and General Members of the public respectively, were of the opinion that judiciary had minimally influenced the reduction of corruption in the County. Overall, 97.9% of the total respondents agreed that judiciary had negative influence on the level of corruption in the County because it was compromised and fraudulently administered justice. The judicial officials were blamed for instance for; favouring the accused people and acquitting them or failing to order for recovery of the illegally acquired public property after the officials were compromised.

Respondents among the 97.9% observed that the judicial officials were compromised or bribed to pass lenient judgment which did not act as a deterrent to the potential corruption offenders. Some of its officials were castigated for intentionally delaying the conclusion of the cases after they were compromised by political elites, wealthy people or individuals with vested interests and this negatively affected the implementation of the strategy and the war on corruption. Only a paltry 2.1% of the total respondents thought the judiciary was fair and that it had effectively facilitated implementation of the strategy, (See Table 4.9).

This study further established that the 2.1% of respondents who thought the judiciary contributed in combating corruption indicated that it had lowered the level of corruption by speeding up the cases presented before the anti-corruption courts. Consequently, those found guilty were punished accordingly and this deterred the potential corruption offenders. This encouraged the public to report corruption cases because they had some hope that the culprits would be punished eventually. Similarly, it had assisted in making rulings which led to recovery of the illegally acquired public properties as reported in the annually reports of the anti-corruption commission. In fast-tracking the cases, the judiciary avoided the delay which the citizens termed as, costly, tedious and without any benefits to the victims of corruption.

Also by imposing the befitting sentences and punishments, the judiciary acted as deterrent to the potential offenders who henceforth desisted from engaging in corruption. They further observed that it had also undertaken reforms meant to improve administration of justice for instance by setting up Special Anti-Corruption courts. These courts made it easier and convenient to dispense off the cases presented for prosecution. The reforms were termed as crucial because they had cleaned avenues of corruption in the law courts which caused injustice in determining the corruption cases. Eventually, this had resulted in improvement in the implementation of the strategy and reduction of corruption.

Among the 97.9%, some respondents blamed the judiciary for acting discriminatively by punishing the poor suspects at the expense of the rich and failing to be impartial in its adjudication duties. This was found to encourage corruption among the elite members of the society and it was noted that in some cases, the judiciary was sluggish in dispensing judgements and it failed to provide for speedy solution of corruption cases which had taken several years to complete like those related to Goldenberg scandal and the Security Contracts.

This delay was seen to arise from some of its members who were compromised by the suspects to delay the court process so that evidence could fade over time and eventually such cases were dismissed. Some respondents among the 97.9 % argued that justice was bought by those who were wealth while the poor citizens with little or no money to give out did not get justice because they could not influence the judicial officials. Hence, poor people ended up being heavily punished after heavy fines and penalties were imposed on them or jailed as the rich corrupt individual went Scott free.

Some respondents within the 97.9% were of the opinion that corruption had also penetrated the judiciary making it impossible to effectively handle corruption cases. It was noted that there were incidents where court files and other evidential materials were fraudulently removed from the court records and this resulted in the cases being dismissed and the accused acquitted. Another aspect noted was the poor relationship and blame game which existed among the anti-corruption commission, Office of the Attorney General and that of the Director of Public Prosecutions leading to delay in prosecution and unnecessary acquittal of culprits.

Indeed, a report carried by the local media showed that few people were convicted for corruption offences; further the report argued that some officials in the Office of the Director of Public Prosecutions blamed anti-corruption commission for forwarding files for prosecution without adequate evidence crucial for successful prosecutions (Gisesa, 2015). Successful prosecution depends on adequate facts or evidence provided by the investigators to the prosecutors, the perceived difference between the two institutions weakened the implementation of the investigation strategy.

Fighting corruption requires professionalism and integrity and it is disheartening that while the that the two institutions are staffed by professional lawyers who occasionally participated in crime reading before the files are presented before the courts of law, the blame games always arouse threatening the success of the cases. In some instances, which were perceived by the public as undeserving, the cases were disposed off by courts which were equally managed by their colleagues who are even junior in the legal fraternity. Due to the complexity in corruption cases, it is necessary for the investigators and prosecutors to adopt a 'Prosecution-Investigation led approach' at the initial stages of investigations to address in advance issues which may later on affect the prosecution and lead to blame game among the two parties. Unanticipated dismissal of cases by the courts raises doubt as to whether corrupt offenders are acquitted for lack of evidence or due to vested interests among judicial officials, political elites and greedy merchants trading with the Government.

In conclusion, the behaviour of the judicial officials was found to influence the implementation of the strategy and the war on corruption in either way depending on their integrity, accountability, transparency, independence, and the commitment to fight corruption.

4.10.5 Obstacles Which Slowed Down the War on Corruption

As a way of reinforcing the responses in regard to the factors influencing the efforts of implementing the strategy, the respondents were further requested to provide their opinions on other factors which slowed down the war on corruption. They gave various explanations in regard to this aspect as discussed herein. Most of their responses were similar while in some cases their views differed slightly (See Table 4.10).

Of the total respondents, 23.6% cited bad leadership and lack of political commitment by the legislature including members of the Cabinet as the major obstacles affecting the war on corruption. They blamed public officials in leadership position both in the government and in the political parties for not doing enough to reduce corruption in the County. About 19.1% of the total respondents accused corrupt public officials including the investigators both in police and the anti-corruption commission for lack of commitment in combating corruption. The high responses on the failure by political elites to provide leadership in the implementation of the strategy were an indication of the great influence of the political factor in the fight against corruption. This means that for the anti-corruption strategies to be successfully implemented, the political elites should be fully involved in the war on corruption.

Respondents (19.1%) blamed the anti-corruption officials for occasionally carrying out shoddy investigations after being corrupted by the suspects and this further hardened the fight against corruption. They argued that those members of the society who benefited from the proceeds of corruption enjoyed a higher lifestyle compared to those who did not engage in the vice. This made them to be envied because of the ill-gotten wealth they possessed and this acted as an impetus to other members of the society to engage in corruption to benefit from its illegal proceeds.

Socio-economic dysfunctions including poverty were cited by 6.4% of the total respondents as some of the factors that hampered implementation of the strategy and the fight against corruption. They argued that corruption led to low economic growth and the resultant effects was high cost of living and unemployment in the society. The high cost of living forced public officials to engage in corruption to get extra earnings to complement their official earnings their daily needs, this mostly was evidenced in cases where the public officials engaged in petty corruption before offering services to the citizens. Poor public service delivery systems were

also cited as blockage to the war on corruption since the systems were vulnerable and allowed loopholes which were exploited by corrupt individuals. When public service delivery systems are weak, corruption cartels exploit the inherent weakness to engage in corruption, to address this problem public delivery systems should be reviewed periodically and remedial actions initiated to seal the loopholes.

Among the total respondents, 10.9% argued that nepotism, favouritism, tribalism, ethnicity, racism, greed and selfishness among the public officials and ruling political class exacerbated the problem of corruption. They observed that corrupt public officials and the legislature were controlled by greed and selfishness when making public decisions such that they could do anything which could hurt the interest of the society as long as they benefited from it. For instance, they were accused of practicing nepotism and favouritism in employing and promoting unqualified kinsmen at the expense of the most qualified applicants who had no personal relationships with them.

Lack of effective civic education was mentioned by 9.5% of the total respondents as contributing to slowing down the war on corruption because individuals who could not forge for their rights provided an enabling environment for corruption to take place. They observed that corrupt individuals took advantage of ignorance among the citizens to oppress them as they could not raise complaints on the corrupt practices. The respondents argued that ignorance on individual's rights was partly as a cause of impunity among public officials and political elite as they were sure whatever crime they committed, they would eventually escape punishment. Creating awareness on corruption among the public is crucial in the fight against corruption since ignorant citizens cannot detect, report or realize the transgressions committed or omitted by the corrupt officials.

An ineffective criminal justice system was seen as one of the major hindrances mentioned for slowing down the war on corruption. The respondents observed that a weak, ineffective and inefficient system impacted negatively on the war on corruption. For instance, the law enforcement agencies handling corruption investigations were blamed for intentionally conducting poor investigations after being compromised by the culprits. This resulted in dismissal of cases before the courts for lack of sufficient evidence. Other than the poorly investigated cases, the agencies were affected by lack of adequate resources and professional

investigators to undertake complex corruption investigations. This resulted to compilation of poor investigation reports not tenable in the anti-corruption courts.

A weak inept judiciary system was further blamed for complicating the war on corruption hence slowing it down, indeed as earlier noted, 97.9% of the total respondents had blamed the judiciary for failing to facilitate the war on corruption. The respondents opined that sometimes the judicial officials were corrupted by the accused persons to have them acquitted or their case dismissed on flimsy grounds and legal technicalities. They noted that wherever cases involving senior officials in the government or members of parliament or cabinet were brought before court, the officials occasionally petitioned the High Court to make constitutional interpretation in regard to the charges levelled on them. The interpretation process took long time to make decision and this made the cases to drag for years before the court could pass judgement, this affected the process of fair administration of justice which further complicated the war on corruption.

Impunity among the political elites was quoted by 28.2% of the total respondents as another factor that had slowed down the war on corruption because of political interference and political protection (God-father syndrome) of corrupt offenders by the politicians (legislature and the cabinet). In most of the cases they mobilized their ethnic groups to join hands and defend their kinsmen accused of corruption. This was in spite of the fact that in most of cases their kinsmen did not know whether the offenders were guilt or not guilty of the corruption accusations levelled against them. This made the respondents to observe that the society lacked the spirit of patriotism and nationalism as the citizens viewed themselves as; individuals, clans, tribes, ethnic groups and regional blocks among other ways of individualizing themselves.

