MEANING AND CAUSES OF CORRUPTION WITH
A SPECIAL REFERENCE TO KENYA: A MORAL
PERSPECTIVE

BY

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A THESIS SUBMITTED IN PARTIAL FULFILMENT OF
THE REQUIREMENTS FOR THE AWARD OF THE
DEGREE OF MASTER OF ARTS (PHILOSOPHY) OF
KENYATTA UNIVERSITY

2006

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Meaning and causes of
corruption with
DECLARATION

This thesis is my original work and has not been presented for a degree or any other award in any other university.

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TO THE GLORY AND HONOUR OF THE ALMIGHTY GOD.
ACKNOWLEDGEMENT

All I have written in this work is a product of what I have learned from men and women of integrity. I will forever be indebted to their inspiration through their exemplary living and direct encounter.

Gratitude to my supervisors Professor Wambari and Doctor Makokha who taught and nurtured me in this discipline without expecting any reward.

I am ever mindful of the unconditional love, support and understanding of my entire family that has shaped my character. My Dad Kivoi (Sr.) and Mum Alwoka, my sisters Anusu, Awinja, Khaleji, Khaoya, Maureen and Khanali. My brothers Munyikuli and Wameyo, my pearl Anne Okutoyi for their belief in the incredible power of prayer that gave me a beautiful mind and extra strength to move against odds. I also pass my gratitude to Professor Mary Getui who helped me during some difficult times and also to Doctor Father Kariuki Joseph who never ceased to encourage me and in his own words "it is good, it is excellent".

To my great friends who stood with me all through: Juma Musungu, Makonjio Mukopi, and Carol Buya who encouraged me to brave on when the going seemed tough. To Doctor Alembi Ezekiel; you are forever indelibly entrenched in my life as a vessel God used for a noble purpose. I also acknowledge the contribution of Millicent Sarah Wambia, you know it. May God forever fill your vessels.
In the course of this study I met men and women who tried to frustrate my efforts, confidants who betrayed me, allies who turned enemies and friends who denied me their kindness and love when I needed it most. For by pressing me down hard, the everlasting arm of the Almighty God came to my rescue.
### ABBREVIATIONS

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
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<tr>
<td>DVD</td>
<td>Digitally versatile discs</td>
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<tr>
<td>ECK</td>
<td>Electoral Commission of Kenya</td>
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<td>GOK</td>
<td>Government of Kenya</td>
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<tr>
<td>MP</td>
<td>Member of Parliament</td>
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<tr>
<td>KACC</td>
<td>Kenya Anti-Corruption Commission</td>
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<td>KACA</td>
<td>Kenya Anti-Corruption Authority</td>
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<tr>
<td>KANU</td>
<td>Kenya African National Union</td>
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<tr>
<td>KeBS</td>
<td>Kenya Bureau of Standards</td>
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<tr>
<td>KPLC</td>
<td>Kenya Power and Lighting Company</td>
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<tr>
<td>NGO</td>
<td>Non-Governmental Organization</td>
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<tr>
<td>R.S.V</td>
<td>Revised Standard Version</td>
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<tr>
<td>VAT</td>
<td>Value Added Tax</td>
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ABSTRACT

Corruption has over the years become a reality of monumental proportions in Kenya. Corruption has impacted so negatively in our social, economic and political life that serious effort is needed in order to undermine it. Corruption has eroded the moral values of Kenyans and is consigning many Kenyans to perpetual poverty, deprivation and misery. The bottom line of this study is that corruption has permeated into the very fabric of the Kenyan society from the top political echelons to the family unit. The impact of corruption on the moral fabric of this nation can thus not be underestimated.

This study shows that corruption poses a serious challenge in terms of economic, political and social development in Kenya. It undermines democratic institutions and good governance, reduces accountability and negates representation and policy making in the electoral process.

It is also a fact that there are institutions, for instance Kenya Anti–Corruption Commission, whose mandate is to deal with and control the spread of corruption, yet corruption rages on unabated. It is worth noting that even the laws that have been enacted to stamp out corruption have not comprehensively defined and addressed the nature and various manifestations of corruption in Kenya. As to dealing with the problem, there are cases where the perpetrators of corruption have been known yet no action has been taken against them. In certain cases prosecutions have been brought up against certain individuals only to be withdrawn later. This shows that the legislative framework for combating corruption is ineffective and does not provide viable structures for combating corruption.
It is on the above motivation that this study explores the complex nature of corruption in Kenyan society. The study explores the various ways in which corruption manifests itself. This study investigates the phenomenon of corruption and the reasons why legal and other institutions are unable to tackle corruption effectively. This study therefore is concerned with:

- The meaning of corruption.
- The causes of corruption.
- What strategies should be developed to combat corruption.

Throughout the study the philosophical tools of analysis, justification, criticism and reconstruction are employed. The conceptual framework that informs this study is a combination of ethical egoism, utilitarianism and the common good. In perspective, the argument is that morality is based on human concerns for purposes of the well being of the entire society.

The study discusses some of the complex ways in which corruption manifests itself in the Kenyan society. They include favoritism, bribery, forgery and theft of intellectual property, abuse of office among others. This discussion lays the foundation for the analysis of the causes of corruption in Kenya. They include among others ethnic chauvinism, poor governance and some cultural practices. This discussion helps us to come to the basis of moral values and principles, which include moral rights and the well being of the society.

This study examines morality and recommends it as the long-term measure in combating corruption. Morality ought to play a pivotal role in regulating human conduct and is thus core in undermining corruption.
There is also an exposition of other solutions whose foundation is morality, which include among others critical thinking, moral education and reforms. Preventing corruption is as complex as the phenomenon of corruption itself and a range of integrated mechanisms are needed for success including reinforcing ethical behavior in the citizenry. This study is of the opinion that ethical behavior and moral values of public servants must be critically re-evaluated if corruption in the public service is going to be eradicated. Virtues help create an environment conducive to the well being of the society. For instance, honesty helps uphold the integrity of persons hence the well being of the whole society. It generates trust in people’s relationships, which is a pre-requisite for the survival of the society. Vices on the other hand violate the moral worthiness of individual persons and society at large. It is the view of this study that cultivating in children habits of behaving in a virtuous manner will make them to ultimately take the intrinsic pleasure of behaving virtuously and find behaving immorally to be intrinsically painful.
DEFINITION OF TERMS

Coerce: Use of actual threat of harm or some type of forceful manipulation to influence a person to choose one alternative rather than another.

Egoism: The doctrine that individual self-interest is the end of all action.

Elite: A group of people in society regarded as being superior.

Embezzle: To appropriate fraudulently to one's own use money entrusted to one's care.

Fraud: Intentional misrepresentation of financial records for the purpose of obtaining money dishonestly.

Graft: Acquisition of money through dishonest means.

Greed: Selfish desire for material possessions.

Individualism: A selfish outlook that the interests of oneself are paramount in determination of conduct.

Morality: Social norms and rules concerning right and wrong that govern the conduct of human beings in a given society.

Vice: Moral depravity (the opposite of virtue).

Virtue: Moral traits and dispositions that promote the good of the society.
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CHAPTER ONE

1.0 INTRODUCTION

1.1 Background

Corruption is a worldwide problem that is perceived to be particularly rampant in Indonesia, Kenya, Angola, Madagascar, Paraguay, Nigeria and Bangladesh (CLARION, 2002). In Africa a new corruption culture has developed in which terms like 'kalabule' in Ghana, 'wako-in-wako' in Zambia, 'bakshish' in Sudan and 'magendo' in Tanzania are used to summarize the dominant corrupt ethos of the public service (Rasheed, 1993:50). Case studies of seven countries drawn from Eastern, Western and Southern Africa provide a surprising consensus; corruption has become rampant in African public services, almost institutionalised while institutions created to tackle this problem are largely ineffective.

In Kenya for instance, corruption has over the years become a reality of monumental proportions, whose cure seems elusive. What partly compounds the problem is the narrow conception people have about what constitutes corruption. Even the legal definition of corruption is problematic and very narrow. For instance section 3 and 4 of the Prevention of Corruption Act, Chapter 65 of the Laws of Kenya restrict corruption to soliciting and receiving of bribes, gifts and rewards. In the view of this study, this definition fails to
capture the various ways in which corruption manifests itself as it involves much more than this 'criminal corruption'.

Cultural relativism among Kenyan communities may also contribute to a lack of clear understanding of the meaning of corruption. For example, among the Luhya community of Western Kenya, it is seen as a sign of appreciation by a host to give a gift (chicken, a goat among other gifts) to a visitor, for instance a public servant. But viewed from the legal perspective, this practice could pass as a corrupt one.

The lack of a clear conception regarding the meaning of corruption has also led to lack of clear understanding of the causes of corruption. Hence the observation by GoK (2002:3) in the Public Service Integrity Programme Source Book that the meaning and causes of corruption are matters of controversy. The source book however fails to shed more light by way of providing a comprehensive definition and definite causes of corruption. In the end the fight against corruption is undermined partly because there is lack of tangible evidence of the impact of this crusade. This in our view is a consequence of lack of clear understanding of the causes of corruption.

Finally, owing to the lack of a comprehensive meaning and causes of corruption, the search for solutions to the practice of corruption remains tenuous and problematic. In Kenya a number of measures have been undertaken towards addressing the problem of corruption, yet not much has
been realized. For instance, the government established a National Ethics Code of Conduct and employed a Governance and Ethics Permanent Secretary in the Office of the President so as to instil integrity and selflessness in the public service. The Permanent Secretary later resigned after finding it hard to discharge his duties due to what was perceived to be political interference. This showed a lack of commitment from the political elite to tackle corruption.

In this study we view corruption as a moral problem that requires a moral response. Morality is a system of rules applying to all rational persons, governing conduct that affects others and includes moral rules, moral ideals and moral virtues. Morality is in our view the best prescription for this malaise since the legal approach has failed to win the war against corruption. This is because morality is ultimately self-prescribed, autonomous and not others-guided. Makokha (2002:23) aptly puts it that “morality relies on the rational capacity which enables humans to act deliberately, purposively and rightly”. For Makokha therefore morality lies in a way of living or attitude that exhibits desirable traits of character. Autonomous morality arises from inside oneself, for the individual is always in charge of decision-making regarding what constitutes moral and immoral actions. Autonomy implies the individual is self-determined; his actions are manifestations of his own decisions. Autonomous moral behaviour is inner motivated and grounded in genuine
moral interest for the well being of others. This in turn militates against corruption, which is individual centred and motivated by selfish personal interests.

1.2 Statement of the Problem

The commonplace conception, which tends to equate corruption with bribery is simplistic and makes people fail to appreciate the complexity and multi-faceted nature of corruption. It is the view of this study that until one has a clear understanding of the different forms corruption takes, one can do little to prevent or control it. In order to prevent corruption, it is important to have a clearer and broader conception of corruption.

The research seeks to establish the various causes of corruption and suggests a way out. This thesis argues that one must know the causes of corruption to develop long term measures to prevent or control this malaise.

Since corruption is a serious social malady, this research sets out to establish if morality is a long-term solution. It investigates and elucidates the role morality can play in fighting corruption.

In a nutshell the concerns of this study are:

1. To seek a broader conception of corruption.

2. To identify the causes of corruption.
3. To investigate and show the role of morality as a long-term solution to the problem of corruption.

1.3 Assumptions of the Study

- Corruption is a manifestation of moral decay in the Kenyan society.
- Corruption is a multi-faceted phenomenon.
- Morality can contribute towards efforts to respond to the problem posed by corruption.

1.4 Objectives of the Study

- To analyse and clarify the multi-faceted meaning of corruption.
- To identify and critically analyse the causes of corruption in the Kenyan society.
- To inquire into the place of morality in addressing the malady of corruption in the Kenyan society.
- To sensitise people on the negative effects of corruption.

1.5 Justification of the Study

Corruption is perceived as a widespread social malady that needs to be urgently addressed. It has reached fever pitch with recession and widespread poverty and unemployment. The gravity of the magnitude of corruption in this country has fuelled the World Bank and other donor agencies to put
stringent rules on donor funds. Corruption has also led to poor infrastructure system in this country. The government has made a declaration of zero tolerance to corruption, yet everyday, reports of new and old corruption are unearthed.

1.6 Conceptual Framework

This study is informed by conceptual paradigms derived from the works of Bishop Butler’s ethical egoism (1949), Bentham’s utilitarianism (1789) and the concept of the common good.

Butler (1949) outlined two tenets of ethical egoism as;

1. An individual’s one and only basic obligation is to promote for oneself greatest possible balance of good over evil.

2. In making second and third person moral judgments an individual should go by what is to his/her own advantage (Frankena, 1973:17)

Ethical egoism is thus the view that one’s only duty is to promote one’s own interests. That is, there is only one ultimate principle of conduct, the principle of self-interest and this principle sums up all one’s duties and obligations. This theory further holds that each individual should seek as an end only one’s own welfare and the individual’s own welfare is the only thing that is ultimately valuable. It is a theory and principle of life and a moral quality according to which an individual should be guided only by his/her self-
interests thus ignoring the larger interests of the society. It is one of the forms of individualism because it propagates the view that individuals ought to do whatever is in their best interest, and allows people to do things for others only if that would prevent something from damaging their interests or if the benefits to others end up producing a greater net benefit to themselves.

Ethical egoism therefore is a conceptual normative view about how men ought to act. It is the view that regardless of how men do in fact behave, they have no obligation to do anything except what is in their own interests. This attitude befits the 'me-now syndrome' in which individual benefit counts now and then. It is the opposite of the common good since it prefers immediate individual gain to collective good in the long run. According to an ethical egoist, a person is always justified in doing whatever is in his/her own interest, regardless of the effect (s) on others. Ethical egoism does not recognize pure altruism, where one acts to benefit others with no intended benefit to oneself. It is against courses of action where, though one gets something out of what one does for others, one does not recoup one's costs.

Utilitarianism on the other hand is a theory derived from the term "utility", which has to do with the uses, or benefits that one can get by performing an action (act-utilitarianism). Bentham (1798) put forth this view in which an action is right if it will bring about the greatest balance of good over evil. The
greatest balance of good is for the greatest number of people, that is, the highest number of people possible or at least majority of people in the society. It means that the benefit to the greatest number of people is measured in terms of good over evil. If the consequences benefit the interests of the majority of people then the act is right.

Utilitarianism therefore is an ethical theory, which explains the rightness of human actions by considering their consequences to the greatest number of people. Utilitarianism touches on the question of happiness and satisfaction. An individual’s happiness cannot be fully separated from his/her social environment. Consequences of corruption are social in a way. Man lives in society and his/her actions have implications leading to the ambit of sociality. Corruption may result from the predominance of the individual self-attribute, the ego. Its causes and intensity have to be located within a social environment, which tends to encourage behavioural patterns that reinforce the individual self rather than the social self.

Ethical egoism on the other hand goes against public interest. Therefore the concept of public interest is useful in order to illustrate the nature of corruption. Corruption is any act perpetrated by an individual or group of individuals, which goes against the society’s legitimate expectations and hence the interests of society. Though ethical egoism and utilitarianism are diametrically opposed to each other, these two theories are used hand in
hand to identify the nature and causes of corruption. It should be noted that ethical egoism takes care of only the interests of one individual and overlooks the interests of the majority, that is, one against all or few against many. This is its major shortcoming. Utilitarianism on the other hand does not take care of the interest of the minority since it only caters for interests of the greatest number, that is, many against few. These two theories do not take care of the interests of all and therefore do not cater for each and every individual. A society is only complete when the interests of each and every member are taken care of. Therefore the concept of the common good goes beyond what the two theories can cater for since it (the common good) caters for the interests of all.

According to Aristotle (1984), the concept of the common good includes a genuine perfection of our common human nature. The concept of the common good supplements the two theories in arguing for a moral response to the problem posed by corruption. This is because both morality and the common good show concern for all and regulate and guide human conduct. A common good is any good sought by and/or enjoyed by all persons. This is a good that is the common goal of all who promote the justice of the community, as well as the common source of fulfilment of all who share in those just arrangements. Thus, any good (action) that is a genuine perfection of our common human nature is a common good. In short common good includes aggregates of private and individual good but transcends these aggregates by the unique fulfilment afforded by mutuality,
shared activity, and communion of all persons. Society exists for the common good. This is a uniquely moral motive since it is grounded on collective well being. It is the negation of ethical egoism.

The workable option is the concern for the common good based on the principle that all interests count equally. Thus common good transcends ethical egoism and utilitarianism, which fail to take into consideration the interests of all. Corruption goes against the common good since it benefits some individuals only at the expense of others. Corruption is also too costly in terms of undermining the common good for society to tolerate it.

1.7 Literature Review

According to Kibwana (1996), the subject of corruption has not been seriously addressed in Kenyan legal and other social sciences literature. There is therefore a striking paucity of literature in this area. However, this study will use the few available sources to achieve its aim of conceptualising the meaning and causes of corruption.

Klitgaard, et al (2000) define corruption as the misuse of office for personal gain. They see corruption as a crime of calculation and it is rampant because people are exposed to economic temptations. This definition of corruption is in our view narrow because there are different dimensions to corruption depending on the context of practice. This study examines other manifestations of corruption.
Anassi (2004) defines corruption as an inappropriate behaviour or abuse of authority for personal gain by public officials. He goes on to state that corruption is a lack of financial, moral and intellectual integrity in business transactions. From this statement we see that he identifies corruption as a moral problem which is in agreement with this study.

Nyukuri (2004) argues that there is no single definition of the word "corruption" that is universally acceptable. He goes on to define corruption as an abuse of office for private gains, abuse of the rule of law and acting contrary to the legitimate and moral expectations of the society. This definition is too general to capture all the ways in which corruption manifests itself.

Ofosu-Amaah (1999) observes that corruption is the mechanism by which the elite class has been created in many societies, particularly in the developing world. Corruption leads to the disintegration or decomposition of morals by the perversion or destruction of integrity in the discharge of public duties by bribes, favour or the use of unfair practices. Amaah has however confined himself to corruption during discharge of duties, which in our view is just but one aspect of corruption.

Kibwana (2001) argues that corruption is a concept describing any organised interdependent system in which part of the system is either not performing duties it was originally intended to or performing them in an improper way to
the detriment of the system's original purpose. This definition in the view of this study fails to address the various ways in which corruption manifests itself.

Doig et al (2003) define corruption as the acceptance of money or other rewards for awarding contracts, violation of procedures to advance personal interests including kickbacks from development. This in the view of this study fails to comprehensively address all the manifestations of corruption as it simply ties it only to bribery.

Benson (1978) views corruption as being tied to the act of bribery and misuse of authority as a result of considerations of personal gain that need not be monetary. Corruption to him means complete putrefaction of society. He seems to imply that corruption is caused by greed and egoistic tendencies in humans. However, corruption does not involve only the misuse of authority or bribery. These are just some of the manifestations of corruption. This study seeks to shed light on more aspects (manifestations) of corruption with a comprehensive conceptualisation. This will enhance our knowledge of the causes of corruption and boost our efforts to confront it in the Kenyan society.