Unduly defence of the corrupt individuals was also apparent even within the government circles and the respondents observed that it had become difficulty and tricky for the chief executives of the main ruling political parties in coalition government to dispense off members of the cabinets accused of corruption for the fear of breaking down the coalition government. Failure to take swift action on such officials negatively affected the war on corruption because they continued sabotaging the implementation of the strategy.

Poor governance, lack of integrity and questionable background of some public officials were also presented as barriers that slowed down the war on corruption. It was noted that the values of

good governance, integrity and vetting public officials had not been optimally adopted by government. This enabled people with traits of unethical background to be employed in the public sector and thereafter they developed corruption cartels, such individuals did not change their altitude on corruption as they termed it as a quick way of acquiring wealth.

Further, the respondents added that due to the invisibility of corruption, the war on corruption required elaborate constitutional and legal framework supported by adequate anti-corruption techniques which were found to be lacking. Moreover unnecessary bureaucratic red tapes, lack of proper information, inadequate corruption reporting systems, and little civic education were all noted as slowing down the war on corruption.

Additionally, threatening of the whistleblowers by the corrupt individuals discouraged them from reporting corruption for the fear of their safety and life as a result of victimization by the corrupt offenders. This fear was also seen to extend to public officials involved in corruption investigations, prosecution and in the judicial process. For instance, some respondents gave examples where public officials had been transferred, demoted or sacked for reporting corruption incidents. In some instances, others were victimized for refusing to bungle the on-going investigations. Victimization of whistle blowers and non-corrupt public officials not only did it slow the war on corruption but also it affected the implementation of the strategy. Among the total respondents, 2.3% did not respond to this question.

4.11 Prioritization of the Three-Pronged Strategy

The second objective of the study was interested in assessing the prioritization of the three prongs of the strategy, prioritization referred to the preference given to each of the three prongs namely the; investigation, prevention and civic education by the respondents. The preference was in consideration of impact each prong had in reducing the level of corruption and this was meant to guide in the allocation of resources in a pro-rated manner among the prongs. This meant that the prong which was deemed to have the highest effect in reducing corruption would be given the first priority and allocated more resources. The three prongs were ranked by positioning them as the; 1st, 2nd and the 3rd, implying that the prongs were to be allocated the resources in a pro-rated manner depending on their prioritization. The prong ranked the First (1st) would get the highest allocation followed by the second and the third getting the least allocation.

Among the three complementary prongs of the three-pronged strategy, 51% of the total respondents indicated that Civic Education should be given the highest priority, while 26% and 21% preferred Prevention and Investigation respectively. Two percent (2%) of the respondents did not indicate the strategy they preferred, (See Figure 4.9). The respondents gave varying reasons as to why they preferred some of the strategies to be given high priority than the others.

Civic education received the highest support and a range of reasons were given on why it was the most preferred strategy to be allocated more resources compared to the other two. Fifty one percent (51%) of the total respondents who preferred civic education pointed out that it created awareness and provided knowledge required for decision making in matters pertaining to corruption. They noted that creation of awareness was crucial because it prevented occurrence of corruption in future as the citizens becomes more informed on the impacts of corruption. This prong was highly preferred as it reduced chances of initiating investigations and prosecutions which on several occasions led to the emergence of corruption transactions among the investigators, prosecutors and the judicial officials. The respondents argued that such investigations and prosecutions were likely to create a vicious cycle of corruption. They opined that corruption takes place in hidden conditions and termed the knowledge acquired in the process of civic education as a source of ‘power’ helpful in combating it.

Respondents (51%) also noted that this strategy provides for sensitization forum where both public and government officials deliberated on the problem of corruption freely and this reduced ignorance on the subject of corruption. This in the long run, would lead to a society of enlightened people who understands their constitutional rights and the impacts of corruption. The respondents opined that civic education involved all the citizens including those at the grassroots level and it benefited everybody even those who could not read and write.

Further, the respondents argued that implementation of civic education should be expanded and formalized so that anti-corruption studies should start at a tender age to create a ‘socialization process’ which would eventually lead to a society whose members detest corrupt practices such as giving or accepting of bribes. Hence the respondents advocated for anti-corruption studies to be introduced in the formal education system starting from the level of primary education to College and University level. This would enable the young people to adopt virtues of integrity and honesty at the tender age.

Young people would therefore view corruption as a deviant behaviour which they would not adopt in their future life and they would consider some of its acts like giving and accepting bribes as immoral, unethical and unacceptable in the society. The respondent's suggestions concurred with the adage that 'knowledge is power' as those who would receive such skills were better placed to prevent corruption. In future, they would be able to put up preventive measures to stop corruption and even engage in whistle blowing to deter potential corrupt offenders.

There was also a general argument among the respondents that education given to the citizens would enable them to understand legislations, regulations and procedures governing the public service delivery systems. This would assist them to pin-point in advance incidents where there corruption was likely to occur. Another justification for this strategy was that it encompassed an aspect of the prevention strategy which enabled the public to acquire knowledge on prevention of corruption. Hence, they would use the knowledge acquired to identify the loopholes which encouraged corruption practices and suggest how to address the problem.

The respondents preferred this strategy to be allocated more resources because investigation and prevention strategies involved bureaucratic red tapes which sometimes were tedious as compared to this strategy. They noted that citizens who do not know how to read and write would benefit from civic education through the engagement in Out-reach programmes, media and other forms of visual demonstrations. This would eventually empower them to know their rights when seeking public services.

Normally civic education on corruption is conducted by involving public in forums or workshops where the attendants are trained on several ways of addressing corruption occurrences. Further, educative materials are disseminated to the public or media is used to create awareness on corruption. Currently, this approach faces challenges because of the widespread corruption and the fact that corruption is entrenched in the society or rather in the study site, conducting a one day forum or workshop may not change the behaviour of seasoned corrupt individuals.

Rather to address the problem, introduction of anti-corruption studies to young people in academic institutions would help a lot because they would universally know the impacts of corruption and treat those who decide to engage in it as deviants. The sporadic method used by

the anti-corruption commission will not have greater impact and this approach needs to be reviewed to come up with a method which targets all people. Given the systemic nature of corruption in the County and in Kenya in general, the best way is to make anti-corruption studies compulsory in the learning institutions to create universal awareness on corruption phenomenon.

Twenty six percent (26%) of the total respondents who supported prevention strategy to be accorded the first priority in terms of allocation of the resources provided to fight corruption adduced several reasons for their preference. They argued that this strategy helped in detecting causes of corruption in the public institutions and recommending for the appropriate mechanisms for sealing the loopholes. According to them, it saved time and resources used in the investigations which they noted were influenced by bureaucratic red tape. Indeed, in supporting this strategy, most of the respondents were of the view that ‘prevention is better than cure’, thus it should be allocated more resources as its implementation was less cumbersome compared to the other two strategies. They viewed it as a cheaper way of minimizing and managing the problem of corruption.

They (26%) argued that this strategy is crucial as it enhanced transparency and accountability through adoption of internal and external controls in the public institutions as preventive measures are important to avoid future occurrence of corruption when the recommended remedial actions are implemented appropriately. This strategy was viewed as critical for increasing efficiency in the provision of the public service as it eliminate acts of corruption among them fraud and misappropriation of public funds. Since experience had shown that some of the reported cases of corruption had proved hard to investigate and finalize, prevention was suggested as the best way of preventing corruption incidents to avoid unnecessary investigations.

Further, the respondents argued that if corruption was not prevented in time, investigations of cases became hard to execute successfully. However, it was pointed out that this strategy needed to be reviewed occasionally since corruption is part of deviant behaviour which keeps on changing and as such, corrupt people could devise new ways of beating the improved systems put in place and once again engage in corruption.

Investigation strategy was given the lowest priority after it was preferred by 21% of the total respondents compared to the other two prongs or strategies. The argument raised by the

respondents was that very few cases had been investigated, prosecuted and successfully resolved at the court of law. The role of this strategy in reducing corruption was seen as minimal in the obtaining political and socio-economic situation. Those who called for its prioritization contended that it was the best strategy as it leads to arrest and prosecution of the corruption offenders. They viewed it as a deterrent measure to the potential offenders.

Respondents (21%) also argued that this strategy resulted in tracing, seizure, confiscation and recovery of ill gotten wealth or unexplained wealth and this resulted in retrieving of corrupt benefits or the fruits of corruption from the offenders. The recovered wealth would be returned to the rightful owner or the government could use it to initiate development projects to benefit the society as whole. They further observed that punishing and recovery of the unexplained wealth acted as a deterrent to potential corrupt offenders as it denied them the benefits accruing from corruption transactions. The respondents also contended that corruption was a secretive venture and investigation was the best strategy to unearth its transactions by the use of special technical investigative skills like undercover operations and surveillance means among other methods.

Majority of participants in the focus discussion groups supported civic education strategy to be given more priority followed by prevention and lastly the investigation strategy. They observed that even though civic education would not be fruitful in the short run, in the long run it would produce a generation which detests corruption and respect norms and values related to integrity. However, they called for the simultaneous use of all the three strategies, undertaking of institutional reforms, and allocating adequate resources to the institutions fighting corruption among other measures meant to reduce corruption.

Those discussants who advocated for the prevention strategy to be given more priority, argued that it provided for anti-corruption measures which reduced opportunities that encouraged corruption to take place while at the same time it acted as deterrent by detecting the possibility of corruption taking place. However, there were those with dissenting views who argued that this strategy, like investigation was costly and time-consuming because it was difficult to conduct audits and examinations of procedures in all the public institutions.

They viewed it as a mere auditing exercise which has been done ceremoniously over the years yet the Government had not implemented the recommendations made by the Auditor General as required. They observed that government had continuously carried out audit operations in the public bodies on annual basis yet fraudulent activities were observable in most of these bodies. Hence they supported the other two strategies as being more effective in reducing the level of corruption than this strategy.

Discussants working in the law enforcement agencies and other institutions within the criminal judicial system expressed the difficulties which they experienced in the cause of conducting investigations and prosecutions of corruption cases. They blamed political interferences for hampering the war against corruption and weakening the anti-corruption strategies. Closely related to these obstacles was the lack of political will to fight corruption which eventually made the legislature fail to allocate adequate resources to these institutions. The participants from the above institutions preferred investigation strategy to be accorded more priority arguing that it had major advantages against other strategies. This was because it had the capability of acting as deterrent to potential offenders. Further, they added that this strategy leads to the recovery of the unexplained assets owned by public officials.

Even though the preference for civic education was high, when corruption is entrenched in the society, one way of pacifying the public is to ensure that senior public officials engaged in corruption are punished. Citizens may not see the value of fighting corruption when public officials continue enjoying the looted public assets. This justifies the need of enhancing investigations and prosecutions in the initial stage after adopting the three-pronged strategy, as the other two prongs (prevention and education) requires more time to be implemented. Further, for the prevention and education strategies to be perceived as successful, they have to cover all the institutions and this complicates the process, leave alone the fact that changing the attitude of public is gradual. When investigations and prosecutions lead to punishment of senior public officials, other members of the society quickly change their mind on corruption and they support the war on corruption.

4.11.1 Effectiveness of the Prongs in Fighting Corruption

As to the strategy which was rated as very effective in fighting corruption, all the client categories preferred; civic education, followed by prevention and lastly investigation. Civic education was rated as very effective by 47.9% of respondents while the prevention and investigation strategies were preferred by 35.8% and 27.4% respectively.

In regard to the preferences of the strategies which were viewed merely as effective, the overall preference by all client categories showed that civic education strategy was preferred by 27.4% followed by prevention (43.6%) and investigation strategy at 37.1%. Whereas civic education was rated as less effective strategy by the overall respondents at 25.9%, prevention by 20.6% and investigation strategy by 35.3%, (See Table 4.11).

The variance on the percentages on the effectiveness of the prongs underlines the fact that they are complementary to each other; hence the respondents had different views on the effectiveness of each prong in reducing corruption. Therefore, none of them indicated that any of the prongs was not effective or had no role in the fight against corruption.

4.11.2 Ranking of the Three Strategies in Terms of their Effectiveness

This study having obtained the opinions of the respondents on their preferred prioritization, it ranked the prongs starting with the one which was preferred as the most effective in reducing corruption being ranked first, followed by the second and third in that order. This implied that the strategy that had the highest effect in reducing corruption was given the first priority and allocated more resources. The prongs were ranked as; 1st, 2nd and the 3rd. Civic education strategy was given more priority as discussed above, it was ranked as the First, Prevention the second and Investigation the third. The variance in the effectiveness of the strategies was a revelation that the three prongs complemented each other to achieve the desired goals of reducing corruption and none of them could be used singularly to bring the level of corruption down without the support of the other two.

4.12 Modifications in the Implementation of Three-Pronged Strategy

Finally, the third objective of the study was to come up with suggestions on how to undertake modifications in the implementation of the strategy for optimal reduction of corruption in Nairobi County and beyond. This objective addressed the challenges arising from the factors

which were cited as affecting the implementation of the strategy, its prioritization and modifications. The respondents made several proposals on how to address issues which were blamed on the Government actors and the socio-economic shortcomings. Their suggestions included institutional policy reforms and other remedial actions which the Government and the stakeholders are expected to undertake to improve in implementation of the strategy and the war on corruption in general.

As earlier noted in this study, the three prongs complement each other despite their varying application in any jurisdiction and no single prong or strategy on its own can reduce corruption without involving the contribution of the other two. It is worth to note that historical perspective of corruption, political and socio-economic development in any given country is crucial in determining a combination of context specific interventions to battle corruption. Therefore, the approaches used in the developed countries to fight corruption differs from the one used in the developing countries because of the varying socio-economic contexts. Suggestions made in this study addressed the factors relevant in the implementation of the three-pronged strategy in the County and how the government ought to improve on institutions which facilitate the war on corruption. Further, its expected to initiate policies which address inadequacies arising from the socio-economic factors which affected the implementation of the strategy and the war on corruption.

This study examined the factors that were responsible for slowing down the war on corruption thus affecting the effectiveness of the strategy and also considered what the respondents thought should be done to improve in its implementation and reduction of corruption. It was noted that most of the suggestions on improving the strategy made by the three categories were almost similar. Thus, for the government to have an enabling environment for implementing the strategy, it must address the major causes of corruptions presented in Table 4.13.

In regard to the first objective which focused on examining the factors influencing the institutional efforts of implementing the strategy, various suggestions were made as discussed herein. The respondents contented that corruption investigations should be conducted by an independent body since the police service was viewed as contaminated by corruption within the rank and the file and could not fight corruption. There were views that some of branches of the police service among them the Criminal Investigation Department could also be entrusted to

fight corruption, however having an independent body for fighting corruption is the best way to go. The UNCAC provides for better reasons why specialized anti-corruption agencies or commissions are well placed to fight corruption and this seems to be the global trend in the war against corruption.

Needless to mention, police service in the study site lacks technical capacity and commitment to fight corruption, the respondents suggested that for the effective implementation of investigation strategy, anti-corruption agency should employ professional investigators who are well trained on the modern techniques of fighting against corruption. Similarly, the agency should endeavour to offer specialized trainings to its staff and this would include giving support for capacity building in the areas of investigations, enforcement and prosecution. Other than the above suggestions the members of the focus group discussions advocated for the government and stakeholders to initiate sound political and socio-economic policies to address factors which negatively affected the implementation of the strategy and the war on corruption.

Anti-corruption agency should vet new employees before assuming office to ensure that only people of high integrity are enlisted for the job, officers should also be re-vetted occasionally as a way of monitoring their lifestyles and character. Additionally, anti-corruption legislations should also be strengthened to empower investigators to handle mega corruption cases perpetuated by influential powerful individuals in key position in public and private institutions without much difficulty. Such officials should be suspended once investigation commences and not directed to 'step aside' as stepping aside is not provided in law. This would enable investigators to conduct investigations without interferences and fear of victimization.

Since corruption transactions were mostly conducted in a clandestine manner, Thirty six percent (36%) of the respondents suggested that adequate legislations should be enacted to allow the anti-corruption agencies to use special investigative techniques like electronic surveillance and other covert methods in the investigations. This would assist them to obtain the otherwise unobtainable evidential information or intelligence and thereafter present evidence that is unchallengeable in court of law. This would ensure that justifiable corruption cases are not dismissed by court for lack of adequate evidence.

Respondents (36%) indicated that investigation strategy could only be seen to work effectively when investigations were done professionally and completed in time other than delaying the case for many years before the suspects were arraigned in court. The respondents were dissatisfied that some of the cases had dragged for several years without completion. They argued that this strategy would be seen as successful when such cases were fast-tracked and the culprits brought to justice without unnecessary delays.

Additionally, they noted that the following issues need to be addressed as a way of ensuring that investigation strategy gives the desired results. Investigators' salaries and remunerations should be improved to deter and discourage them from being tempted by the suspects who may take advantage of their poor financial situation and induce them to botch investigations. When compromised, the investigators could interfere with investigations by destroying the crucial evidence required by the court. They noted that seconding police officers to the anti-corruption and paying them lower salaries and allowances than the other investigators demoralized the officers. This partly affected the outcome of the investigations.

It worth to note that some of anti-corruption commission in the world among them the Independent Commission against Corruption of Hong Kong does not rely on the police but it has developed its investigative capacity to meet its needs. The local anti-corruption commission should also adopt this approach and reduce its reliance on police to facilitate its investigations. It should therefore develop its capacity and engage police as a partner in the war on corruption and in the facilitation of public services.

The respondents also suggested that outcome of investigations should be made public with due respect to the provisions of the law as a way of increasing publicity on the anti-corruption war. This kind of publicity when done as per the provision of law would discourage potential offenders when they realize that investigation would eventually unearth their corrupt deals. Further, the respondents recommended that urgent institutional reforms in the criminal judicial system should be enhanced to ensure that both law enforcement and judicial officials perform their work with accountability and transparency as provided in law. This would be achieved by employing competent personnel, providing appropriate training, enacting effective legislations and allocating adequate resources to enable the institutions carry out their mandate as expected of them.

Respondents further suggested that investigation prong should be revamped by providing specialized equipment, timely implementation of the investigation findings and recommendations, joint sharing of information and intelligence with the appropriate institutions. Corruption reporting mechanism should also be expanded so that complainants facilitated to easily make reports without difficulties. The Commission where applicable should conduct joint investigations with other relevant bodies and enhance the use of the intelligence. Stakeholders should also be involved in the anti-corruption war to the extent of engaging specialized private forensic investigators and audit experts to complement investigations.