Nye (1969) defines corruption as behaviour, which deviates from the normal duties of a public rule because of private regarding influence. This includes such behaviour as bribery and nepotism. In the view of this study, these are
just some of the ways in which corruption manifests itself. This study seeks a broad and comprehensive conception of corruption.

Okullu (1974) defines corruption as a moral depravity or badness. From this definition corruption is viewed fundamentally as a moral issue. It is the view of this study that corruption is caused by the lack of commitment to proper moral values like honesty, accountability and transparency.

Le Vine (1975) sees political corruption as the unsanctioned, unscheduled use of public resources and/or goods for private benefit. Corruption is accordingly viewed as social state and the corruption of an individual is seen either as a consequence of the state or as a particular input into the state. Le Vine however only considers one aspect of corruption and leaves out other aspects.

Robin (1999) says that corruption by its very nature is inseparable from questions of public morality and morality in general. He argues that corruption is the perversion or destruction of integrity in the discharge of public duties by bribery or favour. This study agrees with Robin when he links corruption to morality, as we believe corruption requires a moral response.

Huntington (1968) defines corruption as behaviour of public officials, which deviates from accepted norms in order to serve private ends. However Huntington is not clear in his definition when he says "accepted norms", he also fails to show the various forms in which corruption manifests itself.
Andreski (1968) says that corruption is the practice of using power of office for making private gain in breach of laws and regulations nominally in office. Senturia (1931) defined corruption as the misuse of public power for private profit. These two definitions seem to be tying corruption only to abuse of office which is just one of the ways in which corruption manifests itself.

George (1997) defines corruption as the misuse of public power by heads of state, ministers and top officials for pecuniary profit. This is abuse of office, which is only one of the manifestations of corruption.

Scott (1972) defines corruption as acts in which one party exchanges wealth or more durable assets such as kinship or friendship for influence over decisions of government. This definition seems to link corruption to bribery, which in the view of this study is narrow. The study explores the various manifestations of corruption in Kenya.

Regarding the causes of corruption, Mehra (2000) notes that poverty is partly responsible for the perpetuation of corruption. She also notes that bad governance is the underlying source of corruption. This view seems wanting because even under good governance corruption is still known to occur. This study disagrees with this view since corruption thrives in the circles of the 'haves'. It is the rich who are able to give bribes or influence decisions.

Rose- Ackerman (1978) argues that corruption spreads when the political, bureaucratic and economic markets come into contact. This gives rise to
grand and petty corruption. This definition seems to be linking corruption to bribery, which in our view is narrow and problematic.

Centre for Law and Research International Report issue No. 2 (Kenya, 2002) on the state of corruption blames politicians as the source of corruption. Political leaders use power to grab resources like land and embezzle funds for their benefit. However, this report does not tell us why it is mostly politicians who are prone to embezzling and grabbing resources. This study endeavours to do a deeper and critical analysis of this state of affairs taking a comprehensive approach to the problem of corruption in society.

Klitgaard (1989) says that low civil service wages largely explains the spread of petty corruption. He says that the greater the difference between civil service and private sector the greater the temptation to engage in corruption. This study disagrees with this view as most people who engage in corruption have got well paying jobs. However this study will explore more possible causes of corruption in Kenya.

Mwiti (2003) argues that corruption is a deviant behaviour motivated by the spirit of private gain at the expense of public benefit and good. This is in agreement with this study which argues that corruption undermines the public good in the long run and thus should not be tolerated at all.

McChesney (1997), Gould, et al (1983) have affirmed that corruption emanates from some institutions of society. The nature of the political system...
and its leadership, socio-economic factors, society's cultural norms and practices (kinship and loyalty) have been cited as being causes of corruption. For instance nepotism, which is one of the manifestations of corruption, is rampant due to the belief that blood is thicker than water. Here an individual is called upon to always favour his/her own kins irrespective of the prevailing professional norms. This further contributes to the problem of conceptualisation of morality. The study seeks to suggest a moral response to the problem posed by corruption as an effective approach.

Palmer et al (1999) noted that reasons given for engaging in corruption are basically human; human in the sense that they are from the instinct for survival or greed for the goods of life or thirst for power and security. The human factor is the crux of the matter. Whatever exercise is aimed at eradicating corruption from human society will be an exercise in futility if the human factor is not understood and taken into account. Human need for survival must be guaranteed by whatever human institutions a person belongs to. This is not only a right but it is essential to a person's full growth and proper development. Otherwise he/she might be tempted to give reign to his/her base instincts in order to cater for unfulfilled and thwarted legitimate needs and this is likely to lead to corruption. The study seeks to shed light on the extent to which proper legal framework for justice can be solutions to corruption.
Cason (1983) observes that it is human nature to want. That every person is a bundle of wants. No one is complete, no one has enough and everybody wants. Human nature is a conscious state that is filled with desire. It longs and lusts for what it does not possess. It appears to Palmer (1999) and Cason (1983), that corruption is caused by greed in humans. This is just one of the paradigms the study investigates.

Ruhiu (1996) has attributed greed and selfishness as great contributors to the prevalence of corruption in Kenya. She noted that when people turn away from God, this greatly impacts the moral fibre of the nation and is likely to cause corruption. She did not however account for the continued practice of corruption in the society by both Christians and non-Christians. The study looks into the broad area of moral values in the society, and how they can be utilised to undermine corruption.

Hobbes (1651) argued that individuals are so constituted that one always seeks one's own advantage or welfare. Human beings do what they believe is in their self-interests and human nature being what it is, they cannot do otherwise. However, this is a psychological premise and we cannot systematically infer an ethical conclusion from it. The study is not in agreement with this view since there are cases of people on the contrary, who appear to be motivated by altruism in their actions.
Ethical egoism is the theory that one ought to do what is in one's own self interest, although a distinction should be made between what is really in one's self interest and what is apparently so. What is in one's self interest may incidentally be detrimental to others like corruption is, beneficial to others or neutral in its effect. Ethical egoism must also not be confused with individualism, because individualism does not hold that one ought to do what is in one's self interest.

Ethical egoism does not necessitate that individuals disregard the well being of others, nor does it require that an individual refrain from taking the well being of others into consideration. It allows for the possibility of either, as long as what is chosen is efficacious in satisfying self-interest. Ethical egoism is in contrast with the ethical doctrine of altruism, which holds that individuals have an ethical obligation to help or serve others. A philosophy holding that one should be honest, just and benevolent because these virtues serve one's self interest is egoistic; one holding that one should practice these virtues for reasons other than self interest is not egoistic.

Butler (1949), in a related theory of ethical egoism, argued that regardless of how men do in fact behave, they have no obligation to do anything except what is in their own interest. The tendency envisaged by egoism is manifested in Kenya today. Thus corruption can be partly explained by this attitude. This attitude befits the 'me-now syndrome' in which individual
benefit counts for the time being. This is one of the paradigms among others the study assesses critically in relation to corruption.

Rousseau (1994) and Locke (1970) argue that human nature per se is innocent and it acquires traits that can be described egoistic or altruistic only through interactions in existential conditions. That is why Hobbes (1651) argued that morality arose out of the need for protection. Thus morality must contain injunctions against harming others. Corruption harms the society hence this study recommends morality as a long term measure to undermine corruption.

The study looks comprehensively at possible manifestations and causes of corruption in Kenya. It also seeks to show that there are other manifestations of corruption apart from bribery. Again, bribery does not need to consist of a direct payment of money to a public official. In addition, moral solutions to corruption have been attempted. This is because scholars like Kibwana (1996), Gould (1983) and Chander (2000) have suggested that it is through strengthening the laws that corruption can be actively prevented. It is the view of this study that this is not a long-term measure since corruption is still rife under very good laws and judicial systems, since one can easily corrupt the judiciary if the judicial officers are not strongly grounded on moral values like honesty, integrity and so on. Therefore this study seeks to
provide a moral response as the more fundamental long-term solution to corruption.

This is because morality keeps us up to standard and also tells us that our behaviour is not good enough. Morality thus is a social device to minimise certain sorts of behaviour especially behaviours that threaten the security of members of the society.

Kant (1952) wrote that it is not happiness but worthiness to be happy that mattered in morality. He associates moral worth with doing the right thing and doing it only because it is right. Morality represents a response to cooperation among competing persons or groups and aims at settling disputes. Thus morality helps regulate human conduct by cultivating desirable traits of character by appealing to theories or rules that are regarded as legitimate.

The theory of common good is the best example as it describes a specific good that is shared and beneficial to all members of a given society. In morality, to promote the common good means to benefit members of the society. Thus the term common good is synonymous with the general welfare.

The common good is often regarded as a utilitarian ideal thus representing "the greatest possible good for the greatest number of individuals". Bentham's (1789) utilitarian theory was inspired by the theories of Epicurus (341 – 270 BC) and David Hume (1711 - 1776). Hume and Epicurus both
argued that certain actions are virtues because of their utility or usefulness, that is, those traits that promote happiness have greatest utility. Thus according to utilitarian theory the morality of an action is determined solely by its consequences. In deciding which action is the most morally compelling, we need to measure the total amount of pleasure and the total amount of pain involved in the alternatives and choose the alternative with the greatest net pleasure. What counts is not just the individual or human happiness but the sum of the happiness of the whole society. However, it is the view of this study that there are other desirable goals in life beside pleasure. Also by claiming that only consequences count, utilitarianism underplays the importance of individual integrity and personal responsibility. Hence utilitarian theory allows us to use other people as a means toward some end because only pleasure has intrinsic value. This is in violation of Kant's categorical imperative which requires us to treat people as ends in themselves.

Kant insists that it is our duty to act upon those principles that we will at the same time that they become universal law (Kant, 1952:260). The central thesis of the categorical imperative is for humans to treat others as ends, not as mere means to ends. The principle of universalizability emphasises similar treatment of similar cases, namely that whatever we will, we should will that it becomes a universal law. Thus morality functions well in undermining
corruption because it functions well in its social rule and it applies effectively to a wide range of people in society. Morally good persons foster and manifest qualities that are congruent with an orientation of love, hope, fidelity, wisdom, compassion and faith in reason.

1.8 Methodology.

This research mainly involved library research, sourcing material from primary texts. This was complemented with data from secondary sources, which the study deemed relevant and authoritative. Analysis of documents involved analysis and evaluation. To this end the method used was philosophical analysis and argumentation. It involved logical and conceptual analysis of the concept of corruption. This method focuses on the three conceptual paradigms informing the study: ethical egoism, utilitarianism and common good which are complementary to one another and which give an all round conceptual analysis of corruption. This analysis also focuses on the relationship between corruption and morality.

Also the study had qualitative interactive discussions with some informants who basically were members of the public. The researcher interviewed a sample from the various sectors of the population who included church leaders, civil servants, politicians and matatu operators. Those interviewed responded to some questions in the form of a questionnaire (See Appendix)
I). The study then synthesised their views. The research also relied on personal observations and encounters by the researcher.
CHAPTER TWO

2.0 MEANING AND MANIFESTATION OF CORRUPTION

2.1.0 Introduction

There has been a raging controversy in Kenya for a long time over the meaning of corruption, what constitutes it, where it happens, what causes it and which is the best way to curb it.

Corruption is a wider phenomenon whose meaning is broad. The dictionary meaning of corruption is very wide. It refers to anything, person or situation that has changed for the worse (The Oxford English dictionary, 1996). This definition is too broad and it may bring in other irrelevant issues, for instance, if the weather pattern, which is a situation, that has been good, changes to worse, this can not pass as a manifestation of corruption because there is no moral principle which has been violated.

Some scholars have tended to regard corruption simply as bribery. For example, Benson (1978) defines corruption as an act, which is tied to bribery and monetary gains. In the view of this study corruption manifests itself in many ways. The view of this study is that tying corruption to bribery is simplistic, which makes it difficult to comprehend the complexity and multifaceted nature of this malady.
It is also worth noting that the Kenyan legal definition of corruption is problematic. For instance sections 3 and 4 of the Prevention of Corruption Act, Chapter 65 of the laws of Kenya restricts corruption to soliciting and receiving of bribes, gifts and rewards. In the view of this study this definition leaves out other manifestations of corruption since corruption involves much more than this 'criminal aspect'.

However in the recent past, there have been attempts to broaden the conceptualisation of corruption in the Kenyan legal framework. This is for example expressed in the Public Officer’s Ethics Act 2003 and the Anti-Corruption and Economics Crimes Act 2003 which defines corruption in section 2 and section 71 of the act broadly to include acts that lead or cause loss or damage to public property, public service, public benefit or public funds and includes failure to pay taxes, excessive payment for goods and engaging in a project without prior planning. This definition is in our view not comprehensive enough as it leaves out other aspects of corruption. For instance, a company that is awarded a contract to construct some road and proceeds to do substandard work cannot be penalised under the above definition of corruption because this aspect is left out in the above definition of corruption.

In the view of this study corruption involves practices, which violate the common good and undermine morality for the sake of the good of a few
person(s) and/or individuals as we unravel in the discussion that follows. In this chapter an attempt is made to demonstrate this broad conception of corruption by way of careful and critical examination of different manifestation of corruption in Kenya.

2.2.0 Favouritism

According to the Oxford English Dictionary (1996), favouritism is the undue preference of one person or a group at the expense of another or others. Favouritism may also be a mechanism of power abuse implying 'privatisation' and a highly biased distribution of common resources, no matter how those resources have been accumulated in the first place.

In this study favouritism is defined as a practice in which an individual gives undue preference to a person mainly on the basis of friendship, tribe or some other relation. In this study favouritism will be discussed under tribalism and nepotism, which are its most evident expressions.

The Oxford dictionary defines tribalism as the loyalty to one's own tribe or social group. This definition is problematic because loyalty to one's tribe may not be wrong in itself. It only raises ethical questions when one is using tribe or social grouping as a sole criterion of apportioning benefits and burdens among members of the society.

This is in agreement with Wokabi (2001:112) who states that tribalism is the tendency to express ethnic chauvinism and use of ethnicity as a partial
criterion for apportioning benefits and burdens among members of the society. For instance, an Assistant Minister of Education, Kilemi Mwiria accused his cabinet colleagues of tribalism. He said some Ministers and Permanent Secretaries were only hiring people from their communities in their respective ministries, a practice, which he said was not fair.\footnote{Daily Nation /Wednesday, May 19, 2004.}

In this study, tribalism is defined as a practice that involves favouring of a person on the basis of being a member of one’s tribe. This practice is rampant either during employment or discharge of public services in which special and undue consideration is given to a person on the basis of his/her tribe. Here meritocracy may not be the over-riding consideration or criterion. In our view, tribalism is morally wrong on the following accounts:

First, tribalism undermines the common good by for instance, placing unqualified people to positions of responsibility. This not only denies the qualified and deserving individuals the opportunity to actualise their potential but may also lead to ineffectual performance. This then adversely affects the quality of the goods and services they produce and ultimately has implications to the overall quality of life of society.

Second, tribalism also violates the principle of equity, which allows discrimination by reference to morally relevant differences and forbids discrimination in the absence of such differences.
It is fair to discriminate in favour of the needy or the meritorious or the able; it is unfair to discriminate between people who are equally able by merely appealing to one's tribe as the criterion.

In this regard tribalism undermines morality in the sense that the interests of all people are not taken into consideration. It only takes into consideration the good of few people (one's tribe) and leaves out the rest. Tribalism violates the principle of impartiality and fairness in the discharge of services and duties. The standpoint of impartiality or disinterested well wishing takes into account all relevant interests at hand and gives preference to some over others only when there are good (impartially based) reasons for doing so.

It is evidently clear that tribalism which is sometimes known as ethnic chauvinism where one ethnic group believes itself to be superior to all others, encompasses harmful practices such as inequitable distribution of national resources by corruptly rewarding members of a particular ethnic group whether they deserve it or not disregarding professionalism.

Those individuals who are wrongly recruited or promoted may easily develop a wrong attitude towards work resulting in inefficiency.

Another practice that is related to tribalism is nepotism. The Oxford English Dictionary (1996) defines nepotism as favouritism shown to relatives or friends in conferring offices or privileges. Also Hallack (2001:106) defines nepotism as a form of favouritism where an office holder with the right to
make appointments prefers to nominate his/her own kinsfolk or family members irrespective of their qualifications. This is in agreement with this study as this is form of discrimination since meritocracy is not the guiding principle. Thus nepotism is practised at the expense of other people's good or interests.

In this country nepotism is rampant in situations whereby a person uses his/her office to obtain a job or undue favour and preferences — for a member of his/her family or clan. For example, shareholders of National Industrial Credit (NIC) accused Mr. Andrew Ndegwa, a director of the company, of having influenced the recruitment of his brother James Ndegwa as a non-executive director to the board of the company. In the public sector it means the most suitable candidate fails to get a post or promotion and the public as a whole suffers as a consequence by entrusting their welfare to an individual who may not be properly qualified or is incompetent — not to mention that the person being discriminated against, had there been no nepotism would have won the position.

It is worth noting that nepotism by its very nature has ripple effects that ensures its perpetuation. This is because the 'beneficiaries' of the practice feel that they need to pay back their benefactors often through corrupt practices. Individuals who have been favoured through relatives or tribes —

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person's illegal efforts feel that they must also employ kith and kin to pay back to the relative or clan's person hence triggering a chain reaction which makes the practice vicious as each beneficiary strives to pay back.

Nepotism undermines the goal of morality of ensuring that all individuals in society are treated fairly without any biases and discrimination. In carrying out public business including making public appointments, awarding contracts or recommending individuals for rewards and benefits, morality demands that such choices be made on the basis of fair criteria. Those in positions of power ought not act in order to gain unfairly, financial or material benefits for themselves, their family or friends. The principle of impartiality and fair play, requires that every moral agent counts equally, that is, no one individual is considered to be intrinsically more significant than any one else.

In a nutshell tribalism and nepotism violate the principle of equal consideration and distributive justice. The principle of equality states that human persons ought to be treated as equals as in the distribution of goods and obligations (Frankena, 1973:49). This then is reinforced by the principle of justice, which imposes upon us a prima facie duty of treating people equally and not discriminating against any one arbitrarily. In other words unequal treatment of people requires some moral justification. In our view tribalism and nepotism cannot be morally justified whatsoever because they negate morality and can easily result in what Thomas Hobbes called a
guerrum omnium contra omnes (a war of all against all), as there is a competition for the scarce resources.

To that extent therefore favouritism (tribalism and nepotism) violate the principle of equal moral worth. This is the view that all human beings possess equal worth and therefore should be accorded equality of respect in the way they are treated by others, the idea here being to eliminate differences of social rank, race, tribe and status to the treatment of persons as ends in themselves possessing certain common humanity.

2.3.0 Bribery

The Oxford English Dictionary defines bribery as an act of persuading a person to act illegally or dishonestly in one’s favour by a gift of money and services. This definition is in our view too general, as we shall see in the discussion that follows:

Barry (1997:10) defines bribery as one form of corruption, a loss of purity and purpose, that is, a social decomposition. Benson (1978) affirms this view by saying that corruption is tied to the act of bribery and monetary gains. In this study bribery is defined as an act of giving or receiving money or other materials inducements to influence the outcome of a decision or action.