Respondents also suggested that anti-corruption bodies should strengthen intelligence gathering and research capacity to guide in identifying the corruption risky areas in order to develop corruption prevent plans. They should also develop a data bank of profiled individuals and entities involved in corruption and to assist in the development of corruption risk assessment; this would facilitate investigations and development of the anti-corruption policies. Further, it was recommended that both private and public bodies should be encouraged to create internal investigation units and oversight bodies to work closely with the anti-corruption agencies to address emerging cases of corruption in such institutions. This suggestion was informed by the fact that internal investigators had the benefit of understanding their organizations' culture and this made it easier to detect cases of corruption taking place.

To strengthen the prevention strategy respondents (10.2 %) made several suggestions on its improvement as discussed herein. The government was implored on to allocate enough resources to facilitate full implementation of the strategy since examination of systems and audit exercises in the public bodies is costly. Further, it is a tedious process given the huge volume of the transactions generated by public bodies and the fact that it requires time and enough personnel to undertake review process. Hence, for the examinations to cover all government bodies and ministries enormous adequate resources are required.

For this prong to be more effective, the respondents suggested that it is advisable for the government to provide an enabling environment for conduct system audits and examinations of procedures. Examination exercises should be carried out by people of high integrity to ensure that accountability and transparency in the public offices were observed. Further, mechanisms

needs to be put in place to ensure that recommendations made after the completion of any exercises were implemented, monitored and evaluated.

Respondents (36 %) advised on the need of the government to enhance collection of intelligence on corruption in the public organizations to disrupt corruption cartels and take remedial actions in time. This would ensure that water-tight systems were put in place to detect and unearth corruption transactions and thereafter seal the loopholes in the systems. The respondents also observed that anti-corruption commission had not examined all the public institutions to ensure that strong internal and external controls were in place. They suggested that the Commission should hire private consultants to assist in carrying out system audit and examinations in the public institutions. This would enable the commission to concentrate on other areas of its mandate like conducting investigation on major corruption cases.

Prevention prong should be enhanced to have adequate and efficient corruption detection and reporting mechanisms developed in the public organizations. This would be done by among others things giving advice on the best practices for procurement, better record management and sound financial management in institutions. Mechanisms should also be put in place to guarantee that the strategy was capable of ensuring that code of ethics and conduct and internal standards were adopted both in the public and private bodies. It was also suggested that anti-corruption body should be empowered through legislation to enforce compliance of remedial actions recommended at the end of systems audits and examination, where applicable. This would ensure that legal and administrative actions were taken against any public official who fails to implement the recommended actions without justifiable reasons.

To strengthen the prevention strategy, it was further emphasized that research needs to be carried out in the corruption risky areas in all public institutions to determine the causes of corruption and thereafter develop implementable corruption prevention plans. The plan mitigates the detected corruption practices including diversifying new preventive methods to avert further occurrence of such incidents in such areas. The strategy should also be capable of pin-pointing bureaucratic bottlenecks within the administrative structures in the public institutions which facilities opportunities for corruption to take place or which cordon poor public management style which encourage corruption to thrive.

Respondents (10.2%) also recommended that the prevention approach should produce recommendations based on research to assist the government formulate policies which reduce poverty and enhance economic growth and development. For instance, it was suggested that the recommendations should elaborately inform the government and public on the economic value of the public funds lost in corruption. This would involve for example, mentioning the cases of corruption in procurement where contractual prices were inflated, public funds used fraudulently or government projects whose funds were misappropriated. Such disclosure would enable the public to conceptualize what the stolen funds could have done if they were properly invested or used to fund public projects like free education programme.

Like in other strategies, the respondents were of the views that building capacity for the implementation of the Civic education strategy would immensely reduce the level of corruption. There were suggestions that the strategy should be allocated more resources than the other two prongs so that awareness programme and academic curriculum were available to a wider coverage. The government was beseeched to allocate adequate funds to make this strategy a success given that academic resources for teaching and the payment of the facilitators would be required to adequately implement the programme in all academic institutions. Suggestions were made to the effect that anti-corruption syllabus or subjects should be made examinable and compulsory to all the students to ensure that anti-corruption studies are universally undertaken by all students

Civic education campaigns should cover all people including the elites working in the public and private bodies as they are the major facilitators of corruption. There should be extensive use of open communication means which is accessible to the public including use of; posters, bill boards, adverts, theatre, seminars and both electronic and print media. The government should partner with stakeholders like the private commercial entities, media, religious organizations and non-governmental organizations to assist it adequately fund the awareness programmes. Some respondents argued that it should make it mandatory for the media to set time for deliberating on issues related to corruption as a way of ensuring that anti-corruption messages reaches the wider population.

The respondents emphasized that sensitization programme should also be delivered by people of un-doubtful integrity who have not been implicated in corruption scandals not to tarnish the

government effort of fighting corruption. Similarly, the audience should be informed on the impacts or ramifications of corruption by using special people and victims of corruption to give their experiences on incidents of they had come across. It was also argued that though the anti-corruption commission is in the forefront of coordinating the implementation of civic education strategy, private organizations with capability to conduct out-reach programme should partner with it to support its efforts. The respondents were also of the view that the government should hire non-governmental organizations and private consultants to assist it reach the wider society.

After all it was argued that though civic education was preferred as the best strategy to reduce corruption, technological expertise needed to implement it was readily available compared to the other strategies. In fact, it requires trained speakers, motivation talkers, spiritual leaders, politicians and academicians among other experts to implement. Other requirements include the resources for catering for the logistical issues like payment of the facilitators, transport, accommodation, hiring venues and buying materials for the presentations.

Respondents (48.7%) put an argument that facilitators of this strategy were available and could be mobilized to reach areas where the anti-corruption officials could not reach easily. They observed that education strategy should be reviewed to encompass the element of creating awareness in the community and that of formalizing anti-corruption studies in the learning institutions. Hence, when the studies are taught in the academic institutions, the future generation will understand the dangers of corruption and refrain from engaging in it. However, it was noted in terms of reducing corruption that the effects of civic education strategy would be fruitful and sustainable in the long run as compared to the other two strategies.

Other than the suggestions discussed above, the Government was implored to ensure that its three arms (Executive, Legislature and Judiciary) work in unanimity to guarantee that institutional reforms are undertaken in all the relevant sectors, proper legislations are enacted, and that accountability and transparency are entrenched in public institutions. In regard to the prioritization of the strategy, the government and stakeholders should develop a criterion of prioritizing the three prongs to ensure that public resources are utilized optimally since they are scare. Prioritization should be done in a manner that will not weaken any of prongs and steps should be taken to ensure that it will result in optimal reduction of corruption. Further, it should

not be taken as static but should be reviewed overtime depending on the obtaining political and socio-economic situation.

Government should endeavour to address institutional, political and socio-economic dysfunctions which the respondents rated as the major causes of corruption since they acted as impediment to the implementation of the three-pronged strategy. These dysfunctional factors were rated as tabulated in Table 4.13. For the anti-corruption strategies to succeed, well thought institutional and socio-economic reforms ought to be initiated to provide for a conducive environment for combating corruption.

CHAPTER FIVE

SUMMARY, CONCLUSION AND RECOMMENDATIONS

5.0 Introduction

This Chapter comprises of the summary, conclusion and recommendations on the improvements of the three-pronged strategy.

5.1 Summary

This study examined the factors which influenced the institutional efforts of implementing the three-pronged strategy and assessed the prioritization of its three complementary prongs. Further, this study suggested modifications in the implementation of the strategy for effective reduction of corruption in Nairobi County and beyond. The study relied on survey method which involved administering structured and unstructured questionnaires to the three categories of the respondents. Further, focus discussion groups and key informants provided additional information on the subject matter. The secondary data was obtained through collection and analyses of materials from academic journals, books, public documents and internet among other sources. The materials collected were reviewed to get facts and generalization on anti-corruption strategies and the phenomenon of corruption.

This study established that there were minimal variances in the views of the respondents in the various categories, especially in regard to the level of corruption, factors affecting the implementation of the strategy and its prioritization. This study first started by establishing whether corruption was increasing or decreasing in the County. This was intended to ascertain if the strategy was working well as expected or there were obstacles affecting its performance. The study established that slightly more than half of the respondents (67%) were of the opinion that the level of corruption in the County was increasing while 33% indicated it was decreasing.

Among the respondents who indicated that corruption was increasing, they provided several reasons to back their position. The reasons included; the high number of corruption cases reported in the media, prevalent lack of transparency and accountability in the public service delivery systems, greed, selfishness, impunity, tribalism and nepotism among the public officials. Additionally they cited lack of political commitment, lack of adequate civic education, poverty,

high cost of living, lack of commitment among the public officials as indication that corruption was increasing.

Various cases of corruption discussed in Chapter One were some of the incidents which served to show that there were inherent problems affecting the implementation of the strategy leading to the increase in the level of corruption. Minority of the respondents (33%) who indicated that corruption had decreased cited the creation of awareness and the implementation of the strategy by the anti-corruption commission as the major cause of the decrease. The presence of the Commission was seen as a deterrent measure which restrained the public from engaging in corruption. Further, the study sought to find out whether the level of corruption had gone down between 2006 and 2010 since the three-pronged strategy became operational in 2003. The study presumed that within this period, the institutions mandated to fight corruption had matured and were performing optimally as provided by the law. Therefore, within this period it was probable to evaluate its implementation and to gauge whether it was effective in combating corruption.