The culture of bribery is entrenched in the Kenyan society. In Kenya, ‘chai’ (tea) or ‘kitu kidogo’ (something small) are the two common euphemisms for a bribe. Toa kitu kidogo (give something small) for example, implies
that the kitu kidogo (something small), is harmless. It is just for getting a job done. It should be noted that this is a way of pre-empting feelings of guilt. For example, The Ringerà report on the Kenyan judiciary revealed that court clerks were asking for a bribe of between Kshs. 200 to 500 for them to be able to process surety documents. This practice has undermined the integrity of the judiciary.

The other common terminology for a bribe is 'chai' (cup of tea). In most homes tea is what is given to visitors free of charge. It is seen as a sign of hospitality and hence not harmful in any way. This is whitewashing bribery, which is an immoral practice. Bribery is an inducement to a person to influence him/her in making a decision/choice that is in favour of the bribe giver and it cannot be construed as a sign of appreciation. When a bribe is given to an office holder, it creates a conflict in duties. It induces the receiver to modify his/her behaviour to one of extreme self-interest.

Bribery is a breach of trust and thus it is hypocritical to overlook bribery by portraying it as a harmless gift and a gesture of hospitality. The very ideals of a society are betrayed by those in trust when offering a bribe. Left to its extremity, bribery can lead to coups and revolutions.

It must be emphasised that all forms of bribery have grand consequences (KACA, 2000). For example, bribes to revenue collectors and custom officers

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3 Daily Nation/ Friday, October 3, 2003.
reduce government revenues. Bribes also distort policy and increase costs of production. For instance, companies are forced to hike their prices to cover for the cost of any bribes they pay. Consumers bear the brunt by paying more than what they ought to.

This study emphasises that corruption means much more than the practice of receiving a bribe. Bribery undermines the trust that the public has in any public servant and an individual who accepts a bribe lowers his/her integrity since it depicts that person as being worth the bribe being offered. Holders of public office ought not place themselves under any financial or other obligations to outside individuals or organizations that might influence them in the performance of their duties. Bribery violates the fundamental notion of equality because once a person accepts a bribe he/she is no longer an impartial decision-maker he/she ought to be. Bribery robs persons affected of a belief in the integrity of all prior decisions. Bribery also is a crime against trust, to the extent that trust, a belief in the good faith of discretionary decision-makers, is essential to bureaucratic and government structures thereby making bribery corrosive.

In the Kantian framework bribery violates the principle of respect for autonomy. This is the capacity for self-determination and self-legislation. To respect an autonomous agent is to acknowledge that person's right to make choices and take action based on that person's own moral values and belief
system. This principle implies that one should be free from any outside influence and coercion in deciding to act\(^4\). In the same breadth bribery also reduces the individual to a mere means and hence undermines the intrinsic worth of persons and/or group. Bribery also manifests itself in the following way; buying of votes, disappearance of files and documents in government registries and payments to obtain major contracts.

2.3.1 Buying of Votes

This is a practice in which some individuals use money and other material inducements to pay off voters on an individual basis so as to enable 'them' to be re-elected or elected. This institutionalised culture of money and gifts given to voters make it difficult for credible alternative candidates to emerge. This system is not based on democratic principles, rather it is undue influence and favour that benefits those with the most resources and political power. For example, in October 2002, two parliamentary aspirants in Butere-Mumias district, David Were and Rebman Malala, appealed to the electoral commission of Kenya (ECK) to stop KANU agents who were buying voters cards in their constituencies. Mr. Malala complained that some voters had sold their voters cards to persons purporting to represent an N.G.O. Mr. Were claimed that the culprits were targeting areas perceived to be opposition

\(^4\)www.alumni.imsa/edu
strong holds by the then ruling party KANU\textsuperscript{5}. On this note it is worth noting that in fact most election petitions in Kenya are filed on grounds of bribery, that is, voter buying. Using money to influence voters is not only unethical; it has the effect of disempowering the people by making them vulnerable to manipulation. They become sycophantic and cease to make rational judgements\textsuperscript{6}. Matters are made worse when it is realised that politicians only want to gain power and personal comforts. The future of our nation should never be sacrificed at the altar of money.

Politicians who engage in this practice of bribing voters and buying their voter cards, do it for their own personal selfish interests. This practice is unethical since these politicians are violating the autonomy of moral agents in making independent choices. Kant teaches both the autonomy of the moral agent as a self-legislating practical reason and a freely choosing will, and the autonomy of moral standard (Clark P and Linzey, 1997). This means that no one should be coerced or influenced into making a choice or decision that is not of his/her own determination.

By exerting undue influence on the voters to elect 'them' they violate autonomy of these persons since these people (voters) cannot make their own autonomous choice (that is, informed choices and genuine consent) during voting. This also violates the Kantian categorical imperative of treating

\textsuperscript{5} Daily Nation/Thursday, October 31, 2002.
humans as ends in themselves. In this case, people are being treated as commodities, which are worth what they have been given, for instance, a kilo of sugar – they are merely means to helping others achieve power. This Kantian principle demands that we act in ways that respect others capacities to act independently.

On another perspective, Benthamian utilitarianism points to the principle of egalitarianism. This principle basically advocates for equal consideration of all similar situations. This ethic however fails to recognise criteria other than consequences in determination of morality. For example while bribing of voters by politicians in their constituencies may bring greatest happiness to many people, such a practice may not be morally permissible and desirable. In addition this ethic lacks an inherent capacity to enter into the interiority of humanity thus failing to change human attitudes. This is one of the major shortcomings of utilitarianism.

When voters are bribed they are not self-determined since their choice of who to vote for is not a manifestation of their own decision because undue influence has been exerted on them (Christian, 1973:292). This violates an individual’s ability to exercise his/her voluntariness. This is one’s ability to make a choice without being unduly pressured to make a particular choice by any specific reason. Being free in making a decision means that we own the
decision as ours and that we have the better options (Wambari, 1992). The principle of voluntariness removes coercion or any influence as possible so that the decision is the individual’s and not someone else’s. The purpose of coercion and undue influence is to do an end run around a choice or judgment so that an individual will do what he/she might not ordinarily have done in the absence of such irrationally persuasive techniques. An individual’s decisions and choices at their very best ought to be as a result of his/her own self-determination (Wambari, 1992).

Humans should be treated as subjects and not objects, with respect in such a way that recognises human dignity, that is, the intrinsic worth that inheres in every human being. Human moral agents ought to be treated as beings capable of self-determination including the capacity to choose who to vote for. The freedom of choice is necessary if we are to choose leaders who are morally good. Morality depends absolutely on the freedom of choice, for without it there would be neither blame nor credit. Vote buying undermines the common good in terms of the quality of leadership as in most cases the people who get elected are the ones who “bribe most” even if their leadership qualities are deficient. The well-being of a nation depends upon the capacity of the leadership to choose wisely and prudently. Leaders who bribe their way to office will do so not for the sake of the state but for their own narrow agenda. Also in the absence of freedom of choice, the principle
of democracy is violated as voters are induced to vote for a particular candidate. It should be noted that left to its extremity vote buying can lead to coups and revolutions, which further undermines the quality of leadership.

2.3.2 Disappearance of Files and Documents in Government Registries

Important and confidential files and documents disappear without trace from public office registries, for example, in police registries and retirement office registry. For instance when a civil servant retires and files for his/her benefits claims, he/she is normally told that his/her file cannot be traced. The officials in these registries deliberately hide these files so as to solicit a bribe. For example, the Teachers Service Commission has been accused of corruption where clerks demand 'chai' (tea) before serving teachers or retrieving their files (Kibwana, 1996:39). In the courts some files of accused persons disappear from the registries and this forces the magistrate to adjourn the case(s) and hence justice is delayed or defeated altogether. Normally the registry clerks are bribed to hide or destroy these files either to the advantage or disadvantage of the accused as the case may be.

In the cases of disappearance of files and documents in government registries, public officials deny the government the real value for its money. This impedes the delivery of efficient services to the public hence giving excuses such as “the file is missing” and ‘come next week’. In extreme cases
there is blatant exercise of discrethional power such as high handedness or the denial of, for instance, a favourable motor vehicle inspection report. These delaying tactics in many cases are meant to extort bribes. This is part of corrupt behaviour.

2.3.3 Payments to Obtain Major Contracts

These are illegal payments made in order to win contracts and concessions. This is generally a preserve of large business and high-level officials (UNDP, 1997:23). The important cases represent a substantial expenditure of funds and have a major impact on the government budget and a country's growth prospects. These 'deals' involve mainly multinational corporations operating alone or jointly with local partners. The main consequence of such 'deals' is that once a firm gets the contract it may pay to get inflated prices or to skimp on quality. Moody-Stuart (1994) calls this 'grand corruption'. For example top managers of Kenya Tea Development Authority (KTDA) were alleged to have manipulated a tender for the supply of fertilisers in a scam that "earned" them close to Kshs. 1 billion. According to the reports, the key players were KTDA top management and a Romanian firm, Azomurers SA, which won the tender to supply 65200 tonnes of fertiliser to the agency for onward conveyance to tea farmers. Apparently after floating the tender for supply of fertilizers for the 2003-2004 period, the quotations being duly opened in April 2003, the agency's top management then disregarded the entire bidding and
offers and proceeded to contract the Romanian firm disregarding the lowest bidder, Kentrol Limited. In this case matters were made worse by the fact that the Romanian fertilizer did not even contain sulphur – a vital ingredient for the growth of high quality tea.\(^7\)

There are cases where tenders have been floated as in the above case, but end up being awarded through improper means. For instance public tenders could be awarded on the “who know who” basis or through payments of some inducements. Proper tendering procedures are overlooked and given a back seat. For example the Parliamentary Accounts Committee (PAC) reported that a Kshs. 2.5 billion passport deal was awarded to Anglo Leasing Company where payments were approved and made without parliamentary approval. It also reported that dubious payments of Kshs. 4.2 billion were made for the construction of forensic laboratories for the Criminal Investigation Department (CID) at Karura. For procurement to serve public interest, it must be conducted free of the personal interest of those administering the process. Procurement policies and procedures must, among other things provide the framework and guidance for officials to do their work in such away that they cannot exploit the process for personal gain. A corruption resistant tendering process ought to involve advertising of tenders, discussing selection criteria and publishing the decisions.

\(^7\) The Financial Standard, East African Standard/Tuesday, July 1\(^{st}\), 2003.
Exerting of undue influence through payments to obtain contracts violates the principle of fair competitions and fair play. This principle requires that bidders be given equal consideration in a transparent manner so that the most competitive one wins. If the opposite of the above principle is followed, it undermines the common good for it increases the consumer costs of the product. In addition it hurts the economy hence increasing poverty levels, which in turn contributes to low quality of life of citizens. It also defrauds taxpayers, as money dished out is not equivalent to the quality of service/goods offered. This also goes against the principle of social responsibility, that is, putting society before self-interest.

2.4.0 Abuse of Office

This is a practice in which public servants holding public offices use them for their own private gains. For instance there are some public servants who misuse public resources and assets, for example, carrying away office files, pens and books form public offices to their homes. Some also use official telephone lines to transact private businesses, official motor vehicles are converted into private use. Some public servants even use their positions to allocate public resources to their friends and acquaintances. For example former lands commissioner Samwel Mwaita was charged in a Nairobi court for abuse of office. He allegedly sanctioned the illegal acquisition of 70 acres of
land; part of Ngong forest to private companies (in which he had interests) illegally.\(^8\)

It is the taxpayer’s money that meets the telephone bills, replaces stolen stationery and fuels the cars that are misused by public servants. This is immoral since it overburdens the taxpayer who is not benefiting and getting the service he/she pays for.

Abuse of office is also seen in cases when there is discriminative disciplinary action. If disciplinary action and rule of law are meted out selectively by senior officers, they leave workers and citizens in doubt as to the effectiveness and usefulness of the disciplinary action and law. Selective application of law on some workers/citizens is ethically wrong because it is arbitrary and violates the principle of equal consideration. It also creates a situation whereby some individuals think that they are above the law and immune to prosecution consequently creating an environment of fear and sycophancy.

Abuse of office may also manifest itself in cases where there is haphazard promotion in disregard of acceptable criteria leaving out the deserving cases. There is no meritocracy and this may result in poor performance of duty and demoralisation of the staff. For example, in April 2004, two hundred and seventy eight employees of Nakuru Town Council who were promoted

\(^8\) Daily Nation/ Friday, April 16, 2004.
irregularly were to be demoted because the promotions were done without following proper procedures of merit (Ibid). Improper and unprocedural promotions affect the quality of the work resulting in substandard work, service and products.

Some senior officers also normally threaten junior officers with demotion, sacking or threat of arrest for refusal to give in to their unethical demands and practice. This is done through coercion and intimidation. Leaders and senior members of staff who abuse their office lose the moral authority to lead. If the moral authority of leaders is lost through corruption at higher levels; their ability to govern or lead sub-ordinates evaporates.

Abuse of office may also manifest itself in the following ways; absenteeism and drunkenness at work, looting and imposing unjustified levies on citizens.

2.4.1 Absenteeism and Drunkenness at Work

Absenteeism is a practice in which public servants chronically do not report on duty. Worse still other public servants report on duty when drunk. In other cases some workers report to work late and leave before official working hours are over.

Workers falling in the above descriptions often accomplish so little that their presence is almost as good as their absence. Such workers end up not working for the good of the public at all. The public service is thus overloaded with workers devoid of devotion to duty. Sustaining such workers is an
undesirable burden that the taxpayer is forced to bear. The taxpayer’s money thus sustains lazy and non-existent workers who are not working for the good of the society. It is immoral and a show of dishonesty for a public servant or any employee to earn a pay for work that he/she is not committed to. For example participants attending a seminar organised by the Institute of Civic Affairs and Development accused members of parliament for being unworthy and irresponsible public servants. The participants claimed that Members of Parliament earn huge salaries and yet they do not serve their constituents well. Also others missed parliamentary sessions and if they do attend make no meaningful contribution⁹.

Absenteeism and drunkenness at work cannot be morally justified whatsoever since they violate Kant’s categorical imperative that if an act is ethically appropriate then it should be appropriate always as a universal maxim. As a minimum, in order for a maxim to be capable of becoming a universal law, it must not be self-contradictory in the sense of undermining itself when stated in it’s universal form; for example, take the maxim of accepting to be employed and yet you know that you will not be coming to duty, that is, staying away from duty or showing no commitment to your work. If this were to be universalised it would become contradictory since there would be no appreciation of work and no one would hire an individual who would be

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absconding from duty. Through Kant's categorical imperative, we are able to distinguish right from wrong actions. Kant argues that the categorical imperative is the unconditional directive for human behaviour. It is binding upon everyone because each rational person acknowledges his/her obligations to follow reason.

Workers who abscond from duty or are absent for no tangible reasons violate the principle of fidelity. This is a principle that requires all human persons to be honest, to keep promises and comply with contracts made, for instance, in the above case one must work for the salary he/she earns.

2.4.2 Looting

The Oxford English Dictionary defines looting as the plundering and illicit gains by individuals and public officials who use their positions and influence to grab public land, houses, cars and funds. For example, it was reported that a total of Kshs. 234 billion had been traced by a firm contracted by the government to trace the loot stashed abroad by key figures in the former KANU government. Also it is worth mentioning the report of the Public Accounts Committee on the Goldenberg scandal which is a case study of grand corruption. This level of corruption involves "big deals" and results in looting of money and resources. For instance bribing to be exempted from paying taxes and public debts. On the other hand petty corruption is found in

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day to day transactions and relations in the society. It usually involves small
gifts, favours or bribes. It should be noted that the infamous goldenberg
scandal that has preoccupied the public debate is one of the clear example of
grand corruption which is the largest financial scandal in Kenya. According to
the Report of the Controller and Auditor General for the year 1990/1991, the
report discusses the Ministry of Finance's irregular payment of export
compensation. It states that, in October, 1990, a Nairobi company,
Goldenberg International Ltd, requested the Ministry of Finance for sole rights
to export gold and diamond jewellery out of Kenya. It further asked for a
grant of 35% export compensation on these items. The Report doubts the
company's eligibility for consideration for export compensation on these
items, but assuming that the company was eligible, the rate requested was
15% over and above the rate of 20% provided for in the local manufacturers
(Export Compensation Act Cap 482). When it came to payment of the 35%
compensation, the Commissioner of Customs and Excise Department was
unable to pay as the relevant law noted (cap 482) did not provide for such
payment.

In January 1991, the Commissioner submitted a draft Legal Notice of the
amendment of the law to the Attorney General for approval and publication
covering all exporters of such goods and not just one company, in order to
enable him to pay export compensation as directed. The Attorney General
advised the Commissioner that the proposed draft amendment seeking to provide a different rate of compensatory payments for different goods under the first schedule to the act (cap 482) was ultra vires the act and that the only way that the change could be effected was through enactment by parliament of an amendment to the relevant section of the act. The Commissioner communicated the Attorney General’s advice to the Ministry of Finance and sought further direction as to what to do since the company was pressing him to settle the claims. The Ministry wrote back informing the Commissioner that a decision had been made that he immediately pay to the company compensation at the rate of 20% with effect from November 1990 and that the extra 15% was to be dealt with at the Ministry’s Head office after confirmation that the Commissioner had paid the initial amount. Furthermore, the Commissioner was advised that this procedure would apply to all future claims by the company. Meanwhile the Permanent Secretary to the Treasury sought and received the Ministers approval to pay the additional 15% in the export compensation as an ex gratia payment to the company.

The Report\textsuperscript{11} indicates that the Ministry had by January 1991 paid a total of K£29,491,152− 7-55\textsuperscript{*} in export compensation to the company. This was made up of K£16,852,087-12-95\textsuperscript{*} representing 20% paid by the Commissioner of Customs under the export compensation act, and

KE12,639,064-14-60* being the additional 15% export compensation. Out of the total payment of KE12,639,064-14-60*, an amount of KE5,489,435-16-75* was paid during 1990/1991 and included KE5,290,607-00-00* charged to an item for customs refunds with a provision for KE8,000,000-00-00*. An amount of KE198,828-16-75* was then held in a clearance account. The balance of KE7,149,628-17-85* paid during 1991/1992 had been charged to an item for customs refunds that had no provision.

The Auditor General's report categorically states that the payment of 15% compensation without provision in law was illegal, and the charging of the expenditure to customs refund item R7 was highly irregular. The payments did not represent Customs and Excise Act, and there was no evidence to confirm that, in approving the provision of KE8,000,000 for the item during the supplementary estimates for 1990/1991 parliament was informed that it was to be used to cover the illegal 15% additional payment to the private company.