Of the total respondents (51.3%) reported that corruption had increased within that period, 34.5% were of the view that it had decreased while 13.8% indicated that it had remained the same. Only 0.4% did not comment on the trend of corruption. This was an indication that the strategy had not managed to reduce the level of corruption and it further justified the arguments that there were challenges affecting the institutional efforts of implementing it. The study also endeavoured to find out how the respondents assessed the level of corruption in the County, this was intended to establish the reliability of the sources of the information they used to gauge or assess its trends. This was necessary to understand how they were informed about the problem of corruption.

This study established that 47% of the respondents assessed corruption trends through personal experiences as a result of the incidents they came across in their normal life encounters. Print and electronic media (including Internet), accounted for 43.4%, 25% got information from the relatives and friends and 25.6 % from the anti-corruption commission. Only 12.5 % and 7.8 % got information from political and the religious gatherings respectively.

As to the Government efforts to reduce corruption, 75% of the total respondents indicated that it had dealt badly with the problem of corruption while 24% said it had dealt well with it. One percent (1%) of the respondents was indifferent. The majority of the respondents (75%) opined

that political elites (legislature) were not interested in championing the anti-corruption war and they lacked tangible approach on how to address the problem. The 24% of the respondents, who cited that government had addressed the problem of corruption as required, mentioned various initiatives which it had initiated among them; enactment of the anti-corruption legislations, establishment of anti-corruption commission and creation of the awareness on corruption in the society. They also noted that the Commission had prosecuted corrupt offenders and made efforts to recover the illegally acquired assets which included grabbed public lands as evidenced in the annual anti-corruption commission reports.

The above findings expressly proved that the implementation of the strategy and the war on corruption faced various challenges which needed to be addressed. In regard to the first objective on the factors which influenced the institutional efforts of implementing the strategy, the study received diverse views from the respondents as herein discussed. It was established that government actors in the Executive, Legislature and Judiciary influenced the implementation of strategy depending on their commitment to fight corruption. For instance, if they were devoted in curbing corruption they could enact appropriate anti-corruption legislations, allocate adequate resources or ensure that there was fair administration of justice. To the contrary, if the actors were not committed in fighting the vice, they sabotaged the implementation process by failing to act as explained above. This study established that actors did not act as required as their commitment in the implementation of the strategy was rated as minimal, hence the reported increase in the level of corruption.

Majority of the total respondents (89%) indicated that unpleasant political and socio-economic factors influenced the implementation of the three-pronged strategy. The influence of the above factors caused the level of corruption to move upwards or downwards depending on the commitment of the actors in initiating policies meant to address the pertaining problems. The respondents observed that the fight against corruption was slowed down by political and socio-economic shortcomings which negatively affected its proper implementation. About 9.2 % of the total respondents indicated that the factors had no influence while 1.8 % did not state whether the factors influenced or did not influence the implementation of the strategy and the level of corruption.

Public officials in the executive, legislature and judiciary were viewed as the main actors who could alter the level of corruption by creating legislations and policies which favoured the war on corruption. To the contrary they were blamed for derailing the war on corruption by creating ineffective legislations and policies which did not favour its reduction. They were also accused for failing to enforce anti-corruption legislations as required as they abused power and authority bestowed on them to maximize their self interest at expense of fighting corruption. This was evidenced in the legislator's failure to enact effective anti-corruption laws and to allocate adequate resources required for implementing the strategy. The abuse of discretionary powers and authority by the above actors was imminent in the unnecessary tussles between the anti-corruption commission, the Office of the Director of Public Prosecution and the judiciary over the prosecution of the corruption cases. This was an indication of abuse of power and maximization of self interest by public officials in a bureaucratic set up at the expense of the society.

In regard to the influence of the social life (culture) on the implementation of the strategy and reduction of corruption, it was established that 54.1% of the respondents did not agree that implementation was affected by the culture of corruption in the County. Rather, they blamed the lack of accountability, transparency, political will and inappropriate socio-economic policies among other factors for the perpetuation of corruption. Slightly less than half (45.9%), of the total respondents reported that social life affected the implementation of the strategy and the war on corruption. Similar observations were made by members of focus discussion groups who argued that increase in corruption was due to absence of good morals and ethics in the society. They blamed such behaviour on the socio-economic and modernization changes which had taken place in the county resulting to new dimensions of corruption.

Judiciary was viewed negatively by overwhelming majority (97.9%) as a partisan institution that overtime exacerbated corruption. Only 2.1% of the total respondents thought it had adequately facilitated implementation of the strategy by passing out severe punishments to the corruption offenders. The respondents (97.9%) suggested that it should aid the implementation of the strategy by punishing corrupt offenders and ordering recovery of the unexplained assets acquired through corruption. However, it had failed to act as expected by the public leading to increase in

corruption. Unless reformed, the actors in the judiciary were judged as public officials who did little to reduce corruption.

As to the issues of effectiveness of institutions which facilitated the war on corruption, 66.7% of the total respondents indicated that Media played a key role in fighting corruption through whistle blowing and creating awareness among the citizens. It was followed by the anti-corruption commission at 41.6%, development partners 40.2%, religious bodies/churches 32%, Office of the Attorney General 4.5%, Parliament/Cabinet 17.2%, Judiciary 14.4% and the Police or the law enforcement agencies at 10.3%.

Despite the presences of the factors reported as impeding the implementation of the strategy, the institutions implementing them were found to have made minimal achievements in several areas of interest. This included among other things; the investigations carried out by anti-corruption commission which had resulted to the prosecution of offenders and repossession of fraudulently acquired property among them the grabbed public lands. The Commission had also raised awareness on corruption in the County through the outreach programmes and this made the residents of the County aware of the impacts of corruption and the action to be taken when they came across it. The prevention strategy was found to have been implemented to a greater extent as evidenced by the audit and examinations exercises conducted in public institutions. These audits and examinations recommended for the sealing of the detected loopholes and opportunities which encouraged corruption to take place.

This study noted several indicators which implied that failure in the implementation of the strategy had led to increase in the level of corruption, the indicators included non completion of major cases of corruption among them the investigations of Security Contracts (Anglo-Leasing Scandal) which had not been completed more than a decade since time it took place. This implied lack of commitment by the officials in the criminal judicial system as the case touched senior public officials. The matter was complicated as the anti-corruption commission lacked prosecutorial powers to enable it fast track corruption cases and this weakened the investigations strategy. It was evident that since the establishment of anti-corruption body in the year 2003, there was no single case of any top government official, chief executive officer or key politician

who had been jailed on corruption offences. The respondents argued that only petty offenders among them junior police and administration officers involved in bribery had been punished.

This study established that the implementation of the three complementary components of the strategy (investigation, prevention and civic education) were universally affected by lack of adequate resources, lack of qualified personnel, inadequate institutional reforms and lack of appropriate legal framework. Unfavourable legal framework for guiding investigation and prosecution impeded the process of investigating, tracing, seizing, forfeiting, confiscating and the recovery of corruptly acquired public assets.

Further, poor salaries and remuneration among the public officials also hampered implementation of the strategy as poorly paid officials were tempted to engage in rent-seeking behaviour to get extra earnings. However, it was noted that high salaries and remuneration did not necessarily mean that the officials would not engage in corruption as there were other factors which facilitated corruption. Additionally, it was pointed out that despite senior public officials in the legislature and judiciary being paid high salaries and getting huge fringe benefits, they were still vulnerable to corruption practices. This was an implication that paying huge salaries to the public officials without addressing other underlying socio-economic shortcomings which caused corruption, could not solely improve in the implementation of the strategy.

As to the prioritization of the three prongs, Civic Education was favoured by slightly half of the respondents (51%) as a prong which was highly capable of reducing corruption; it was followed by Prevention (26%) and Investigation (21%). Hence, the prongs were ranked as follows; Civic education (1st), prevention (2nd) and investigation (3rd). The respondents recommended the prongs to be prioritized and ranked in that order and the resources be allocated in the same manner. This meant that Civic Education strategy would be given more resources followed by Prevention and finally the Investigative Strategy.

Although Civic education was found to be a very effective prong by all respondents, followed by prevention and lastly the investigation prong, the three prongs complement each other to achieve the desired goals. Therefore, none of them is used singularly to bring the level of corruption down without the involvement of the other two prongs. Despite civic education being ranked the

first, there was general observation by respondents that its impacts would be recognized in the long run after it had succeeded in changing the attitude of the public on corruption.

Internationally, the Independent Commission Against Corruption of Hong Kong, the Independent Commission Against Corruption of New South Wales (Australia) and the Corrupt Practices Investigation Bureau of Singapore were found as the best known anti-corruption agencies that have succeeded tremendously in the fighting corruption using the three-pronged strategy. Therefore, the local anti-corruption commission should learn the best practices of fighting corruption by creating liaison with these institutions in order to benefit from their advanced technology, professionalism and experiences. This would go a long way in improving the implementation of the strategy for optimum reduction of corruption. However, if this does not work and the level of corruption continues to increase, the government and stakeholders should consider alternative approaches for fighting corruption.

5.2 Conclusions

Implementation of the three-pronged strategy was influenced by the actions of the Government actors (legislature, executive and judiciary) and the socio-economic factors. However, the initiatives taken by the actors to remedy the negative effects arising from the factors are critical for minimizing their effects in the implementation process. More specifically the influence of the political elites (legislature) has higher impact in influencing the implementation of the anti-corruption strategies. Hence, the elite should be in the forefront of facilitating the implementation of the anti-corruption strategies.

Currently there is no criterion or tool available to guide the prioritization of the three prongs of the strategy for optimal reduction of corruption, there is an urgent need to develop the criterion. Civic education and recovery of the unexplained assets plays significant roles in the fight against corruption and government should formalize anti-corruption studies in the learning institutions. Additionally, the process of recovering the unexplained assets should be fast tracked to act as deterrence to the potential corrupt offenders.

5.2.1 Theoretical Conclusions

Abuse of power and authority in a bureaucratic set-up as theorized by Weber (1947) assisted this study to demonstrate how the government actors influenced implementation of strategy and reduction of corruption. Similarly, the Rational Choice theory showed how public officials (actors) neglected their official obligations in terms of implementing anti-corruption strategies and instead chose to maximize their self interest after calculating the cost and benefits pertaining to the actions they intended to undertake. When the benefits exceeded the costs, they rationalized that sabotaging the strategy's implementation process was beneficial to them because of the anticipated gains from corruption.

The actors facilitate the implementation of the strategy when they are fully committed to fight corruption or fail to do so if they are not committed in the anti-corruption war. Hence, their attitude and commitment determines whether the level of corruption goes up or down. Further, when they adopt political and socio-economic policies which do not discourage corruption, the implementation of the strategy becomes unattainable. Alternatively, when they decide to initiate appropriate policies to address the socio-economic dysfunctions, the war on corruption is strengthened.

Conceptual framework of this study managed to demonstrate how commitment of government actors and their initiatives to address social economic challenges influenced implementation of the strategy, its prioritization, modifications and the level of corruption. It showed that when the actors are fully committed to fight corruption, they implemented the strategy as required and improved its prioritization and modifications resulting to low level of corruption. However, when the actors were not committed they put less effort in the implementation of the strategy and even failed to initiate sound institutional reforms to address political and socio-economic shortcomings and this led to high level of corruption.

5.2.2 Empirical Conclusions

This study established that the strategy was affected by the behaviour of the government actors and the socio-economic shortcomings. To remedy the situation, the government and stakeholders undertake appropriate socio-economic policy initiatives. This study further established that

corruption had increased despite the adoption of the three-pronged strategy and the perception of most of the respondents was that it had reduced marginally. Further, the institutions mandated to fight corruption had not fully implemented the strategy as required and in some cases the some provisions of UNCAC had not been domesticated. There is an urgent need to domestic all the applicable provisions of the UNCAC.

Public institutions managing the criminal judicial system influenced implementation of the strategy positively or negatively depending on the commitment of the individuals managing them or their leadership. There is an urgent need to undertake reforms in these institutions as envisaged in the Constitution of Kenya 2010. These institutions should adapt the best practices used in other jurisdictions to improve on the service delivery. The government should address the major causes of corruption which include; lack of transparency and accountability in the political process, inadequate law enforcement mechanisms, poor controls and accountability in the public service, poor salaries and remuneration of the public employees, unemployment, high cost of living and reduction of poverty among other causes.

Generally implementation of the strategy was affected by numerous factors among them; lack of political commitment and will, low economic growth, lack of adequate resources, few qualified personnel and lack of integrity among public officials. Other factors included; inadequate institutional reforms, unexpanded civic education programmes and failure to adopt adequate preventive measures in public institutions among other issues. Undertaking of institutional and legal reforms is therefore necessary to enhance the effectiveness of the strategy. This should be coupled with strengthening and reforming of political institutions since political influence was found to affect the strategy significantly, depending on the inclination of the political leadership. As such, lawmakers (legislature) should play a great role in creating a conducive environment for fighting corruption.

This study established that there was a missing knowledge gap in the war on corruption in terms of the prioritization of the three prongs of the strategy. As explained earlier, prioritization in this study referred to the preference given to each prong in regard to its impact in reducing corruption. Hence, the prong with the highest impact would get the highest amount of resources, followed by the second and the third getting least. Prioritization is necessary because public

resources available are limited or rather scarce and they must be utilized appropriately among the three prongs for optimal reduction of corruption. The findings of this study revealed that there was no available literature in the study site that had dwelt on the aspect of prioritization.

This study took cognizance of the concern that the three prongs (Investigations, Prevention and Civic education) were currently allocated resources without any known criterion on how resources should be proportioned among them for optimal reduction of corruption in the obtaining socio-economic situation. Hence, the government and stakeholders should develop a criterion or a tool to guide in the prioritization process. Corruption perception surveys focusing on the effectiveness of the strategy should be conducted regularly to guide the prioritization process. Also it should be noted that prioritization should not be taken as static but should be reviewed overtime depending on the dynamics or changes in the political and socio-economic environment.

As mentioned earlier in Chapter One, many studies or discussions on corruption that were available in the County were centred on the causes of corruption and what needs to be done to curb it with little attention given to the effectiveness of the three-pronged strategy. No focus had been directed to establish whether the three prongs were allocated resources considering the impact of each of them in reducing corruption in the obtaining situation. The findings and recommendations of this study provide an insight on how the prongs ought to be prioritized for maximum reduction of corruption in the County and by extension, in Kenya as a whole.

According to this study the most effective prong for combating corruption in the County is civic education followed by prevention and investigation strategies in that ranking. The prongs ought to be prioritized and ranked in that order and the resources allocated in the same manner. It was envisaged that Civic Education strategy would result in a society that desists corruption. The Prevention prong was ranked second because it is crucial in detecting and sealing loop holes or opportunities which encourage corruption to take place. However, it was observed that it could not match the effectiveness of civic education in reducing corruption since it may not adequately influence the behaviour of individuals which is critical in fighting the vice. The fruits of civic education would be realized in the long run and they would be sustainable.

Investigation strategy was the least preferred prong for combating corruption because the respondents observed that most of the corruption cases had not been completed and when the corruption suspects were charged before court, majority of the cases were occasionally dismissed. Investigation strategy had led to a few successful prosecution and punishment of the corrupt offenders in the period under review. This prong was nevertheless, found to be key in tracing and recovery of unexplained wealth which once recovered should be used to fund socio-economic projects beneficial to the society. However, when corruption is systemic, successful investigation and prosecution of the offenders is crucial for driving the agenda on the war on corruption. The success is perceived in terms of the punishment meted on the senior public officials prosecuted and the recovered unexplained assets.

5.3 Recommendations

This study made suggestions for policy and practice on the modifications which should be undertaken to improve implementation and prioritization of the three-pronged strategy. In regard of the institutional factors which affected its implementation, the government should enhance the implementation and review of policies which address the negative influences caused by socio-economic shortcomings. This is necessary to make sure that the shortcomings do not detract the implementation of the strategy and the war on corruption. In particular, it should reduce opportunities which allow its actors to abuse the power and authority bestowed on them to frustrate the war on corruption.

In terms of the prioritization of the three prongs of the strategy, the government and stakeholders should develop a criterion or a tool to guide the process of allocating the resources among the prongs, as such criterion is currently lacking. It should allocate more resources to enhance civic education and ensure that a compulsory education curriculum on anti-corruption studies with examinable courses is administered in the learning institutions.

Similarly, additional resources should be allocated for investigations to enable anti-corruption agencies employ more specialized investigators and acquire the appropriate technical equipment for intelligence collection and forensic investigations. The government should fast tract legal reforms in the criminal judicial system to create an enabling environment for fighting corruption. This should facilitate the recovery of unexplained assets and provide for an elaborate mechanism

for reviewing wealth declaration details. Similarly, the Constitution should be amended to give the anti-corruption agencies prosecutorial powers to enable it investigate and prosecute corruption cases independently.

This study further advises that corrupt offenders in possession of unexplained wealth should be prosecuted and severe sentence meted on them as exemplified in other jurisdictions where the application of the three-pronged strategy has succeeded. The anti-corruption laws should be amended to make possession of unexplained assets a criminal offence to deter potential offenders. The recovered property should be used to initiate socio-economic development projects to benefit the society at large.

Additional funds should be allocated for effective implementation of the prevention prong; the funds would assist in contracting private consultants to undertake systems audits or examination of the public delivery systems to augment the work done by the anti-corruption commission and the national audit office. An audit trail of the work done by the anti-corruption commission in the period 2003 to 2011 and beyond should be conducted under the auspices of a parliamentary led committee or a committee of eminent people to establish the obstacles the commission has encountered in implementing the strategy. This will assist in getting views from the public and anti-corruption experts on the best ways of improving the implementation of the three-pronged strategy.

Areas for Further Research

First, scholars and anti-corruption stakeholders should continue researching on the three-pronged strategy and the phenomenon of corruption to make further recommendations on the improvements on this strategy. Secondly, since this study did not address the possibility of adopting another approach in case this strategy fails to reduce to corruption, as it has happened overtime, researchers are encouraged to undertake additional studies and provide for an alternative approach to salvage the situation. Thirdly, studies should be carried out in other Counties or in Kenya as a whole to establish what limits the success of the three-pronged strategy.