There was no evidence to confirm that gold and other precious metals claimed to have been exported and for which compensation was paid originated and were processed in Kenya. Nor was there evidence that the import content of the goods did not exceed 70% of the ex-factory value of the goods as required by the Export Compensation Act. Therefore, apart from

* The last two sets of digits (-xx-xx) represent the amount in Kenya Shillings and Cents respectively.
the illegality of the additional 15% compensation paid the validity of the payments of the normal 20% export compensation could also not be confirmed in terms of the local manufacturers (Export Compensation Act) act (Kibwana, 1996:89 - 91).

Looting involves huge sums, which have such macro-economic implications such as the possible collapse of banks; rise of inflation and decline in exchange rates.

Looting has been rampant in Kenya where leaders have fraudulently acquired public land and utility plots. Even road reserves have been grabbed and turned into private use for selfish personal purpose other than the common good. For instance some powerful high-ranking government officials in the former KANU government fraudulently allocated themselves huge tracts of Karura forestland. The grabiosis mania shows that our leaders cannot tame their appetites for material goods. According to Butler (1692-1752) when a man controls his appetites so as to further the public good the operative principle is that of benevolence. This duty is based on fair play where each person is given a fair share of his/her own rewards and burdens in society. Butler uses the analogy of the different body parts functioning as one to state that each individual should do well to others in the society as the various individual parts of the human body function for the good of the whole body. This in other words, is the promotion of the common good and not using
public offices as tools of some persons at the expense of others. All should be treated alike when there are no relevant differences. Thus conflicts between personal and social interest can be resolved by a regulative principle higher order, that is, the conscience. The conscience is reason functioning as the arbiter of conflicting interests of self-love and benevolence. The conscience is the "knowledge of right" within each man, which makes him a moral agent. It both influences and evaluates behaviour by means of approval and disapproval. No person's right conscience can approve looting of resources and in the process impoverishing others.

Looting is also rampant during the pricing of projects, in which some public officers have inflated the actual cost. In Kenya, cases of this nature abound, for example, the European Economic Commission claimed that the Turkwel Project construction involved inflated pricing from an initial 18.25 million US dollars to 60 million US dollars (Kibwana, 1996:51). It was alleged that the extra money was embezzled by unscrupulous government officers. In the ethical sense such practices violate the principle of social responsibility, which lays emphasis on the need to put society before self.

Looting of public resources affects all services offered to the public leading to huge losses through fraud, and embezzlement of public funds. There is also reduced resources available for public expenditure resulting in collapsed
infrastructure, poor sanitation and housing, lack of quality health care and lack of quality education.

There are also cases in which revenue meant for the government is collected and then not remitted to the government by the revenue clerks and officials. When revenue meant for the government is collected and not remitted by the revenue clerks and other officials, this is a corrupt practice because these individuals are stealing tax money from the government.

There are also cases in which some individuals and companies have evaded paying revenue (Value Added Tax) to the government. One of the most common ways of such is to sell goods without issuing an official receipt. This is done with the collusion of customers who want to buy goods at a cheaper price and who are offered two-choices-lower prices without receipts or higher prices with receipts (this includes 16% VAT). Since there is no evidence of sale of goods bought and sold in this manner it is difficult for customs officials to claim VAT on such sales.

There are also instances in which the public is made to pay for services, which they never get, but just exist on paper. For instance the government was accused of fleecing Kenyans through the rural electrification programme. Imenti south Member of Parliament Kiraitu Murungi, characterised Kenya Power Lighting Company (KPLC) as a den of thieves accusing the company of fleecing Kenyans millions of shillings through rural electrification programme.
The MP said his rural home district had been listed as a beneficiary of the programme in a list tabled by energy minister Raila Odinga in parliament yet the project was non-existent on the ground\textsuperscript{12}. It is immoral for people to be made to pay for services, which they never get. It is on this ground that John Rawls contractual theory requires that if the government collects taxes from its citizens it is obligated to provide the services being paid for by its citizens (Singer, 1993).

Theft of public revenue violates the principle of fidelity to professional responsibility. Part of this principle requires all professionals to be honest in all their professional dealings\textsuperscript{13}. Individuals holding positions of responsibility should know that they are servants and in this case custodians of public resources. This means that they are stewards of the public and should not use their positions as opportunities to enrich themselves. These persons ought to exercise due diligence, that is, duty of care.

\subsection*{2.5.0 Environmental Degradation}

This is the deliberate wanton destruction of the beauty and quality of flora and fauna. It includes air pollution, water pollution, irresponsible garbage dumping, poaching and clearing of forests. Industries and individuals empty toxic wastes into our rivers and emit toxic gases into the atmosphere hence endangering the life and health of all sentient beings in the environment. This

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\textsuperscript{12} Daily Nation/ Thursday, November 8, 2001.
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militates against the good of all since it is only for the good of few who want to get rid of the waste and maximise their profits, as it appears to them that proper waste disposal could be costly. Makokha (2002) notes that the present human interference with non-human world is excessive and the situation is rapidly worsening. In Kenya many cases of heavy pollution have been reported. For instance a recent report, which showed that heavy pollution of Nairobi dam was the cause of heavy foam that was seen on a river near Nyayo Highrise estate in Kibera\textsuperscript{14}.

Irresponsible clearing of forest is immoral in the sense that it interferes with the water catchment areas and natural wildlife. Poaching interferes with the ecosystem and causes an imbalance in the environment. The destruction of the environment affects all beings since we all depend on the natural environment for our livelihood. It is also the view of the study that urinating in open areas or public places by people especially men is part of environmental degradation. This is because if each man believes that his act of urinating in the open areas has negligible effect on the environment, it is false since the cumulative result is the gradual destruction of the environment (foul smell) which leaves every one worse off resulting in \textit{the tragedy of the commons} where each person is in pursuit of his/her own self interest.

\textsuperscript{13} \url{www.ethics.ubc.ca/papers}  
\textsuperscript{14} \textit{Daily Nation}/ Wednesday, April 21, 2004.
Anybody engaging in environmental degradation violates the principle of stewardship. This principle is grounded in the presupposition that God had absolute dominion over creation, and that in so far as human beings are made in God’s image and likeness (*imago dei*), we have been given limited dominion over creation and we are responsible for its care. The principle requires that the gifts of human life and its natural environment be used with profound care and respect for their intrinsic ends. This is in agreement with Makokha (2002:32) who says that humans have a prima facie duty to protect all living beings. He is of the opinion that the well being and flourishing of human and non-human life on earth have value in themselves. These values are independent of the usefulness of the nonhuman world for human purposes (ibid: 146).

It is worth emphasising that human dignity is not completely detached from the dignity of hyenas, crocodiles and other creatures in the ecosystem. An ecosystem represents a delicate balance of interrelated entities, that is, ecosystems are interlocked, an intrusion into one will affect its integrity and the integrity of others. For instance, if plant pesticides spill into a fish pond the fish will all die or drastically reduce in numbers which means less food for humans. This would also render the water unsafe for drinking for both humans and animals and the water may not be used for recreational purposes like swimming. Any abuse or misuse of natural resources for selfish
ends may deprive future generations an essential part of human dignity. Development and nature are partners and not enemies. The protection of trees, snakes, gazelles, soil and water is an essential part of self-respect. Environment shapes our politics, religion and social institutions and the general way of life. It is to adapt ourselves to the natural environment that we have scientific and technological innovations such as irrigation, industry, communication and urbanisation.

2.6.0 Reckless Driving on Public Roads

Drivers of both public and private vehicles speed and drive recklessly without putting into consideration the safety of other road users or even passengers in these vehicles. Some of these drivers are known to be under the influence of alcohol and other drugs. Alcohol impairs the capacity of the driver to make sound judgement hence making him/her lack concentration on the road. Thus most accidents in our country are believed to be caused by drivers who drive recklessly on our public roads without care. For example available statistics indicates that death arising from road accidents in 2004 declined by more than 700 from an annual average of 3000. There were 2251 deaths compared to 3004 in 2003. This sharp drop is attributed to strict safety rules introduced earlier so as to ingrain the culture of obeying traffic rules\textsuperscript{15}. This introduction of safety rules (fitting of speed governors and seat belts) is a

\textsuperscript{15} Daily Nation/ Sunday, February 13, 2005.
managerial model of corruption control where motorists who want to speed and drive recklessly are prevented or discouraged by the enacting of these road safety rules. This prevents harm (accidents) from occurring rather than pursuing the consequences of the harm an accident inflicts on people. Thus a reckless or speeding motorist and commuter wearing a seat belt is protected from being injured in the inevitable accidents by these rules.

Reckless driving on the road violates the principle of nonmalficence, that is, do no harm. The ethical principle of doing no harm is based on the Hippocratic maxim 'primum non nocere' (first do not harm). Nonmalficence is a technical way of stating that we have an obligation not to harm people, that is, if we cannot benefit someone, then at least we ought not to do him/her harm. The duty of nonmalficence clearly imposes an obligation not to harm someone intentionally or directly. This duty also prohibits exposing others to a risk of harm. For example if I am driving too fast, I may not actually harm someone, but I am clearly exposing other persons to the risk of harm. Thus the duty of nonmalficence would prohibit speeding.

Beneficence indicates an obligation to advance the most important interests of others and remove harm. Exercising beneficence includes the prevention of anything that is bad or injurious from happening. This goes hand in hand with the principle of nonmalficence (harm principle), which refers to the moral obligation not to expose or harm others. Speeding and reckless driving goes
against the implication of beneficence, that is, assisting others in furthering their good (self-preservation of one’s life).

2.7.0 Forgery and Theft of Intellectual Property

Forgery is the act or instance of counterfeiting or falsifying a document (The Oxford English Dictionary, 1996). This is the reproduction of a copy of an original document to make it look like it is original (false copy). Currency, certificates both academic and civil, negotiable documents like car logbooks and a variety of other valuable documents are easily forged. The advent of digital technology, including scanning and copying, enables almost perfect reproduction. Not only are the recipients left holding worthless pieces of paper but also these forged documents have facilitated a variety of other social and economic crimes like using of fake title deeds as security for a bank loan. Forged documents have also been used by unscrupulous people to obtain favours through impersonation.

Copyright infringement also occurs quickly and easily, greatly facilitated by the advent of digital technology. Text, video sound, designer labels and computer software can be copied and reproduced as never before (Larmour, 2001). This is evidenced by the presence of pirated music and films in shops and the streets of Nairobi. For instance, it was reported that 90% of DVD’s (Digitally Versatile Discs) in the Kenyan market were pirated\textsuperscript{16}. These DVD’s

are of poor quality and damage a DVD player. Unrestricted, such modern forms of piracy can discourage invention, creativity and innovation and deprive artists and creators of the royalties to which they are entitled. Also available statistics indicate that piracy stifles Kenya's economy. For instance piracy accounts for Kshs 1.3 – 5 billion in lost retail revenue to artistes and Kshs 204 – 760 million in lost taxes to the government annually. Lost royalty is put at 140 million a year\(^{17}\).

There are also cases of some individuals involving themselves in the production and sale of substandard consumer goods. This involves the manufacturing and importation of goods that are of low quality and standard and selling them to unsuspecting and/or ignorant customers. These goods are of low quality since they do not meet the required standards set by the Kenya Bureau of Standards (KeBS). Unsuspecting customers are duped and their health put at risk. This is contrary to the principle of beneficence, which asks us to be concerned about the goodness of other people's lives instead of putting them at risk (Frankena, 1973). Sale of substandard goods violates the principle of benevolence, which requires that one do good to every one. This also puts responsibility on all members of the society to be concerned about the well being of others. Substandard goods expose customers to risk as these goods may cause serious health problems to consumers. It is also

\(^{17}\)Daily Nation/ Monday, August 1, 2004.
worth noting that offering low quality service in consultancy, teaching, legal and medical professions is immoral. Such 'professionals' violate the professional ethics of their profession. For instance doctors who offer low quality medical services violate the Hippocratic oath, which emphasises the need to save life and do good always.

Substandard goods give genuine products unfair competition as in most cases the former products are normally sold at cheaper prices. The manufacturers of genuine quality products are forced to scale down their production and even lay off workers leading to unemployment since their products cannot sell. Purveyors of goods and services thus cheat consumers in many ways. For instance, providing defective or inferior products, advertising of these substandard products in a deceptive manner. It should be noted that in the extreme cases, it can lead to death or injury, for these dangerous products are purported to be safe. This has ripple effects of increasing costs of Medicare expenditure among others thus overburdening the taxpayer.

Imports of counterfeit and substandard products by unscrupulous traders in the private sector are threatening the survival of our industries. For instance, in October 2001, KRA impounded counterfeit ball pens in Mombasa with an estimated street value of Kshs. 10 million, which had been shipped into the
country illegally. The Kenya Bureau of Standards (KeBS) destroyed these ball pens in May 2002 for failing to meet the set standards\textsuperscript{18}.

Individuals who produce and sell substandard goods violate the Rawlsian due care principle, which states that since manufacturers have much greater knowledge and power than their consumers, they have a special obligation to look out for the interests of the buyers and above all take special care to make sure that the consumers are not harmed by the manufacturers' products. Production of defective products that may harm consumers violate this rule of injury\textsuperscript{19}. Businessmen bear a general responsibility to ensure that the quality of products measure up to the claims made about them and to reasonable consumer expectations.

2.8.0 Construction of Substandard Roads and Buildings

In Kenya some public utility facilities have been built far below the required standards. In this case, it is the contractors and individuals who collude and build substandard public roads and buildings. This is evident when one looks at the numerous potholes on our public roads, which are frequently blamed as causes of accidents, which result in loss of human lives.

Normally the construction materials used are of low quality therefore making the roads wear out quickly and in the case of buildings, they are a public

\textsuperscript{18} Daily Nation/Friday, August 30, 2002.

\textsuperscript{19} www.ku.edu/jan.garret/ethics/princeind.htm
hazard since they either collapse or are in danger of collapsing any time. This is in violation of John Rawls’ contract theory, which states that manufacturers and marketers must follow four duties in relation to the buyer or customer:

1. They must fully disclose the nature of the product.
2. They must not misrepresent (skimp on quality) the product or service.
3. They must not coerce the prospective buyer into agreeing to the sale.
4. Once the contract is agreed to, there is a duty to comply with the terms of the contractual agreement, that is, do quality work.

Some contractors alleged get paid money that is not equivalent to their substandard work thus overburdening the taxpayer since the services offered are substandard. This in turn makes the public lose confidence in the ability of the public service to provide adequate services. Mathiu (1998) aptly affirms that:

“For every substandard public infrastructure built, roads in particular, there is an engineer somewhere who signed it off as satisfactory either through coercion, but more often than not because he/she was bribed to do so .... For every overpriced public tender award, there is a professional in the know who fails to speak up often for fear of victimization, but more often than not because his/her silence has been bought.

This show that professionals have abetted corruption thereby undermining the professional ethos of their profession and making the public lose trust in the government. Construction of substandard roads, also violates the principle of beneficence. This principle states that we ought to do or promote
good (Frankena, 1973). In this case it is evil, which is being promoted, because substandard roads are frequently blamed for an increase in road carnage, which leaves many people maimed for life and worse others dead. It should be noted that a task force formed by the Ministry of Roads and Public works chaired by a former cabinet minister Andrew Kiptoon, recommended the blacklisting of several contractors who the report implicated in shoddy substandard construction of roads and inflating the cost of the work. When a firm takes care to supply customers with what they have agreed to supply or to ask only the price agreed once a transaction has taken place, the rationale is that, treatment of this kind is required by fair dealing and also that people are not misused, overcharged or conned out of goods and services they have purchased or been promised.

The question of professionals and corruption in Kantian terms centres around the question “what may I do?” where ‘may’ is understood in the morally passive sense, that is, “what am I morally permitted to do?”. In utilitarian terms it raises the question of whether the consequences of the action are good or beneficial to the greatest number. The conduct of the professionals goes beyond the praxis and into the domain of technical expertise, techne.

A professional is expected to exercise sound judgement in his/her area of expertise, to show an appropriate level of skill and technical knowledge and

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apply that in an appropriate way in the best interests of the public good (Clark and Linzey, 1997:83). Professionalism benefits the public by promoting the good of the society through the services that they offer, for instance medical care.

The application of techne, acting to the best of one’s ability, gives rise to the possibility of the Aristotelian virtues, of excellence. Here the motive for the practice is that of the intrinsic reward from prime performance. A professional who works for the sake of money is not acting ethically according to *arête* for the reward is extrinsic. On Kantian grounds, it is not moral for it is driven by the desire for more money, on Aristotelian grounds, it is not moral, for it seeks extrinsic reward and pays no attention to the intrinsic value of acting well for it’s own sake. Forgery, theft of intellectual property and sale of substandard goods and construction of substandard roads and buildings all violate the principle of common good. This principle consists of all conditions of society and the goods secured by those conditions, which allow individuals to achieve physical and spiritual flourishing. The common good requires that the infrastructure of society be conducive to the social well-being and development of all its individual members.
2.9.0 Conclusion

To conclude, this chapter has looked at the various manifestations of corruption in Kenya. Corruption is a much wider phenomenon than just bribery. It is therefore the view of this study that corruption is a term, which encompasses many forms. It is no single issue or a single problem. Thus the study is in agreement with Larmour, et al (2001) who notes that if corruption is viewed as a single problem, it seems too large and amorphous to tackle effectively. Thus corruption is a phenomenon that may refer to many different human activities and behaviour that militates or undermines the common good and other basic moral principles as we have enumerated in this chapter. The concept of corruption is therefore much broader than simply viewing corruption as a monetary issue involving individual impropriety.
CHAPTER THREE

3.0 CAUSES OF CORRUPTION

3.1.0 Introduction

The causes of corruption are complex. The better we understand them, the better we will be able to combat corruption. That is why the war against corruption is hard when we primarily address the effects of corruption like withdrawal of donor aid and poor economic performance. This study is of the view that if the war on corruption has to be won, special emphasis must be laid out to address the root causes of corruption in Kenya.

Some of the causes of corruption could be due to poor moral upbringing of an individual whereas others like greed and materialism may be attributed to a general moral decadence in the society due to the erosion of values and standards.

Virtues such as respect, trust, communalism and reciprocity can degenerate into vices and cause corruption if they are wrongly interpreted and practised. For instance, sociologically speaking ethnicity symbolises a people’s closeness to one another based on their ethnic identity and culture (Rossouw, 1999). Thus ethnicity is never divisive or alienating as such. However it should be noted that when a person takes his/her ethnicity to the extreme, he/she is...
likely to fall into the cultural pit of tribalism which is a prejudice against other members of the society who may not be from one’s tribe.

In this discussion an attempt is made by way of careful and critical philosophical analysis of the causes of corruption:

3.2.0 Ethnic Chauvinism

Loyalty to one’s ethnic group is “highly celebrated” in Kenya and this has become more important than the moral rules in shaping behaviour. The culture of “us verses them” is so ingrained in our country that politicians have coined all types of ethnic expressions to whip up ethnic emotions. Phrases like “shienyu ni shienyu” (ours is ours), “Osa Vinya Mukamba” (take it Mkamba), “Kamwene” (it has its owner) have taken centre stage in Kenya’s political lingo. A public office is seen to belong to a whole community by virtue of “one of their own” being the holder of that office. Consequently criticism aimed at the holder of the office is taken to be an affront to the whole community. This way obligations to one’s ethnic group often take precedence over those of public office, resulting in public servants to deviating from established rules and condoning corruption.

Ethnic loyalties and other primordial ties often lead public servants to develop a sense of “obligation” that is inconsistent with the ethics of public duty. Failure to discharge “these obligations” even if inspired by a need to follow moral rules and values may result in a backlash from the people’s respective
ethnic community. Some public officials cast in this mould sometimes engage in corrupt practices out of a sheer sense of obligation to their communities and kinsmen.

Further Ethnic loyalties that discriminate against others on the basis of arbitrary criterion of one's tribe undermine human dignity. Jesus Christ affirmed that "love your neighbour as you love yourself". This is the way in which dignity fulfils itself. It means transformation from being self-centred, opportunistic and egocentric to oneself only. Human dignity is destroyed by self-love. Self-interests are good when united with others' interests to form common interests and bad when fulfilled at the expense of others. Community common interests as represented in a democratically organised society, are the best way of guaranteeing everyone some basic means of existence.

Ethnic chauvinism is an extreme form of collective self-interests where one's own group is the centre of everything, and all others are scaled and rated with reference to it. This is an extreme form of discrimination which denies some people access to what is valued, for instance jobs, making it a highly volatile process in all the state actions. Ethnicity per se however, is not divisive or alienating when not taken to the extreme. It militates against the common good when it turns out to be prejudice creating a sense of superiority and inferiority, "us versus them". Ethnocentrism is responsible for
many armed conflicts in African states. Ethnocentrism's major problem is essentially self interest at the expense of the common good whereby when a person from one's ethnic group is involved in corrupt behaviour that is likely to benefit their common ethnic group, then the other members of the society suffer as a whole.

For a utilitarian, the moral standpoint, which is to govern all our actions place human beings at the centre of the universe, with their state of feeling as the source of value in the world. In utilitarianism, the worth of persons is derivative from their status as loci of such activities as desiring and having pleasure and pain. They are treated as bits of utility. Thus it is no surprise that utilitarianism lacks a concept of the value of a distinctive human personality. On the other hand in the *Foundations of the Metaphysics of Morals*, Kant maintains that human beings have dignity and that their status as ends in themselves is due to their possession of an unconditional and incomparable worth. This dignity is something all people have regardless of their moral character. Their worth is unconditional in that they have it "in themselves", independent of the purposes and preference of others. That which has a price by contract, has only a relative value, a value external to the valuable object itself. A person with dignity has no equivalent. For instance, the dignity of individuals is not aggregable. We can increase the number of people in the world possessing dignity, but dignity necessarily
belongs to each of these individuals and each alone; consequently there is nothing whose dignity is thereby increased. The dignity of each of a large number of individuals does not add up a great deal more dignity than the dignity possessed by any one of them. This is the opposite of the utilitarianism in its quest for pleasure.

But the above utilitarian principle militates against itself as some human beings use their selfish feelings to oppress and discriminate against others, as is the case with tribalism. This makes a greater part of people to depart from the law of reason as most of them rebel.

When ethnic loyalty becomes the guiding principle in awarding burdens and benefits in society, there is no objectivity in carrying out public appointments, awarding contracts or recommending individuals for rewards and benefits. The choices are not based on merit but ethnic considerations. This violates morality, which is an art of mutual accommodation of self and other selves. Things such as political power, allocation of resources, jobs and services cannot be left at the mercy of self interest, private ownership and personal possession because this can have adverse effects on the rights of others whose self interests are excluded. Social exclusion damages the social self thus spoiling personal identity. Thus social inclusion and participation in terms of access to the material conditions of well-being in society is an important social pre-condition for freedom. If people are excluded from such access, the
development of their 'social self' becomes impaired. Any human organisation which guarantees joy, respect, and livelihood to some at the exclusion of others destroys the common dignity of all as this deprivation dehumanises persons (Njoya, 1987).

Tribalism and nepotism violate the principle of equality, which implies a certain leveling process. Equality implies the provision of adequate and equal opportunities to all hence Bentham's maxim "each to count for one and no one for more than one" (Hare, 1993). Those who make good use of the opportunities ought to be left to excel.

It is also my considered view that when ethnic loyalty becomes the foundation for distributing benefits and burdens in society, it violates the principle of distributive justice. Distributive justice refers to fair distribution of benefits and burdens in society. Distributive justice becomes a concern when people have competing claims for certain limited goods and services. For instance there are inadequate jobs, the distribution of these jobs become an issue of justice. Distributive justice requires impartiality, which demands treating equals equally and unequal in proportion to their differences.

In this regard we have a vital lesson to learn from Aristotle and Plato. They focused more on merit as the key criteria in distributive justice and tried to explain the connection between equity and equality by distinguishing between "arithmetical" and "geometric" equality. Arithmetic equality gives
equal shares to all alike irrespective of worth. In the language of Plato and Aristotle, it gives equal shares both to equals and unequals. In *Politics* lii, 12 Aristotle puts it thus 'if flutes are to be distributed, they should go only to those who have a capacity for playing flutes, that is, benefits and responsibilities should be proportionate to the worth (ability or merits) of those who receive them (Raphael, 1969:120). Equity on the other hand requires discrimination by reference to morally relevant differences and forbids discrimination in the absence of such differences. The rule is to treat like cases alike and unlike cases differently. Thus it is fair to discriminate in favour of the needy or meritorious but unfair to discriminate between people who are equally needy and equally meritorious.

Tribalism and nepotism undermines both principles of equality and equity. The principle of equality demands that human persons be treated as equals in the distribution of resources (Singer, 1993). Tribalism and nepotism propagate arbitrary discrimination of people on ethnic lines and kinship ties, which is unfair and inhuman since humanity includes having a sense of belonging. John Rawls maintains that justice requires not only impartiality but also treating people fairly and in proportion to their needs as well as their merits (Hare, 1993).

Justice which is one of the basic pillars of humanity deals with the distribution of burdens and benefits, of goods and services according to a just standard
to all human beings in any society. The formal principle of justice specifies a procedure to be followed in allocating goods or distributing burdens (Shannon, 1993). The traditional principle of justice is derivative from the Greek philosopher Aristotle: Equals are to be treated equally and unequals unequally. A material principle of justice identifies some relevant property or criterion on the basis of which a distribution can be made. Thus material principles of justice are comparative in that they examine needs or qualifications and on that basis determine what to do. But when tribalism and kinship loyalty becomes the yardstick then this dehumanises the person who fails to get the benefits simply because he belongs to a different tribe. At the core of justice is the notion that individuals are entitled in respect of each other to a certain relative position of equality. Justice is traditionally thought of as maintaining a balance or proportion and its leading precept is often formulated “treat like cases alike”. All people desire justice in the sense that all want a share of the freedom to originate action and to exercise control over the environment in which they lead their lives. Injustice does consist in wanting no share of this freedom but in wanting a greater share for oneself. All people want a share of justice just like health is constitutive to life. Those people who lack justice lead at best an impoverished life.
3.3.0 Greed and Materialism

According to Webster's Intermediate dictionary, greed is the selfish desire for money or possessions over and above one's needs. Greed is an expression of egoism and individualism in which individual needs and wants override other people's interests. One does not put into consideration the interests of others. Materialism in this study is defined as the tendency to attach too much importance to physical possessions such as land, money, vehicles and houses at the expense of basic human values such as justice, love and care. Palmer, et al (1999) and Cason (1983) cite greed for the goods of life as a cause of corruption. This is because according to them human nature is a conscious substance filled with desires, for it longs and lusts for what it does not possess, that is, it is greedy. Hobbes (1651), Butler (1949) and Ruhiu (1996) also see the egoistic and selfish tendencies in humans as the likely causes of corruption.

While an ethical egoist pursues one's own self-interest, a utilitarian's concern is to maximise the benefits for the maximum number of people. Thus according to a utilitarian theory, the morality of an action is determined solely by its consequences. It should be noted that by claiming that only the consequences of an action count, utilitarianism underplays the importance of individual integrity and personal responsibility. This is because utilitarian theory may sometimes require us to act in ways that violate our integrity and
conscience. For example, grabbing and amassing resources at the expense of the public good. For instance, if a plot meant to construct a health facility is grabbed, the society as a whole suffers since there will be no access to health services that the health facility would have offered had it been constructed. This in turn affects the quality of life of the affected people.

In the view of this study, owners of property (resources) who love having for the sake of having (greed), create a division between themselves and the "have – nots". Those who hold the means of survival, individually or collectively and deny others participation in the production, distribution and use of those means form the distinctive self interests that are detrimental to the peace, love, unity and integrity of the society. Their self-interests are conflicting with those whose self-interest result in jealous, hatred and bitterness. The possession of property or power without creating the conditions in which others can benefit arouses suspicion, fear and antagonism against the possessors. The monopoly of resources is an extreme form of egoism, which undermines human love, respect and confidence. This can easily create hostile self-interest groups, the 'haves' and 'have nots'.

It is the view of this study that an individual is a social being involved in relations which carry with them commitment to others. We can bridge the moral gap between "self" and "others" only when we understand the self as a social self. Relations with others play just as a vital part in human life as the
pursuit of interests and satisfaction of desires and they are not reduceable to the latter. It is the considered opinion of this study that corruption is caused by the lack of commitment to proper moral beliefs due to a weak moral will. Immoral acts ignore or undermine the general well-being of humanity thus militating against the very foundation of human society. A human society is founded on moral values, which are promotive of the general well being of all human beings. Therefore society exists for the good and for the interests of everybody. However some people frequently mistake what seems to be in their self-interest for the moral good and thus act in line with this egoistic belief. Most of these acts are for short-term benefits. In the long run these egoistic acts and tendencies cause greater harm to the whole society’s general well being. This is one of the major problems with ethical egoism.

In our society, material wealth has been regarded as the yardstick for determining one’s status. This has made leaders and other office holders regard their position of responsibility as a means of amassing wealth for its own sake and at all costs including corruption. Some of our leaders regard their positions as opportunities of enriching themselves materially. They grab public houses, land and embezzle funds. Public offices are no longer regarded as positions of trust and responsibility but of “eating”. It is no wonder that statements such as “They ate, now it is our turn to eat” are commonplace in this country. Correspondingly, individuals who hold public offices and do not
enrich themselves are regarded as “cowards and fools” by the society. Thus this study is in agreement with Wokabi’s assertion that:

“When people regard work as a way of making money they inevitably fall into the tendency of acquiring material things for their own sake, sometimes through unethical ways. This tendency leads to corruption” (Wokabi 2001:74).

This way work would have lost its noble nature of serving humanity. Work ought to be used for self-actualisation and cultivation of human values. It ought to unite human beings by virtue of their humanity. This is the notion of the individual as a social being involved in relations, which carry with them commitments to others. It should be noted that deep personal attachments to people center our sense of self and contribute to our identity. Our integrity is bound up with making their welfare an overriding moral concern. Integrity has to do with commitments and our love and close friendship are aiming at our deepest commitments. Whatever it is that one is committed to, the person of integrity will be someone who cares deeply for others. Extreme apathy or indifference is incompatible with the possession of integrity because in such a case there is nothing that elicits enough interest from a person to motivate continuing and steadfast faithfulness. The materials out of which a person’s integrity is constructed cannot just be transitory attachments or peripheral concerns, for the maintenance or attainment of integrity is consciously a process of self-definition (Makokha, 2002).
In Kenya increasing reports of rampant land grabbing are evidenced of the acquisitive mania in some Kenyans. This is a manifestation of the "me-now-syndrome" in which individual benefit counts here and now.

Attempts to acquire material wealth by all means makes people become insensitive to the rule of moral law which governs societal relations and institutions such that every person is left for himself/herself. This grabbing mania can be explained by what Butler calls self love and what the Freudians call "the ego", that is, the individual (self) is what counts there and then. This violates the principle of beneficence. The duty of beneficence claims that we have a duty to help others further their interests when we can. This duty argues that we have a positive obligation to regard the welfare of others, to be of assistance to others as they attempt to fulfil their plans. This duty is based on a sense of fair play and reciprocity (Hare, 1993). It is on this notion that justice is viewed as a norm to measure the good and bad conduct of man as well as the rules of society and various social institutions. Justice aims at synthesizing various values and provide for a just system of human relations, the products of which are liberty and equality. Justice not only emphasises the all round growth of human personality but also endows an individual to render certain basic duties or responsibilities. Thus justice eliminates all unhealthy competition as it provides for the fusion of an individual with others in society and secure an organic unity.
John Rawls’ principle of justice suggests that social and economic inequalities are to be arranged so that they are both;

1. To the greatest benefit of the least advantaged.

2. Attached to offices and positions open to all under conditions of fair equality of opportunity (Norman, 1998:190). This acknowledges the broadly utilitarian idea of maximising people’s well being and not narrow selfish and individualistic needs.

Jesus aptly put it that “---man shall not live by bread alone” (Luke 4:4). There is more to human needs than money, food, shelter and clothing, that is, man needs both material and spiritual needs. This is a unique appreciation of values, such as justice equality and love. He also put it that “--- a man’s life does not consist in the abundance of his possessions” (Luke 12:15). The ethical stand point of Jesus was that we certainly need some material goods but excessive material things disregarding humanity dehumanises persons, the same way when people are deprived of all their material possessions their dignity is lowered. In the same breadth, Saint Paul in his letter to Timothy warns against greed saying:

“... those who desire to be rich fall into temptation, into a snare, into many senseless and hurtful desires that plunge men into ruin and destruction (1Timothy 6:9)”.

Within man’s moral culture an altruistic concern for others is widely held to be supreme value. Christianity places altruism at the centre of the good moral
life. This altruistic morality is formulated directly in the golden rule "therefore all things whatsoever you would men should do to you even so do to them" (Mathew 7:12). Values such as meekness and humility are central in Christianity; in contrast to self-assertion and worldly success. This is the central theme of Jesus’ Sermon on the Mount, which begins with the beatitudes; blessed are the meek and blessed are the poor in spirit. The similarity with Plato here is the ascetic strand in which he advocates a turning away from material goods and physical pleasures, for the higher life of communion with the world of the forms (Norman, 1998). However Plato fails to realise that we also need material goods to make life worth living. In the view of this study the point Plato was emphasising is that there is more to life than just having an abundance of material possessions.

3.4.0 Poor Governance

Mehra (2000) has noted that bad governance is the underlying source of corruption. This is because people have ignored their role as leaders in the society and have left it only to those in public office to exercise leadership. Citizens no longer hold their leaders accountable for actions they take while in office. Leaders have been let to behave as though they were above the law. Thus leadership responsibility of every adult in the society has been deteriorating. Those in leadership positions sometimes have not played their roles to the satisfaction of public good. Corruption thus is a symptom that
something has gone wrong in the management of the state. Institutions
designed to govern the interrelationship between the citizens and the state
are instead used for personal enrichment and the provision of benefits to the
corrupt.

If there is no committed leadership from within the society, ideally from the
highest levels of the state for a serious anti-corruption programme, the fight
against corruption is an exercise in futility. If those in political leadership and
higher office are seen to condone corruption, then it thrives and spreads up
to the grassroots (UNDP, 1997). Leadership ought to be a custodian of public
good. But when those in leadership responsibilities abuse the trust and
powers bestowed on them, this tends to perpetuate corruption. It has been
argued that absolute power is the one that corrupts our leaders especially
during decision-making.

In situations where decision-making is highly centralized, other officers may
be by-passed and favours sought from more powerful officials at the centre
of power. Montesquieu, a French thinker in his book *The Spirit of Laws*
(1948) emphasises the fact that there must be separation of powers if
liberty is to be safeguarded. He was of the opinion that the individual hence
society will not be safe and secure if power is centralised in the hands of one
and the same person who may easily become a tyrant due to the excess
power. This leads to the tendency of bribery and patronage. Elected leaders
will then tend to represent vested interests and many of them see leadership positions as opportunities to siphon public resources into personal pockets. In the end they do nothing to correct the institutional weakness that exist and perpetuate policies that promote corruption. For example, the fear of defeat in an election increases occurrences of corruption as those in power spend lavishly on elaborate campaigns bribing the electorate with money siphoned from the public treasury and other sources.

When holders of public office are not accountable for their decisions and actions to the public and do not submit themselves to whatever scrutiny that is appropriate to their office, corruption can easily thrive. Also when there is no transparency, that is, where holders of public office are not open about decisions and actions they take (exercise of power unguided by a sense of moral value), seeds of corruption are being sowed. The endemic nature of corruption negates all principles of good governance, transparency, accountability and the rule of law. It thus affects the policy environment in that stability, security, consistency and sustainability of the citizenry are undermined.

It should be noted that if no constraints are placed on the behaviour of public servants by organisation and civil constituencies having powers to apply them, loopholes are created for these servants to engage in corruption. Again when public servants are not accountable or answerable for what they do at
work and just invoke "orders from above" in their discharge of duties, or when they do hold themselves accountable for failure in discharging their mandate and responsibility, rampant corruption is likely to occur, especially when decision-making is believed to come from "above" where the top organs in any organization enjoy monopoly in decision making (Otenyo, 1998). It is unfortunate that this is exactly what applies in Kenya today where good governance has become a marginal reality. There is a tendency for those in governance positions to create and nurture mechanisms that benefit them more and consolidate and entrench their grip on power so that they can ride over the citizenry. Citizens must set standards and parameters, which those in governance positions can only breach with consequences. For instance, they should ensure that no one person enjoys absolute powers and monopolises decision-making. It is the view of this study that in the new constitution the powers of the executive be devolved and delegated to other government organs.

More than often people in responsible positions have often been left untouched on occasions where they would be expected to account for and explain the consequences of decisions and actions taken on behalf of the public. Some of the decisions have at times been embarrassing to the public and others have resulted in huge financial losses to the taxpayer. For instance, in the Anglo-Leasing scandal, in which it was reported that the
government lost Kshs 7 billion worth of tax payers money which was meant to finance an Anti-terrorist passport project that never was\textsuperscript{21}.

Politics, which is the most significant state activity, has made political leaders occupy positions of unquestionable supremacy in decision-making. To sustain such situation, the system disciples are called upon to indoctrinate the masses about the legitimacy of such political supremacy. However the resulting “associate-relationship” tends to legitimise and entrenches political supremacy over administrative values. These associates are bound together by patronage, fear and opportunism. Most “loyalist” are therefore concerned with exploiting the situation for their personal gains. If political leadership is driven by greed, those who track the footsteps of the leader, those who are most corruptible are seen to be the most co-operative while those who resist corruption are suspect and perceived as dangerous. One who differs in opinions from the political “godfathers” is also termed as a rebel. Such politicians are not supposed to deviate from what the “godfathers” consider right. Differences in opinions, it is argued cannot be tolerated because it is not “African”. To them it is “African” not to differ with one’s superiors. Differing from or rejecting what superiors want, even if one can adequately and rationally defend/support the difference is termed “lack of respect”. In

\textsuperscript{21} Daily Nation/ Tuesday, May 24, 2005.
the long run, issues that could have been avoided by saying a simple "NO" end up resulting in untold harm to the society (Nyanje, 1993:130).