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APPENDICES

Appendix I: Research Permits Letter from the NCST



NATIONAL COUNCIL FOR SCIENCE AND TECHNOLOGY

Telegram: "SCIENCE TECH", Nairobi
Telephone: 254-020-241349, 2213102
254-020-310571, 2213123
Fax: 254-020-2213215, 318245, 318249
When replying please quote

P.O. Box 30693-00100
NAIROBI-KENYA
Website: www.ncst.go.ke

Our Ref: NCST/QR/12/1/SS/127/5

Date:
10th March, 2010

Isaiah Gitonga Nyaga
Egerton University
P. O. Box 536 - 20115
EGERTON, NJORO

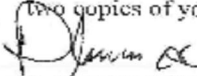
Dear Sir,

RE: RESEARCH AUTHORIZATION

Following your application for authority to carry out research on "*The persistence of corruption and the strategies used for its reduction: A Kenyan perspective*" I am pleased to inform you that you have been authorized to undertake your research in *Nairobi Province* for a period ending *30th December, 2011*.

You are advised to report to the Director Kenya Anti Corruption Commission and the Heads of Departments of the respective Government Ministries you will visit before embarking on your research project.

Upon completion of your research project, you are expected to submit two copies of your research report/thesis to our office.


P. N. NYAKUNDI
FOR: SECRETARY/CEO

Copy to:
The Director
Kenya Anti Corruption Commission

Appendix II: Research Authorization Letter from the Egerton University

EGERTON

Tel: Office 254-51-2217623
254-51-2217877
254-51-2217631
Dir. Graduate 254-51-2217847
Cell 254-51-2217847



UNIVERSITY

P.O. Box 536 - 20113
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Email: egpadschool@egerton.ac.ke
www.egerton.ac.ke

OFFICE OF THE DIRECTOR, GRADUATE SCHOOL

AD17/023308

December 7, 2009

Ref:.....

Date:.....

Mr. Nyaga I. Gitonga,
Department of Sociology, Anthropology & Economics,
Egerton University,
P. O. Box 536,
EGERTON.

Dear Mr. Gitonga,

RE: CORRECTED PROPOSAL

This is to acknowledge receipt of two copies of your corrected proposal, entitled: "The Persistence of Corruption and the Strategies used for its Reduction: A Kenyan Perspective"

You are now at liberty to commence your fieldwork.

Thank you.

Yours sincerely,

Handwritten signature of Prof. Robert K. Obura.

Prof. Robert K. Obura, PhD
DIRECTOR, BOARD OF POSTGRADUATE STUDIES

c.c. Dr. M. Theuri - Supervisor
Dr. Bor E.K. - Supervisor
Dr. K. Ngeichi - Supervisor

RKO/cm

Appendix III:-Public Officers/Professionals Questionnaire

Student's Name: ISAIAH G. NYAGA

Admission No. AD17/0233/08

PhD Study Title: An Examination and Prioritization of the Implementation of the Three-Pronged Anti-Corruption Strategy in Nairobi County, Kenya (2003-2011)

Egerton University

QUESTIONNAIRE SERIAL NO.				
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Sir/Madam

I am **Isaiah G. Nyaga**, a Doctoral Student of Egerton University, Kenya. I have been mandated to carry out a research on the above stated topic. The purpose of this questionnaire is to gather information to examine the implementation of the three-pronged anti-corruption strategy in Nairobi County. As one of my respondent, I request that you answer the following questions with an assurance that whatever you say or respond will be treated in strict confidence.

Section One: General Information

1. Location of the Interviewee:

- i. Ministry:.....
- ii. Organization:.....
- iii. Department:.....

2. Gender: (Tick whichever is appropriate)

(i) Male

(ii) Female

3. Age bracket: (Tick whichever is applicable)

- (i) Below 20 Years
- (ii) Between 21 – 30 Years
- (iii) Between 31 – 40 Years
- (iv) Between 41 – 50 Years
- (v) Between 51 - 55 Years
- (vi) Above 55 Years

4. Religion: (Tick whichever is appropriate)

- (i) Christian
- (ii) Muslim
- (iii) Hindu
- (iv) Buddhist
- (vii) Other (Please specify) _____

5. Marital Status: (Tick whichever is appropriate)

- (i) Single
- (ii) Married
- (iii) Widowed
- (iv) Divorced/Separated

6. What is your highest level of education? (Tick whichever is appropriate)

(i) Primary

(ii) Secondary

(iii) Diploma

(iv) University

(v) Other (Please specify) _____

7. What is your occupation? _____

8. For how long have you worked in;-

The current organization..... _____ years

The present position..... _____ years

Your current station..... _____ years

9. What is your current position in the organization?

(i) Head/Deputy Head of organization

(ii) Head/Deputy Head of department

(iii) Other senior management / professional / technical

(iv) Operational staff

(iv) Support staff

(v) Other (please specify) _____

Section Two: Questions on Corruption and the Effectiveness of the Strategies

1. In your opinion has the level of corruption been increasing or decreasing in the county

.....
.....
.....

2. Compared to the last 5 years, are there changes in corruption levels in the county? **(Tick as appropriate)**

(i) Increased

(ii) Same

(iii) Decreased

(iv) Don't know

3. When rating the level of corruption i, what do you base your assessment on? **(Tick all that apply)**

(i) Personal experience

(ii) Talks with relatives and friends

(iii) Information from the media

(iv) Information from Kenya Anti Corruption Commission

(v) Information from politicians

(v) Other (please specify)_____

4. How has the Government dealt with the problem of corruption? **(Tick whichever is appropriate)**

Problem	Well 1	Not well 2	Don't know 3
Corruption			

5. Among the three anti-corruption strategies (Investigation, Prevention, Civic Education) which one do you think should be given more priority in terms of resource allocation and why do think so ?

.....

6. In which way would you rank the effectiveness of three strategies in reducing the level of corruption in the County?

.....

7. In comparing the three strategies, how effective is each of them in reducing the level corruption in the county?

Strategies	Very Effective	Effective	Less Effective
Investigation			
Prevention			
Civic Education			

8. What slows down the war against corruption ?

.....

9. Suggest ways in which the three-pronged strategy could be improved? **(Write Below)**

1. _____
2. _____
3. _____

10. Have the institutions mandated to implement the strategies fully implemented them?

.....

11. Are there ways in which the political and socio-economic factors influence the anti-corruption strategies and the war against corruption in general?

.....

12. Have the institutions mandated to fight corruption succeeded in the war against corruption?

.....

13. What is the influence of judiciary in reducing the levels of corruption?

.....

14. Are the strategies not working well because corruption has become part of social life which is difficulty to stop?

.....

15. Please evaluate the following causes of corruption in order of importance? (**Tick whichever is appropriate**)

Causes	Important 1	Not Important 2	Don't Know 3
(i) Socio-cultural reasons			
(ii) Inadequate economic policies			
(iii) Poor remunerations of Public employees			
(iv) High cost of living			

(v) Greed/selfishness			
(vi) Inadequate transparency and accountability in polity			
(vii) Inadequate job security			
(viii) Poor corruption reporting mechanisms			
(ix) Ineffective and un-independent judicial system			
(x) Infective system of punishing corrupt culprits			
(xi) Poor incentive mechanisms eg. in promotions			
(xii) Poor controls and accountability in public service			
(xiii) Inadequate law enforcement mechanism			
(xiv) Poverty			
(xv) Unemployment			
(xvi)Others.....			

16. How effective are the following institutions in combating corruption ? (Tick whichever is appropriate)

Organizations	Helped Tremendously	Helped to some extent	Not at all	Don't know
1. Judiciary				
2. Parliament/Cabinet				
3. Kenya Anti-Corruption Commission				
4. Police/Law Enforcement Agencies				
5. Media				
6. Foreign Donors				
7. Religious bodies				
8. Office of the Attorney General				

Appendix IV:-Business People Questionnaire

Student's Name: ISAIAH G. NYAGA

Admission No. AD17/0233/08

PhD Study Title: An Examination and Prioritization of the Implementation of the Three-Pronged Anti-Corruption Strategy in Nairobi County, Kenya (2003-2011)

Egerton University

QUESTIONNAIRE SERIAL NO.				
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Sir/Madam

I am **Isaiah G. Nyaga**, a Doctoral Student of Egerton University, Kenya. I have been mandated to carry out a research on the above stated topic. The purpose of this questionnaire is to gather information to examine the implementation of the three-pronged anti-corruption strategy in Nairobi County. I request that you answer the following questions with an assurance that whatever you say or respond will be treated in strict confidence.

Section One: General Information

1. Location of the Interviewee: _____

2. Gender: (Tick whichever is appropriate)

(i) Male

(ii) Female

3. Age bracket: (Tick whichever is applicable)

(i) Below 20 Years

(ii) Between 21 – 30 Years

(iii) Between 31 – 40 Years

(iv) Between 41 – 50 Years

(v) Between 51 - 55 Years

(vi) Above 55 Years

4. Religion: (Tick whichever is appropriate)

(i) Christian

(ii) Muslim

(iii) Hindu

(iv) Buddhist

(v) Other (please specify) _____

5. Marital Status: (Tick whichever is appropriate)

(i) Single

(ii) Married

(iii) Widowed

(iv) Divorced/Separated

6. What is your highest level of education? (Tick whichever is appropriate)

(i) Primary

(ii) Secondary

(iii) Diploma

(iv) University

(v) Other (please specify) _____

7. Please state your;

Occupation: _____

Position : _____

8. For how long have you conducted this business?

.....
.....
.....