The tension between private and public good in any state action lies partly on the basis of the social contract theory. The social contract theory sees the state as a necessary evil, a system of power and public authority to which society submits for its (society) own good. Without some order and authority, argues Hobbes (1651), society would be totally destroyed by the selfishness of its own members. In fact the existence of public authority is conterminous with the existence of society. Pre-social man was also pre-political; his life was nasty, short and brutish.

It is on this paradigm that Rousseau (1994) saw submission to authority as the product of a rational choice in society; a contract among citizens which establishes the limit between public and the domain of the individual, and one which, of necessity, preserves individual sovereignty as the highest form of freedom when, in society, he/she rationally decides to submit to public authority. Thus the process of belonging to society and of submission to authority is, in social contract theory, essentially a process of the socialisation of the individual. Rousseau puts it much more graphically: people come into this world naked and sinless; it is society, which clothes them and teaches them wicked ways (Rousseau, 1994). In this process of socialisation, the
individual ought to be inculcated with certain values; in other words the individual ought to be morally educated by society.

Kenyan political systems have created conditions that provide a fertile ground and nurture corruption. Politics is based on Patron-Client relationships. This system consists of factions each under a leader who dishes out favours like money or other resources like land to individuals in return for support. Such resources are often acquired through corrupt means. From their humble origins once our leaders achieve high offices, many seem to resolve to exploit to the maximum their official positions. The most pernicious facet of their practice is that the "appetite" seems to grow with the "eating".

Thus allocation of resources is based on favouritism and patronage. Favouritism is the inclination to partiality when considering interest or giving out services to people. This encompasses giving people undue preference to others, which cannot be justified. Patronage is the ability or power to give out jobs, contracts or services on political considerations. Under favouritism and patronage, appointments to the civil service and parastatals do not generally take into account ability, merit or competence. Loyalty to the executive head and his desire to dispense favours and patronage are the sole criteria. In extreme cases tribalism becomes the only basic criteria for appointments. Patronage relations are part of a cultural etiquette of social bonds that entail gradations of obligation and room for manoeuvres and contestations.
Patronage politics sanction the diversion of public resources into private hands as well as its appropriation by ethno regional or sectional interests, which are egoistic\textsuperscript{22}. Distributive justice requires the distribution of happiness and misery according to deserts; such distribution conflicts with the happiness principle, which calls for the greatest possible balance of happiness over misery. Justice consists not in serving one’s own narrow interests but in instituting equality or proportion. Justice like other virtues is good in itself. It should be noted that justice does not always contribute to a man’s happiness as it may oblige one to condemn even his/her own kin. Thus the just act is disinterested in intention.

3.5.0 Conflict of Interest

According to Otenyo (1998), conflict of interest occurs when there is;-  

1. Conflict of authority where a superior may impose a decision on a subordinate when this imperative is in conflict with the junior’s values and principles. For example, there are cases where superior managers may tell their juniors to lie to consumers about a product when advertising. The junior officer may be coerced into doing it even though it is against his/her beliefs and principles. It may also involve myths of losing one’s job if one does not succumb to requests which violate rules and regulations.

\textsuperscript{22} www.worldbank.org
2. Role conflicts in which a superior manager may feel torn between roles such as professional integrity/loyalty versus organizational loyalties. For instance, if one is told to skimp on the quality of a product, this goes against professional ethos. If he/she goes on to produce a product of lower quality because that is what the organisation requires, then he/she will have compromised his professional ethics.

3. Conflict where private interests interfere with public duties. For instance, in cases where one is involved in the tendering process and at the same time has applied for the same tender. In this case he is a player at the same time a referee in the same match!

The 1970-1971 Ndegwa Commission recommended that civil servants be allowed to engage in private business (paragraph 29 to 35 of the Ndegwa Commission Report). The Commission saw no objection to ownership of property or involvement in business by civil servants. The Waruhiu Commission on the civil service review 1979/1980 faulted the Ndegwa Commission for recommending the aforesaid fearing such an arrangement would occasion conflict of interests. Apparently the Waruhiu Commission argued, the Ndegwa Commission allowed free for all participation in business by public servants.

When a public servant engages in private business, conflict of interest occurs since priorities are determined by personal narrow interest rather than the
common good, that is, national interest. For example, an engineer who has a private road construction firm and at the same time is an employee of the Ministry of Roads and Public Works, is likely to compromise his/her professional integrity when a tender is advertised in his/her Ministry. This is because one cannot be a judge in his own game as this undermines the principle of fair play. Some of them may end up using government facilities to do their private work at the expense of the taxpayer.

This is because when holders of public office place themselves under financial or other obligations to "outside" individuals or organizations that influence them in the performance of the duties, this can easily cause corruption. Most of these individuals actually inflate the cost of work and fleece the government. Again a public servant who engages in private business is torn between his/her private investment and service to the public. This individual spends most of his/her time doing private business and gets paid by the taxpayer for work he/she has never done thereby stealing from the taxpayer. It is immoral for any one to be paid for work one is never committed to. Infact this is the opposite of the fundamental requirement of deontological ethics. "What should I do?". Deontologism answers this question by specifying one's obligations or moral duties. It looks at one's obligation to determine what is ethical. The ethical act is one in which I meet my obligations or fulfil my duties. For a deontologist, obligations and rules are
primary, for only by attending to these dimensions of morality can we be sure that self-interest does not override moral obligations. People who have divided loyalty between their private business and public responsibility do not show adequate dedication commensurate with tasks they are assigned and paid to do. A lot of time is wasted by such officers doing personal business that reduces the efficiency of their official tasks, which leads to poor service and financial losses.

A public servant ought to reconcile his/her private interests and conscience with public obligations. Clustering around these basic obligations are the moral rules that constitute the code of moral obligations peculiar to a public servant. The need for these moral rules arises from the fact that public servants participate in the governing process of the society which requires among other things that a public servant be responsible to the public. In the absence of responsibility, bribery may easily result which is an obvious conflict of interests. A bribe may be a remuneration for the performance of an act that may be inconsistent with the work contract or the nature of the work one has been hired to perform. Moral rules are designed to ensure the impartiality, objectivity, integrity, efficiency and discipline of public servants when exercising discretionary powers (Makokha, 2002). Morality has great adaptive values as it knits the society together in solidarity and common purpose facilitates co-operative work by rewards and praise, as by blame and
punishment. Thus the moral standard of society becomes the general good or welfare.

3.6.0 Cultural Practices

Porter (1980) defines culture as the attitudes and values that inform any society. For example, stereotype African traditions that encourage gifts for services rendered breed corruption. For instance among the Luhya community of Western Kenya, visitors in general may be given gifts (like chicken, sheep, and goats) as a sign of appreciation for the services rendered. Receiving gifts for services one is paid to render is a manifestation of corruption. If this habit becomes entrenched in the civil service it waters down the credibility of the government in rendering services to taxpayers. Attitudes and practices that have already been established in a system or organization can also be causes of corruption. For example, the popular saying "When in Rome, do as the Romans do". This saying has been misused by some people whenever they join a department where corruption is rife, they are compelled to join the "eating Chiefs" because "this is how we do it here" hence become reluctant in fighting or resisting corruption.

A public servant is employed and paid by the taxpayer to serve the interests of the citizenry. The citizens are the masters but when the roles are reversed such that the public servant becomes the master instead of a servant, "temptations" are high for the public servant to engage in corruption. For
instance, a chief who has assumed the role of a master uses his authority to intimidate citizens who in turn need to "buy" favours from him, for "protection" so that they are not harassed or arrested arbitrarily. Rewards for work that the public servant is already paid to do and receiving of bribes are acts of wanton corruption. For instance, if an individual embezzles public funds then he is said to have *eaten* the money. Any attempts to compel the individual to pay are interpreted by his community's kinsmen as war against the entire community. In our society moral life has been perverted. Social relations are characterised by complete self-interest and fellow humans seen as instruments, obstacles or competitors. Civil virtue and social responsibility have been abandoned and what was once regarded as morally degenerate accepted as conventional behaviour and occasional deviance has become a standard practice. For instance, bribery is also given a euphemistic name, "Kiinua mgongo" literally it means to lift up someone's back, that is, help one out of a difficult situation.

Officials in positions of power and responsibility are constantly called upon to violate laid down rules and obligations that are embodiments of moral values and standards in order to accommodate demands arising from their cultural attachments. For instance, our extended family system exerts family pressure to fulfil both one's immediate and extended responsibilities, which include
jobs for one's nieces, aunts, nephews and other kinsmen. Thus society's cultural norms and practices can easily lead one to engage in corruption.

In Kenyan politics, during competitive elections there is a culture of candidates bribing voters that is deeply entrenched in the society. Voters bring distributive pressures to bear on candidates driven by material inducements than by affective ties as in the Swahili proverb (mkono mtupu haulambwi) "an empty hand is not licked" or a central Kenyan proverb (muthuuri ndariaga mahiga) "an elder does not eat stones". With a different moral accent, Kenyan novelist Ngugi wa Thiong'o in Petals of Blood associates the proverb "an empty hand is not licked" with post colonial corruption, greed, self interest and class divisions (Haugerud, 1995:46).

Also, the value of reciprocity for enhancing individual responsibility can become a social canker, when it degenerates into a vice. This happens when reciprocity is consciously misapplied. For instance, a clerk in the department of registration of births, who has an obligation to examine your application for a birth certificate may be assured by the principle of reciprocity. Besides what he/she is paid by the government for his/her job, you may offer him/her lunch when the certificate is signed in good time. But to ensure that this reciprocity does not fail and is handsome enough, the clerk may ask for a 'thank you' in advance as a good will offer. This is a reversed form of
reciprocity where the 'thank you' gift is received in anticipation of the work to be done. This clearly amounts to bribery and corruption thus abuse of the principle of reciprocity.

Also the notion that acquiring wealth may entail privately appropriating non-private funds is a staple theme of popular culture. Individuals who misuse public funds or official funds for private purposes are said to have "eaten" the money. It is a popular stereotype that men who become wealthy also become fat. Such plumpness carries positive as well as negative associations – health and well being as well as greed and exploitation. It is hypocritical to overlook for instance bribery and use customs of the land to denote it as reciprocity. The very ideals of the society are betrayed by those in trust when offering a bribe.

3.7.0 Weak Civil Society and Social Empowerment

Passive citizens who do not complain about corruption and corrupt practices make corruption thrive in their midst. Corruption is wide spread not because the people who engage in it are different, but because conditions are conducive for it.

Though there is public awareness about corruption and the need to control it, formulate action plans and monitor government behaviour: there are very few persons who are ready to walk the tight rope and fight graft. General ignorance by the public of their rights in certain cases has made them
condone corruption. Inadequate legal and institutional system makes some individuals feel that they can engage in corruption with impunity.

It appears Kenyans express various levels of ignorance when it comes to corruption matters, but they also show a lack of willingness and resolve to report cases of corruption. The best way of dealing with this kind of a situation is to build awareness level among them and instill in the citizenry the confidence that they can change corruption, by not being corrupt themselves and by also speaking against corruption. It is imperative to create in the citizenry knowledge and feeling that they can overcome any obstacle and say no to corruption (KACA, 2000:33).

It should be noted that legislation alone cannot win the war on corruption. We need to inculcate in society the right moral values and rules, with character education from childhood to adulthood, so that we have mature moral persons of good character who are able to resolve moral dilemmas.

It is worth emphasising that good governance boils down to the contract between the governed and the governors. The people are the customers of good governance and good government services. This therefore means that the citizenry has the cardinal responsibility of remaining vigilant and alert to keep the government on its toes. The people’s power must be applied relentlessly in line with the social contract with a view to creating governance structures that will guarantee them effective leadership and progress. Citizens
should, as a duty, seize every opportunity to criticize constructively any shortcoming of the government. The citizenry should expect the best from government officials in knowledge that we pay them to work and they are the servants.

3.8.0 Harambee Movement

The origin of the political usage of the slogan harambee goes back to the early 1950’s when the flames of uhuru swept across Kenya (Ombudo, 1972). *Harambee* is a Bantu word, which comes from *Halambée* meaning *let’s pull together*. It was used as a symbol of unity, that is, people working together as brothers and sisters to achieve a worthwhile cause. President Kenyatta’s call for harambee epitomised a spirit of national unity and hard work in the task of national building. The inevitable result was that *Harambee* schools and hospitals are still common place in Kenya today. These institutions were built in the name of the harambee spirit. The wananchi who fully identified themselves with the slogan were happy and willing to donate generously whether in cash or kind towards any worthy harambee project.

When President Moi took over the leadership mantle from Kenyatta he invented the Nyayo philosophy to reinforce the harambee movement. Nyayoism drew it’s strength from the notion of African socialism. For instance, in traditional Kenyan societies the societal fabric and systems of operation stressed the communal role without inhibiting the productivity and
creativity of the individual. African socialism manifested itself for instance, in the communal ownership of cultivatable land and the collective efforts in planting and harvesting (Moi, 1986). Thus harambee became the cornerstone of nation building. Schools, hospitals, bridges and churches were built through the harambee movement. Nyayoism spurred the initiation of Nyayo Wards and maternity units largely built on harambee basis with contributions from all sections of Kenyan society raised at specified fundraising rallies.

But with time rural political mobilization through harambee or self-help projects was oriented towards "gaining a toe-hold in the system". They were used to sustain those in power. A successful harambee helped constitute the Durkhemian common spirit necessary to sustain government authority.

Political leaders hijacked this noble movement for their own selfish ends. Though the harambee movement was meant to mobilise wananchi to raise funds and other resources for self-help projects, it put financial pressure on leaders who resorted to siphoning taxpayers money to give as donations in harambees. The noble harambee contributions turned into campaign contributions for elections whenever they are called.

The purpose of campaign contribution ought to be restricted: that is identification with a cause. Election contributions however do place an absolute obligation to politicians. For instance, if a minister does not fulfil his/her commitment when he/she partakes of the contribution, then he/she
simply loses his/her seat the next time round. Most of these donations are used to psychologically bribe voters into electing them whenever elections are held. Infact harambees increases when elections are near. The person who donates more frequently stands a high chance of being elected. A fair election is not one which the person who wins morally deserves to win but one in which there is no cheating and nobody has an unfair advantage through the use of money and other inducements.

3.9.0 Conclusion

This chapter has not only reflected on the causes of corruption, but is also critical of them. The study has established that cultural acceptance of aberrant behavior; lack of ethical leadership and support among others could easily cause corruption. It has been established that corruption is motivated by greed and in all the cases its ramifications have wider implications to the larger society. For example, a break down in trust undermines the best efforts to build a morally upright society or organization. For instance, a manager who talks to staff about conflicts of interest that can arise from inappropriate relations with, say, contractors, but regularly dines with the contractors himself/herself, is sowing seeds of corruption.

It has been established that leaders should always put the public interest first, by guarding against making decisions and taking actions that put their own interests above the public good. The losses caused by corruption far
exceed the sum of the "individual profits" derived from it, because it distorts the whole society. Corruption is damaging because it strikes at the core of integrity and trust through undermining fairness, justice, stability and efficiency.

In Kenya today it is common to hear politicians arguing that it is "our turn to eat" since "they ate". This is a concern for one's own selfish interests and needs and it undermines the common good in the long run since everyone cannot satisfy his/her own desires thus plunging the society into the "me-now syndrome", a war of all against all.
4.0 MORALITY AS A SOLUTION FOR CORRUPTION

4.1.0 Introduction

The search for the cure of corruption has always been elusive. Most Anti-corruption crusaders have suggested that laws be strengthened to prosecute corrupt culprits. However it is the view of this study that morality is the long-term measure to undermine corruption. This is because corruption is basically a moral problem and in order to undermine it, we need moral efforts of all the members of the citizenry.

Society exists for the common good. Aiming at the common good is a uniquely moral motive because it is grounded on collective well being (Rossouw, 1999). Since corruption cannot and will never be beneficial and satisfactory to all members of the society, it is therefore an evil practice which is only interested in satisfying quickly extreme self interests of a few people at the expense of the common good. The benefits of corruption to a few individuals can in no way justify the cost in terms of the public good, that is, the end for a just society.

The human need for survival must be guaranteed by whatever institutions he/she belongs to. This is essential to a person’s full growth and proper development. Otherwise he/she may be tempted to give in to his/her baser
instincts in order to cater for unfulfilled or thwarted legitimate needs. This may easily be a catalyst to various forms of corruption (Buckle, 1999).

Human beings are moral beings endowed with the conscience. They ought to be educated in the right and proper moral world outlook. It is on this grounding that the study addresses morality, the concern for the common good among others as the long term measures to undermine corruption.

4.2.0 Morality

Morality is a system of principles and judgements based on cultural religious and philosophical principles, beliefs and values by which humans determine whether given actions are right or wrong. These concepts and beliefs are often generalized and codified by a culture or group and thus serve to regulate the behavior of its members. Conformity to such codification may be called morality and society depends on widespread conformity to such codes for its continued existence.

Morality is derived from a Latin word "mores" which refers to customs or the generally held beliefs and practices of a given society. "Mores" are the social norms of a given society making its moral system (Kasenene, 1998:8). Moral system refers to integrated and systematised set of ideas of right and wrong in a given culture, which regulate individual moral judgments and social morality.
According to Gichure (1997:16) morality has to do with the "lived life". It has to do with the realisation of the "good life" by adjusting to those norms which are conducive to the achievement of one's whole potential as a human being.

The term "moralis" was translated from the Greek by the famous Roman orator Cicero. The Greek word from which the term moral is derived is "ethikos" which means custom or pertaining to character (ibid).

Morality therefore is an informal public system applying to all rational persons, governing behaviour that affects others, having the lessening of evil or harm as its goal and including what are commonly known as the moral rules, moral ideals and moral virtues (Shannon, 1993). Harris (1978:31) defines morality as "that area of behaviour basically concerned with making judgements about what one ought to do, about what is right and wrong, good and bad, about duty and obligations."

In morality the conscience of man tells him/her what is right and what ought to be done (Cartesius, 1977:157). The recognition of this conscience, that is, individual integrity, is the source of individual creativeness in the interest of others. Moral values have a unique character which distinguishes them from all others and which gives them an incomparable primacy. The first striking mark which distinguishes moral values from all other personal values is the fact that man is held responsible for them. For example, if someone acts with a bad intention for instance stealing, then he/she is held morally responsible.
Morally negative values always imply guilt; morally positive values always imply merit. This relation to responsibility constitutes a fundamental mark of moral values distinguishing them from all other values. Since moral values imply responsibility, we thereby touch the fact that freedom of will is an essential pre-supposition for moral values (Makokha, 2002). Responsibility essentially presupposes freedom. A being such as a hyena, which is incapable of freedom of will cannot be held responsible for anything. Even a human being such as an infant cannot be held responsible for its doing because though endowed with freedom of will, cannot exercise it yet.

Moral obligation is rooted in humanity and predates other social institutions and is therefore a human universal phenomenon. The institution of morality has inherent capacity to affect human attitudes and conduct. The effectiveness of morality therefore can be realised in praxis. Morality penetrates the interiority of an individual enabling him/her to act deliberately and purposively. Thus the dictates of morality are self prescribed and affect us from within. There is also a community of moral values among human societies. This makes morality a pivotal point in addressing human behaviours. Morality imposes moral demands, which sometimes are counter to individual and personal interests. For example, what we sometimes determine as good, informed purely by one’s self interest actually may end up
being vicious and inimical to the common good and thus immoral (Makokha, 2002).

According to Makokha (ibid), the awareness of a moral failure affects our conscience. When we know that we have done something morally impermissible, there is a mysterious voice in our soul called conscience, which is disturbed; this voice destroys the peace of our soul and burdens us with an incomparable weight which makes us feel guilty. Therefore moral values are indispensable for man and moral values are demanded of everyone. Here, moral values are demanded of everyone in so far as he is a human person. This reveals the deep connection between morality and the basic volition of man.

The moral values belong to the "Unum necessarium" (the one thing necessary), that is they are primarily demanded of man as such (Hildebrand, 1974:174). To be morally good pertains essentially to the end of human existence. Moral goodness matters more for man than anything else; Socrates grasped without the help of divine revelation, by contemplating the nature of moral values. Indeed moral values manifest a character of transcendence; to be endowed with them is decisive for man's eternal fate, for they hint at eternity and the fact that man's existence is not exhausted by his earthly life. A man who ignores the moral life not only acts unreasonably
and like a fool, but he acts with moral badness; he is tainted with moral guilt (Makokha, 2002).

Butler (1873) in his ethical theory conceives conscience as a reflective or rational faculty, which discerns the moral characteristics of actions. The basis for the authority of conscience does not arise from any external source. The very existence of the conscience is its own sufficient justification. Morality is social in its origin, sanctions and functions. As first encountered by the individual at any rate, it is an instrument of society as a whole for the guidance of individuals and smaller groups. It makes demands on individuals that are, initially at least external to them (Frankena, 1973:6).

Morality is also perceived as an instrument of society as a whole; considered as a social system of regulation. Morality is like law on one hand and convention and etiquette on the other. Morality fosters or even calls for the individual, asking him, when mature and normal to make his/her own decisions. As a social institution, morality is thought of as aiming at rational or self-determination in its members. Morality starts as a set of culturally defined goals and of rules governing achievement of goals; which are more or less external to the individual but inculcated as habits. These rules become internalised and the individual takes them as his/her own; regulates his/her conduct by them, thus developing his/her conscience. In fact, throughout history morality has been concerned with the cultivation of certain
dispositions or traits; among which are character and such virtues as honesty, kindness and conscientiousness. Virtues are traits that are not only wholly innate, but are also acquired by teaching and practice (Frankena, 1973).

Engendering morality involves fostering values and traits of character such as autonomy and integrity – that are at the heart of a strong ethical culture and organisational virtue. This is likely to have a more effective regulatory approach than enforcement since it is more likely to result in high rates of compliance. Makokha (1993:13) asserts that morality regulates human conduct in the community by appealing to principles or rules that are regarded legitimate. He emphasises that morality is basically concerned with the cultivation of desirable traits of character that ensure a harmonious co-existence in the community. The reason is simply that people prefer to act in ways that accord with their values and people are more likely to do what they want to do (which in this case is to act morally) than what they have been coerced to do. Also engendering morality is a more ethically sound approach because unlike enforcement strategies which treat actors as self-interested players and a means to an end, engendering morality assumes that all actors are rational (since it attempts to persuade them), that they are autonomous and deserving of respect for no other reason than that they are rational human beings. Actors evaluate what they do to others and how they are treated themselves.
Morality is not just about the welfare of one individual but about individual welfare as it fits within the welfare of the society/community. This way as Makokha (Ibid:35) affirms, morality is of great importance to society because the immorality of one person affects the welfare of others. Morality is an instrument of society as a whole (Frankena, 1973). General moral principles help an individual when dealing with personal situations for instance, moral dilemmas. Morality takes care of the good of all, that is, the common good. If a person is acting in ways that take care of the good of all members of the society, then the person is said to be moral. Thus morality is a social device to minimize or eradicate certain sorts of behavior especially behavior that threatens the welfare of members of the community. Morality functions well in its social rule only if it can appeal effectively to a wide range of people in society. Thus moral values can be shared to a high degree by almost everyone since man is endowed by nature with organic relations to his fellow men and natural impulse prompts him to consider the needs of others even when they compete with his own. This is the way in which the principle of the common good operates.
4.3.0 The Common Good

"Sons of man, prophecy against the shepherds of Israel, prophecy, and say to them, even to the shepherds, Thus says the lord GOD: Ho, shepherds of Israel who have been yourselves! Should not shepherds feed the sheep?. You eat the fat, you clothe yourselves with the wool, you slaughter the fatlings; but you do not feed the sheep. The weak you have not strengthened, the sick you have not healed, the crippled you have not bound up, the strayed you have not sought, and with force and harshness you have ruled them" (Ezekiel 34:3-4 R.S.V).

With his denunciation of rulers who did not attend to social problems and of powerful citizens who by exploiting their own freedom curtailed the freedom and ruined the quality of life of weaker citizens, Ezekiel goes straight to the heart of the crucial importance of promoting the common good.

According to Locke (1781), a government is ordained for the good of all people. The government provides the grounds for rebellion if it acts other than to further the public or common good. Locke (1997) defines political power as a right of making laws only for the public good. He asserts that;

"... the power of the society or legislative constituted by them can never be supposed to extend further than the common good ..." (Locke, 1953:131)

If the government furthers the common good in this sense then it effectively secures everyone’s rights. Locke’s conception of the public good is the preservation and safety of the whole society. Locke emphasises this conception of the public good by asserting that the power of any individual in society is solely for the promotion of the public good. He asserts "... their
(rulers) power in utmost bounds is limited to the public good of the society” (Ibid: 135).

A common good is any good that is sought by and enjoyed by two or more persons. This is a good that is the common goal of all members who promote the justice of the community.

Thus common good includes aggregates of private, individual good but transcends these aggregates by the unique fulfilment afforded by mutuality, shared activity and communion of persons. In contrast, utilitarianism is for the benefit of the greatest number of people in the society. It therefore explains the rightness of human actions by considering their consequences to the greatest number of people. In the golden rule of Jesus Christ of Nazareth, we read the complete spirit of the ethics of utility.

To do to others as you would want be done to you by them, and to love your neighbour as yourself, constitute the ideal perfection of utilitarian morality. If one is to love many ‘neighbours’ then it means that the person will be loved by many people. If you treat many people well and that is how one expects to be treated, then it means that he/she will be treated well by a greatest number of people in the society. The theory of general interest is held by utilitarians who are of the view that all moral obligations depend on their utility in promoting general happiness for many. As it is with the theory of justice, it follows from the utilitarian theory that if a particular government is
harming instead of helping the promotion of the common good, it loses its right to obedience.

Utilitarianism holds that all principles of justice derive their moral force from being means to the general interest. This can be illustrated in the case of distribution according to merit. Actions and dispositions that are called meritorious or deserving of reward are usually beneficial to society and those that are said to deserve punishment are usually harmful to society. Utilitarianism can be used to motivate people to be morally upright. For instance, a virtue like honesty is beneficial to all members of society. If we encouraged the greatest number of people to be honest, then corruption will be minimised. However it should be noted that utilitarianism takes a narrow view of morality. It dismisses as metaphysical those ethical practices that cannot be translated into preference maximising terms; those phenomena that impose duties arising out of past actions and which hold irrespective of any calculation of future benefits. For example, the binding nature of promises and agreements.

It is inadequate for the utilitarian to say that these should hold because their breach would disappoint legitimate expectations; the reason why the breach of an agreement is condemnable is because it is wrong, not merely because such actions generate disutility (Frankena, 1973). But to protect society, for instance, when a criminal is punished in order to bring about certain
consequences like deterring other potential criminals, then a utilitarian theory may be operative. As soon as we say the injunction to maximise utility should be qualified by the admission of rules that will potentially conflict with its demands, we need some other principle to adjudicate such conflicts and therefore utilitarianism loses its claim to provide determinate solutions to moral and political problems hence the common good.

Common good and utilitarian morality are the opposite of ethical egoism which advocates for extreme self-interest. Ethical egoism is a form of individualism since it propagates the view that an individual's only duty is to do what is in their own self-interest. Thus an individual's own welfare is the only thing that is ultimately valuable. Ethical egoism is against acceptable morality because it cannot be universalised. Ethical egoist attitude actually helps propagate corruption in the society and hence goes against collective good in the long run. Egoism involves putting one's own good, interest and concern above that of others.

Plato makes it clear at the start of Book IV of the Republic that we cannot consider the good of individuals without considering the good of the whole of which they are a part. This whole is of course, society.

"... or might not we stretch out all day on beds resting before the fire, with their wheels at their sides, drinking and taking their pleasure, under directions to do their work only while it was an amusement?. Might we not hand out this sort of happy existence to all the rest, so that the society might be happy throughout ...?" (Richards, 1966:69-70).
Thus acts which ignore or undermine the general well being in essence undermine the very foundation of human society. A human society is founded on rules, moral rules inclusive, which are presumed to be promotive of the general well being not only of its members but also of members of any other society to which it relates. Some people frequently mistake what seems to be inclusively in their self-interest for the moral good and so they act in line with that belief. But in the long run these egoistic acts cause greater harm to the general well being of the society.

According to Stoicism, the highest purpose (good) of human life is not to be found in contemplation (theoria) as Plato would have it but in action. To live according to nature (homologoumenos te physei zen) was their supreme rule of conduct. By this Stoicists did not mean that individual nature of man, but the eternal and divine law which manifests itself in nature as the measure to which all things in the universe should conform their action. For man to live according to nature, therefore, means to conform his/her will to the divine will and in this consists virtue. Virtue alone is good in the highest sense of the word and virtue alone is sufficient for happiness. As this law imposes itself through reason, the system is rightly called rational deontologism.

Kant agrees with the stoics in placing the essence of the highest good in virtue and not in happiness. Yet he thinks our conception of it is incomplete unless it is made to include happiness as well. The highest good may mean
either the supreme (*supremum*) or the complete (*consummatum*). The supreme is a condition, which is itself unconditional or is not subordinate to anything else (*originarium*). The complete again is a whole which is not itself a part of a larger whole of the same kind (*perfectissumum*). Virtue or that disposition to act in conformity with the moral law is not dependent on happiness but itself makes man worthy of happiness. It is, therefore, the highest good; the supreme condition of whatever that can be regarded as desirable. But it is not the whole or the supreme good, which finite rational beings crave for; the complete good includes happiness. Hence the highest conceivable good must consist in the union of virtue and happiness proportioned to morality (Singer, 1993).

This is what Kant means by the whole or complete good of its two elements, virtue, having no higher condition and being itself the condition of happiness, is the supreme good. Happiness, however, while it is agreeable to the person who possesses it, is not good in itself and in all respects; it is good only under the condition that a man’s conduct is in conformity with the moral law.

According to Immanuel Kant’s (1952) categorical imperative or more generally the moral law, we are exhorted to “act on the maxim through which we can at the same time will that it be a universal law”. This formulation introduces the perspectives of one who seeks to act on principles that respect all others’ capacities to act.
This deontological theory is concerned with doing what is right. Certain actions or rules are right, regardless of the consequence they have. Kant proposed this categorical imperative which could be used to test whether a certain rule was really a duty. As a minimum, in order for a maxim to be capable of becoming a universal law it must not be self contradictory when stated in its universal form. For example, to take the maxim of making promises with no intention of keeping them. If this was universalised it would become contradictory since the principle of promise keeping would disappear as no one could believe promises as they would know there was no intention of them being kept. According to deontological ethics some things are right and others are wrong to do by their nature and one has the obligation to do what is right irrespective of its consequences and to avoid what is wrong no matter what happens to him/her. Deontological ethics rests on the social nature of humanity and the reciprocity of rights and obligations. Deontologists believe that individuals have "a social contract" with everyone in society in ever widening circles of family, community, clan, nation and all mankind. Social relationships determine obligations between members and these obligations are a basis for moral action. Fidelity to promises, gratitude for benefits received, truthfulness and justice are some of the things deontologists point as right to do, no matter what happens.
Kant makes use of the traditional Christian teachings and of Rousseau's conception of the social contract to formulate the image of a "kingdom of ends" where each is simultaneously legislator and bound by law, where each individual is autonomous, that is, self-legislating on condition that what is legislated is in respect for others as persons. For Kant to be autonomous is no mere matter of independence from other or from social conventions; it is to have the mode of self-control that takes account of others like moral beings. To be Kantianly autonomous is to act morally. Autonomy is the power to order one's own life priorities as one sees it fit as long as this ordering does not unduly infringe upon other person's autonomy.

In the light of foregoing, this study argues that corruption is basically a moral problem whose solution is within the moral sphere. Corruption is a depravity and which perverts one's moral vision or conduct. Corruption is morally wrong since it affects the general well being negatively. For instance, political corruption negatively affects human interests and welfare by depriving the citizenry or at least, some members of the citizenry, their right to benefit from the public resources. What is required then is to nurture a culture where the public interest over-rides every other consideration including ethnic and family sentiments. This can be done if we inculcate good moral practices in the conduct of human beings. Morality can be compared to road maps. A good morality offers guidance or signposts for thinking about and resolving
moral issues. Morality, like a road map, makes it more likely that we will reach our destination with the least amount of wrong turns and aggravation. By providing guidelines, morality helps us identify conflicts and contradictions in our thinking and make more satisfactory moral decisions. Morality and the promotion of the common good are in our view the basic foundations of all the solutions to corruption.

4.4.0 Other Moral Solutions of Corruption

Rossouw (1999), Osei (1999) and Alant N. and Tina Uys (1999), while addressing the problem of fraud in Africa, suggest possible remedies for corruption, which this study considers among others relevant and possible solutions for corruption in Kenya as well. These include: critical thinking, moral education and reform and whistle blowing. This is because fraud is just one of the manifestations of corruption. This study therefore prescribes them among others as remedies for corruption in Kenya.

4.4.1 Critical Thinking

Wambari (1992:iii) defines thinking as any mental activity involving ideas. He says critical thinking is where the activity is deliberately directed to contemplate itself. This study argues that enhancement of criticality among Kenyans is a significant way of curbing corruption. Kenyans need to be thoroughly reflective in every area of their lives especially in moral issues. Such criticality will enhance individuality among Kenyans. It will transform
people into persons who, motivated by high order value of truth, universal well being of Kenyans and the inter-relatedness of humanity would transcend personal and group egoism. Such persons could lead in the war against corruption.

A critical thinker thinks for himself/herself as an individual and accepts only what has been proved or demonstrated to the satisfaction of reason (Wambari, 1992). This enhances autonomy which the individual determines his/her course of action in accordance with a plan of his/her own choosing. Autonomy includes the ability to actualise or carry out what one has decided. A critical thinker cannot be short circuited in his/her decision making process so as to choose one alternative rather than another. Autonomy mandates a person to have a strong sense of personal responsibility for his/her own choices and actions.

When a person acts according to binding moral rules, Kant (1952) and Wambari (1999) consider that person to have an autonomous will. Autonomy of the will is present when one knowingly governs oneself in accordance with universally valid moral principles. Kant and Wambari thus regard acting from desire, fear, impulse and habit as no less heteronomous than actions manipulated or coerced by others. Critical thinking will help minimise incidences of blind ethnic loyalties, conflict of interests and conformity to
established cultural norms that perpetuate corruption. This is because a critical thinker is a transformed person.

Criticality is also useful in fostering moral sensibility among Kenyans. Wambari (1999:43) points out that critical thinking which distinguishes human persons as rational beings manifests itself as an activity that clarifies concepts, defines claims and beliefs, draws appropriate inferences and solves problems effectively. By exposing the adverse effects and implications of corruption on the general well being of Kenyans, criticality would expose the wrongness of these vices and hopefully arouse aversion to them.

Critical thinking also enhances competence, that is, a person’s capacity for decision-making. Competence requires some process of justification, an articulation of why one made a certain choice. Not only should one be able to give reasons for a choice, but also the choice must be a reasonable one (ibid). For instance, a critical thinker will not employ a person by virtue of him/her being a member of his ethnic group but will do so on merit. This will help reduce incidences of tribalism and conflicts of interests in the management of public affairs in the country.

4.4.2 Moral Education and Reforms

Rossouw (1999) and Osei (1999) concur that Africans need an education that lays special emphasis to moral thinking. Such an education would create awareness that corruption is detrimental to human well being. It would
inculcate moral values such as honesty, fair-mindedness and promote criticality. Psychologists postulate that it is possible to teach a child to appreciate the importance of morality at an early period of development. Moral education ought to begin at an early age. Thus homes can be used in teaching moral values to the entire population. This is because through socialisation children and adults alike distinguish between what they perceive to be right and wrong (Otenyo, 1998). This is an education, which would expose the untenability and excuses used to justify corruption.

A child centred education will both provide immediate and promote long term overall happiness of the community to a greater extent. If we ought to promote happiness for all, then education ought to be concerned with initiating and motivating children and adults into activities that provide a great degree of inculcation of good moral values. Both adults and children can be inculcated to activities that they themselves would not have embraced, which in turn provides much happiness to all. Education must transform individuals into morally upright people. It must produce sociable and happy citizens. The immediate consequences of education of utilitarianism are that the educational process ought to be concerned with ensuring equal happiness (Barrow, 1975). Education must promote qualities that contribute to the attainment of the good for instance the qualities of justice and truth.
Children ought to learn family and community norms where moral decency in their general behaviour while relating with other members of the community is emphasised. There should be an emphasis on respect towards other human beings where respect must be used widely to emphasise the need to accept fellow human beings for what they are as opposed to what they can give. This calls for help where needed and trying as much as possible to avoid harming or hurting other people’s interests or welfare (Nyanje, 1992). In moral education respect for other people is the underlying factor. Co-operation, honesty, prudence, and tolerance are virtues worthy cultivating because they do good to all humanity.

Educational preparations ought to ensure that it is producing individuals who are intellectually capable, morally sensitive, socially mature and creative enough to handle the complex demands of the world of work. Such individuals ought to manifest rational and moral autonomy at work and resist corrupting influences out of rational choice. Citizens ought to hold leaders accountable and make their appropriate contribution in the development of the society. Society needs lawful productive effort for its members for sound economic growth and undermine corruption. Citizens need to become better educated about the processes of democratic government and the role that they must play in keeping their representatives conscientious and accountable.
The civil society should create public awareness about corruption and the need to control it, formulating action plans to fight corruption and monitoring government behaviour. This is because knowledge is the true organ of sight not the eyes.