Section Two: Questions on Corruption and the Effectiveness of the Strategies

1. In your opinion has the level of corruption been increasing or decreasing in the county

.....

2. Compared to the last 5 years, are there changes in corruption levels in the county? **(Tick as appropriate)**

(i) Increased

(ii) Same

(iii) Decreased

(iv) Don't know

3. When rating the level of corruption i, what do you base your assessment on? **(Tick all that apply)**

(i) Personal experience

(ii) Talks with relatives and friends

(iii) Information from the media

(iv) Information from Kenya Anti Corruption Commission

(v) Information from politicians

(v) Other (please specify) _____

4. How has the Government dealt with the problem of corruption? **(Tick whichever is appropriate)**

Problem	Well 1	Not well 2	Don't know 3
Corruption			

5. Among the three anti-corruption strategies (Investigation, Prevention, Civic Education) which one do you think should be given more priority in terms of resource allocation and why do think so ?

.....

6. In which way would you rank the effectiveness of three strategies in reducing the level of corruption in the County?

.....

7. In comparing the three strategies, how effective is each of them in reducing the level corruption in the county?

Strategies	Very Effective	Effective	Less Effective
Investigation			
Prevention			
Civic Education			

8. What slows down the war against corruption ?

.....

9. Suggest ways in which the three-pronged strategy could be improved? **(Write Below)**

1. _____
2. _____
3. _____

10. Have the institutions mandated to implement the strategies fully implemented them?

.....

11. Are there ways in which the political and socio-economic factors influence the anti-corruption strategies and the war against corruption in general?

.....

12. Have the institutions mandated to fight corruption succeeded in the war against corruption?

.....

13. What is the influence of judiciary in reducing the levels of corruption?

.....

14. Are the strategies not working well because corruption has become part of social life which is difficult to stop?

.....

15. Please evaluate the following causes of corruption in order of importance? (**Tick whichever is appropriate**)

Causes	Important 1	Not Important 2	Don't Know 3
(i) Socio-cultural reasons			
(ii) Inadequate economic policies			
(iii) Poor remunerations of Public employees			
(iv) High cost of living			
(v) Greed/selfishness			
(vi) Inadequate transparency and accountability in polity			

(vii) Inadequate job security			
(viii) Poor corruption reporting mechanisms			
(ix) Ineffective and un-independent judicial system			
(x) Infective system of punishing corrupt culprits			
(xi) Poor incentive mechanisms eg. in promotions			
(xii) Poor controls and accountability in public service			
(xiii) Inadequate law enforcement mechanism			
(xiv) Poverty			
(xv) Unemployment			
(xvi)Others.....			

16. How effective are the following institutions in combating corruption ? (Tick whichever is appropriate)

Organizations	Helped Tremendously	Helped to some extent	Not at all	Don't know
1. Judiciary				
2. Parliament/Cabinet				
3. Kenya Anti-Corruption Commission				
4. Police/Law Enforcement Agencies				
5. Media				
6. Foreign Donors				
7. Religious bodies				
8. Office of the Attorney General				

Appendix V:-General Members of the Public Questionnaire

Student's Name: ISAIAH G. NYAGA

Admission No. AD17/0233/08

PhD Study Title: An Examination of the Implementation and Prioritization of the Three-Pronged Anti-Corruption Strategy in Nairobi County, Kenya (2003-2011)

Egerton University

QUESTIONNAIRE SERIAL NO.				
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Sir/Madam

I am **Isaiah G. Nyaga**, a Doctoral Student of Egerton University, Kenya. I have been mandated to carry out a research on the above stated topic. The purpose of this questionnaire is to gather information to evaluate the implementation of the three-pronged anti-corruption strategy in Nairobi County. I request that you answer the following questions with an assurance that whatever you say or respond will be treated in strict confidence.

Section One: General Information

1. Location of the Interviewee: _____

2. Gender: (Tick whichever is appropriate)

(i) Male

(ii) Female

3. Age bracket: (Tick whichever is applicable)

(i) Below 20 Years

(ii) Between 21 – 30 Years

(iii) Between 31 – 40 Years

(iv) Between 41 – 50 Years

(v) Between 51 - 55 Years

(vi) Above 55 Years

4. Religion: (Tick whichever is appropriate)

(i) Christian

(ii) Muslim

(iii) Hindu

(iv) Buddhist

(v) Other (specify) _____

5. Marital Status: (Tick whichever is appropriate)

(i) Single

(ii) Married

(iii) Widowed

(iv) Divorced/Separated

6. What is your highest level of education? (Tick whichever is appropriate)

(i) Primary

(ii) Secondary

(iii) Diploma

(iv) University

(v) Other (specify) _____

7. Please state your occupation

Occupation: _____

Position: _____

8. For how long have you worked?

.....
.....

Section Two: Questions on Corruption and the Effectiveness of the Strategies

1. In your opinion has the level of corruption been increasing or decreasing in the county

.....
.....
.....

2. Compared to the last 5 years, are there changes in corruption levels in the county? **(Tick as appropriate)**

(i) Increased

(ii) Same

(iii) Decreased

(iv) Don't know

3. When rating the level of corruption i, what do you base your assessment on? **(Tick all that apply)**

(i) Personal experience

(ii) Talks with relatives and friends

(iii) Information from the media

(iv) Information from Kenya Anti Corruption Commission

(v) Information from politicians

(v) Other (please specify) _____

4. How has the Government dealt with the problem of corruption? (**Tick whichever is appropriate**)

Problem	Well 1	Not well 2	Don't know 3
Corruption			

5. Among the three anti-corruption strategies (Investigation, Prevention, Civic Education) which one do you think should be given more priority in terms of resource allocation and why do think so ?

.....

6. In which way would you rank the effectiveness of three strategies in reducing the level of corruption in the County?

.....

7. In comparing the three strategies, how effective is each of them in reducing the level corruption in the county?

Strategies	Very Effective	Effective	Less Effective
Investigation			
Prevention			
Civic Education			

8. What slows down the war against corruption ?

.....

9. Suggest ways in which the three-pronged strategy could be improved? (Write Below)

- 1. _____
- 2. _____
- 3. _____

10. Have the institutions mandated to implement the strategies fully implemented them?

.....
.....
.....

11. Are there ways in which the political and socio-economic factors influence the anti-corruption strategies and the war against corruption in general?

.....
.....
.....

12. Have the institutions mandated to fight corruption succeeded in the war against corruption?

.....
.....
.....

13. What is the influence of judiciary in reducing the levels of corruption?

.....
.....
.....

14. Are the strategies not working well because corruption has become part of social life which is difficult to stop?

.....
.....
.....

15. Please evaluate the following causes of corruption in order of importance? (Tick whichever is appropriate)

Causes	Important 1	Not Important 2	Don't Know 3
(i) Socio-cultural reasons			
(ii) Inadequate economic policies			
(iii) Poor remunerations of Public employees			
(iv) High cost of living			
(v) Greed/selfishness			
(vi) Inadequate transparency and accountability in polity			
(vii) Inadequate job security			
(viii) Poor corruption reporting mechanisms			
(ix) Ineffective and un-independent judicial system			
(x) Infective system of punishing corrupt culprits			
(xi) Poor incentive mechanisms eg. in promotions			
(xii) Poor controls and accountability in public service			
(xiii) Inadequate law enforcement mechanism			
(xiv) Poverty			
(xv) Unemployment			
(xvi)Others.....			

16. How effective are the following institutions in combating corruption ? (Tick whichever is appropriate)

Organizations	Helped Tremendously	Helped to some extent	Not at all	Don't know
1. Judiciary				
2. Parliament/Cabinet				
3. Kenya Anti-Corruption Commission				
4. Police/Law Enforcement Agencies				
5. Media				
6. Foreign Donors				
7. Religious bodies				
8. Office of the Attorney General				

Appendix VI: Focus Group Discussions Issues

- 1 How does the influence of the political and socio-economic factors affect the implementation of three-pronged in the County?
- 2 Do the socio-cultural factors influence the level of corruption in the County?
- 3 How do you prefer the prioritization and the ranking the Investigation, Prevention and Civic Education prongs in combating corruption in the County?

Appendix VII: List of Publications

1. Nyaga, I., Ng'etich, K., Bor, E. K. & Theuri, M. (2014). *The Prioritization of the Three-pronged Anti-Corruption Strategy in Nairobi County, Kenya (2003-2011)*. Nairobi. International Journal of Social Sciences and Entrepreneurship, 1 (11), 61-87.
2. Nyaga, I., Ng'etich, K., Bor, E. K. & Theuri, M. (2014). *The Factors Influencing the Implementation of the Three-Pronged Anti-Corruption Strategy in Nairobi County, Kenya (2003-2011)*. Nairobi. International Journal of Social Sciences and Entrepreneurship, 1 (12), 23-44.
3. Nyaga, I., Ng'etich, K., Bor, E. K. & Theuri, M. (2014). *Suggested Modifications in the Implementation of the Three-pronged Anti-Corruption Strategy in Nairobi County, Kenya (2003-2011)*. International Journal of Economics, Commerce and Management. Social Sciences and Entrepreneurship, 1 (11), 61-87.
4. Nyaga, I. (2012). *A Critical Review of the Kenya's Efforts to Minimize Corruption*. Available at: <http://www.oboolo.com/politics-international/social-science/case-study/critical-review-kenya-s-efforts-minimize-corruption-83605.html>.