Also following the Socratic dictum "knowledge is virtue", Plato developed the thesis that the life of reason is the happiest and best. Knowledge produces a harmonious man since when reason governs a person's desires and passions, an orderly and balanced personality results. An ignorant being has a disorganised personality since unruly desires and passion control him. But if a man knows what is good (right) he/she ought to be motivated to do what is good by exercising reason in each action he/she undertakes. So it is a rational man who is good. A moral person is one who does not seek his own well being by means which would deny equal well being to his/her fellow humans. The success of an individual depends on the basic functioning of his personality. Thus a morally virtuous man is the one who is rational. A man who is governed by reason will not be led astray by passions like greed and desires for material possessions at the expense of basic humane values like love, honesty, justice and accountability.

Free and open media should help check the level of corruption by uncovering and shedding light on abuses. A policy of openness, formalized in laws guaranteeing free access to information, strengthens tools for undermining
corruption. "It is better to prevent than to punish". This assertion, which earned Beccaria (1764) the title: "Precursor of criminology" is particularly valid in terms of corruption prevention control. Only prevention rather than repression can bring down corruption to a tolerable level, thus the Latin aphorism "sunlight is the best disinfectant".

Also underlying all reforms is the commitment of the reformers, the pressure from the civil society that sustains this commitment, and the ability of the leadership to influence the public. This usually requires high moral standards at the leadership level. Such standards normally reflect the common aspiration of the society and are often embedded in the teachings of its predominant religion and ethics. Religion ought to play an important role in shaping people's attitudes towards morality. Both Christianity and Islam have strong ethical teachings for their adherents. Most religions exhort people to live holy and just lives and also to abhor evil and wrongdoing. To this regard religion is an important source and stimulus to ethical values of society.

Religion and culture provide us with time tested values and adages that reinforce ethical standards. This is premised on the view that the manner in which people behave is a product of cultural forces. A list of virtues or duties drawn up by a Buddhist would not differ very greatly from one drawn up by a Christian, a Confucianist, a Muhammadan or a Jew. For instance, virtues like honesty, objectivity, openness among others form the core teachings of these
religions. The religious teachings of these religions also put emphasis on the need to be mindful of other people's welfare. Formally all types of the ethico-religious systems are universalist in scope (Ginsberg, 1994:7). Many people look to religion for moral guidance. The concept of God in the major world religions – Christianity, Islam, Hinduism and Judaism – is intimately connected with that of moral goodness. People worship God, in part, because he represents perfect goodness; worshipping reaffirms his moral goodness.

The underlying core of religious ethics is trustworthiness and gratuitousness. For instance, why is bribery morally condemned? By the euphemisms used for bribery, it is correct to state that bribery is universally condemned and regarded with shame. The bribee becomes socially stigmatised. Morally upright citizens in positions of power will shun the infamy of corruption linked to them as it proves to be socially incorrect. A bribee will try to preserve his/her dignity and hide what he is doing to protect his/her self-devaluation. Such consequences are social restraints to all forms of corruption.

The attitude of the elite in power can have demonstrated effects. The behaviour of parents at home, teachers at school and political leaders in and outside government inevitably influence the behaviour of a new generation. Religious teachings may also have little effect if the public has little faith in the degree of their observance by those who are more privileged in the society or by the religious establishment itself.
4.4.3 Work Ethic

A work ethic in this study is defined as a moral outlook on work by an employee and employer characterised by internalisation and appreciation of values, for instance, honesty, industriousness, integrity, excellence and accountability with regard to work. Here there is a sense of obligation to work hard in a rational, creative and responsible way. Therefore when work is regarded as noble and dignifying, corruption becomes loathsome, is shunned and condemned.

Work thus understood, contrasts with the operative value system evident in the materialistic conception of work prevalent in Kenya. Instead of a work ethic, we seem to have in its place a “wealth ethic” that stresses the lust for “quick and large money”. What actually matters most to “wealth ethicists” is getting rich through whatever means – good or evil. Wealth therefore becomes the only good and the only end. In a society where there is a direct correlation between wealth and success, the temptation to succumb to corruption is continually existent.

The presence of a work ethic may promote honest, dedicated and hard work. But when combined with an excessive lust for material rewards it makes corruption a favourite option for most people.
It should be noted that in the absence of a work ethic, workers easily resort to unprofessional tactics to make money through illegal means. Rossouw (1999) argues that;

"Persons who find themselves in situations of desperation tend to fall back on a survival mentality where they will do anything that could ensure their survival – a case of "bread" first and the rest (morality, legality) later". (Rossouw, 1999:32).

Employment and fair remunerating would relieve desperation and positively motivate people to avoid corruption. Remunerating employees according to the quality of their input is one way of motivating them to shun corruption. The policy of "good pay for good work" can work against corruption. This in agreement with Locke (1783) who asserted that;

"... in displaying the vast advantage which their country have reaped from their labours for the public good-the plain English of which is, they ought to be paid well" (Locke, 1783:243).

It is the view of this study that the seemingly apparent "land grabbing mania" and frequent reference to "our turn to eat" are the obvious and apparent desirable way of life for many Kenyan politicians and civil servants can be largely traced back to the absence of a proper grounding for a work ethic. Political activity has become devoid of conscientiousness. This has in turn promoted corruption.
The survival of human beings as creative, moral, intellectual and special beings demands more than money and material rewards can buy. It demands the development of distinctive human person's posers of rationality, individuality and critical consciousness.

Certain values and attitudes towards work are indispensable in any moral society, for example, self discipline. This is the disposition to live a well-controlled life whereby pleasures and other desires are ordered and controlled rationally. Self-discipline enables an individual to act rationally rather than impulsively. A self disciplined person explores and considers all aspects of a problem and all available alternative solutions and immediate as well as long term implications of the steps when tackling or caught in a moral dilemma or problem.

Fair-mindedness, which is the quality of being impartial in the judgement and treatment of people helps undermine nepotism and tribalism. Fair-mindedness makes an individual sensitive to the needs and not the status or ethnic background of those who he/she serves. It makes the person rise beyond sectional and selfish interest. It is on this parameter that self-interest is so strong in human nature that it ought to be controlled by itself, that is, enlightened self-interest, which leads persons to form and live under conventions. As one discovers that by rowing in unison with another one can benefit, so one learns that by respecting another person's property on
condition that the other respects his, he can enjoy greater security and
prosperity.

4.4.4 Responsibility and Accountability

Responsibility and accountability can be enhanced by placing constraints on
the behaviour of politicians and public servants by organisations and
constituencies having powers to apply sanctions to them. Transparency can
be fostered by a number of measures such as requiring public servants to
disclose their income and assets to reveal possible conflict of interests.

Accountability refers to the quality of being truly responsible for one's actions
and practices. It involves willingness and readiness to honestly and openly
own up to one's actions. Accountability on the part of the state, for example,
can be seen when it fights corruption and inefficiency. An individual who is
accountable is reliable. This is because he/she cannot be compromised.
He/she cannot be bought or sold. When an employee resists attempts to fall
prey to corruption, he/she exhibits honesty and integrity. Public servants
should be accountable or answerable for what they do at work. They should
not merely follow "orders from above"; if they do, then they must bear the
consequences. It is also common knowledge today that people can see
something wrong happening and not report it to the police or take any action.
Leaders of all kinds and levels have more than often-made statements in the
public that they later come round and deny. Officers also make decisions and
when such decisions are executed they deny responsibility for them. Public leaders and all officers must be accountable for all their actions and utterances. The function of holding people responsible and applying sanctions is not retribution but education, reformation, prevention and encouragement. In addition, all citizens must assume some amount of social responsibility to each other and to the society. The government must establish systems that encourage and facilitate the examination of decisions and actions of public servants. The government ought also to ensure the independence of the judiciary and the effective enforcement of the relevant laws and sanctions to all citizens.

A serious anti-corruption programme requires committed leadership from within ideally from the highest levels of the state. While pressure for reforms can come from below – indeed, this can effectively generate a needed social consensus – any effective anti-corruption programmes must be supported from the top organs of the state or organisation. Strengthening and raising the credibility of the judicial system by enhancing the independence and accountability of judges and matching functions with budget and capacity are particularly important. Gaps and weakness in our social structure exists due to the omission of explicitly treatment by voters, lawyers and legislators. In order to eradicate corruption from our society, we need to give society a new political and legal vitality.
A condition for the effectiveness of legal institutions is the establishment of a core of strong, credible and independent professionals in the judicial, prosecutorial and police arms of the state who are morally upright. It should be noted that justice is the foundation of social morality, without it, the moral fabric collapses. In the thought of ancient Greeks, the idea of justice almost always had reference to social order. In Plato’s *Republic*, there is an idiosyncratic notion of “justice in the soul” which is compared to justice in society and still relates to a form of order: harmonious order among the different elements of the soul, as justice in society is; according to Plato, a harmonious order among different social classes (Raphael, 1990:117).

Leaders should seek to be open, thus they should try to communicate openly, honestly and consistently. Words should always match actions. They should communicate with clarity and sensitivity. Leaders should guard public interest by making decisions that put public good above their own interests.

Accountability is closely linked with the notion of responsibility. Responsibility connotes the obligation a person or an organisation has to someone else outside of self for something or some kind of performance. Morality ought to provide the basis for accountability. The concept and practice of accountability is expected to make public officials responsible for their actions or inaction. It is supposed to increase the transparency of governments,
emphasise and enhance government responsiveness and legitimacy and improve policy implementation.

Democracy means commitment to equality before law for all citizens. When a public servant accepts a bribe, a conflict of interest has arisen; his/her loyalty is divided between their personal benefit and the public benefit. This leads to the betrayal of trust. Thus increase in responsibility and accountability will help check on conflict of interests and poor governance. This is because people who are responsible and accountable cannot easily fall prey to corruption.

4.4.5 Personal and Office Integrity

Integrity is a crucial value disposition to maintain strength and firmness of character or principle and be guided by it in action. Persons of integrity cannot be bought, bribed or sold. They have a singleness of purpose and are therefore reliable and consistent in their conduct.

Integrity is an integral part of national discipline. Integrity comes from Latin word *integrita* meaning wholeness. It is a basic pre-requisite for the "individual conduct" in every activity. Integrity refers to the *ethos* employees are required to maintain while in public office in order to preserve the public confidence in government. It requires public servants to maintain high ethical standards by being honest, trustworthy, frank but unobtrusive, principled and morally upright to avoid bringing disrepute upon the public service. The
public officers should give such services that will appear fair to everybody regardless of ethnic group, social positions or familiarity. It is on this paradigm that bribery is a betrayal of trust. Government officials are relied upon to act for the public interest and not enrich their own pockets. When we see an increase in bribery and other corrupt practices in society, it means we have relaxed our moral standards and appointed people lacking in integrity to positions of trust.

A culture of mutual trust and integrity needs to be built. People should be encouraged to exercise their rights and meet their obligations within the rule of the law while ethical values (justice, honour) and standards that have fallen to the dogs must be re-established and communicated forcefully. A more representative leadership style must emerge.

Everyone must be reminded that individual accountability is both desirable and of paramount importance (Romans 14:12). As God is the measure of all things, man should emulate the basic need to be like one’s Heavenly Father; just like Cicero said: *by what judgement you judge, you shall be judged.* Leaders must know that authority is conferred upon them to empower them to fulfil responsibilities of the office and not to create private gain for themselves and their cronies. A leader is a servant and not a master.

Professional associations, for instance Law Society of Kenya, Kenya National Union of Teachers, University Academic Staff Union; should be zealous in
upholding the dignity of their profession and professionals. They ought to ensure that quality service is offered and ethical and intellectual requirement are satisfied. Professionals ought to be ethical and best servants of the public good when they zealously promote the welfare of the individual clients who in this case are members of the public.

4.4.6 Whistle Blowing

Whistle blowing refers to the disclosure by civil servants and others of information in the public interest even though this information is otherwise "legitimately" classified. Whistle blowing may also refer to an employee’s act of informing the public about the illegal or immoral behaviour of an employer or organisation.

Alan N. and Tina Uys (1999) argue that workers should be encouraged to regard it as their right and duty to disclose illegal and unethical or harmful practices in their work place to relevant authorities and parties for action. This is "whistle blowing". Whistle blowing can help to remedy corruption to exposing perpetrators of corruption to shame, social reproach and prosecution. Honest workers and whistle blowers should also be rewarded in order to motivate them to uphold positive moral values in the work place.

It should be noted that whistle blowing is morally permissible if a firm, for instance, through its product or policy, will do serious and considerable harm to the public, whether in the person, that is, the user of its products, an
innocent person or the general public, an employee is morally permitted to alert the consumers of that product (Hoffman, 1995).

This study is of the view that the citizenry be more emboldened and empowered so that they do not become complacent to corruption. The citizenry should report any incidences of corruption they witness, be it at their place of work or in any sphere of their interactions. This building of public awareness will build vigilance in the society in detecting corruption incidences.

4.5.0 Conclusion

It should be emphasised that corruption undermines the principles and values that hold human beings and nations together. According to Okullu (1974) Corruption subverts the principles and values which are the fibre of any society

A political system that perpetuates corruption and hence a bottleneck in the fight against this malaise, can be changed only by those with moral knowledge, insight and authority. Corruption is basically a moral problem whose cure lies in the moral sphere. More important than the laws that prescribe and punish corrupt practices; is an appreciation by the people that a new culture and attitude are necessary. To defeat corruption we have to appreciate that corruption is a two-way traffic. As long as members of the
public are enthusiastic to pay bribes or require favours from their friends and kinsmen in public offices, corruption will continue to thrive.

5.0 SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

5.1 Interpretation

The objective of this study was to clarify the concept of corruption and its causes. The prevalent conceptualization of corruption as bribery is inadequate for purposes of understanding it and effectively combating it in varied contexts.

The study revealed that corruption manifests in various ways. It is a complex phenomenon that is not even covered in legal definitions of corruption. For instance, the study identified that corruption manifests in forms such as favoritism, abuse of office, forgery, and theft of intellectual property and property. It also involves cheating, nepotism, and graft among others. Corruption needs to be seen as a social and business activity undermining the common good.

Achieving the common good is a uniquely moral social activity grounded on collective well-being. It is essential to the concern by each person for their own self-interests and overall welfare of the community. Satisfaction. The tendency to satisfy one's personal desires can vary widely and can be called the "me - now - gratification" theme in the

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CHAPTER FIVE

5.0 SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

5.1.0 Introduction

The primary purpose of this study was to clarify the concept of corruption and identify its causes. The prevalent conceptualising of corruption as bribery is inadequate for purposes of understanding it and effectively combating its varied causes.

The study has explicitly revealed that corruption manifests itself in various forms in the Kenyan society and hence is a complex phenomenon. The study has demonstrated the complexity of the notion of corruption beyond bribery – a conceptualisation that is not even covered in legal definitions of corruption. For instance, the study has established that corruption manifests itself in ways like favouritism, abuse of office, forgery and theft of intellectual property, vote buying, looting among others. Corruption needs to be understood in broad terms including undermining the common good.

Society exists for the common good. Aiming at the common good is a uniquely moral motive because it is grounded on collective well being. It is opposed to the concern by each person for his/her own self interests and needs and their immediate satisfaction. The tendency to satisfy one's own desires can very well be called the "me – now – syndrome". This is the
opposite of the common good approach because it prefers immediate individual gain to collective good in the long run. Unless the "me - now - syndrome" is checked it can lead to the kind of social degeneration that approximates Hobbes's "state of nature", in which there is absence of the sense of right and wrong. In that state, each person is at war with everybody else, each trying to maximise his/her own good in the shortest time possible. The common good is based on the principle that every one's self interest is to count as equally as possible.

Also to forestall and eliminate corruption, the study has demonstrated that the causes of corruption are wide and varied. They include among others ethnic chauvinism, cultural practices, conflict of interests and Harambee movement. This is because prevention is better than cure. It is the view of this study that if the causes of corruption are known it is easier to eliminate/undermine corruption.

The study has established that morality is the best way out of corruption. Corruption is evil because it benefits a few individuals at the expense of the majority and against the greater public good. It thus undermines the common good and human well being in general terms. Corruption is a moral problem and as such demands a moral response to undermine it. It is the view of this study that corruption can only be combated by persons with moral
knowledge, insight and authority arising from appropriate moral education. Thus the human society needs positive moral values to deal with corruption.

The study therefore concludes that morality is a powerful tool that has unravelled a broader conception of corruption, identified the causes of corruption and showed that the long term solutions lies in inculcating proper moral attitudes and behaviours in the citizenry. Morality is important in dealing with corruption as it is inextricably involved with the control of destructive human impulses that are the major causes of corruption.

We established in the discussion in Chapter four that the effects of corruption are detrimental to human welfare. Our attempt to apply morality grounded in a core of ethical values in the fight against corruption is useful since morality is self-legislative and self prescribed. It is not imposed by others, that is why it is a reliable long-term measure in the war against corruption. Engendering morality assumes that actors are rational, autonomous and deserving respect for no other reason than that they are rational human beings. Actors evaluate what they do to others and how they are treated themselves.

The study and its findings are useful because, firstly, it broadens our perception of corruption and gives significant policy implications which if implemented can be used to undermine corruption. Secondly it enlightens the public by shedding light on the manifestation of corruption since the study has attempted a broader perception, by looking not only at the ways in which
corruption manifests itself, but also at the major causes of corruption in this country.

5.2.0 Recommendations

Finally the study makes the following recommendations:

5.2.1 Moral Education

One of the most effective ways of combating corruption is education. Intensive educational programmes should be put in place to sensitise people on the evils of corruption and make them stand up against corrupt individuals and practices. This will instil a sense of responsibility and duty in the learners so as to appreciate the need to help fight corruption and to elicit their support and co-operation in combating corruption. These programmes can make use of such methods as holding barazas, media campaign programmes, educational materials (books, posters, pamphlets among others), seminars, symposia and public rallies, songs, plays, dances among others. A well-educated public will recognise the need to participate in the fight against corruption. Education will help change the attitudes and beliefs that give rise to and sustain corruption.

War against corruption cannot succeed if the community has come to accept corruption as a way of life. The public awareness of the evils of corruption and its implications on the economic and social structures of society must be aroused. Intensive educational programmes should be put in place to
sensitise people about evils of corruption; to instil a sense of criticality and duty in them so as to appreciate the need to minimise or eliminate corruption altogether.

Educational institutions should have anti-corruption courses. These courses will develop an anti-corruption ethic in the youth who form the backbone of the society. Schools, institutes, colleges and universities should have anti-corruption courses in their curriculum. This will develop an informed citizenry, as the lessons so taught will help cultivate and nurture a sense of social solidarity against corruption. The media also ought to play a strategic role in combating corruption. Press releases, feature articles and advertisements are effective means of communicating to the public the need to shun corruption.

5.2.2 Enhancing Political Accountability

Those who hold and exercise political power must be accountable to the populace. The well-known Lord Acton’s principle that power corrupts and absolute power corrupts absolutely should be our guiding principle in ensuring that no one individual or institution of governance has got absolute powers vested in him/her. No single individual or social institution should have excessive power.

Civil society organisations such as professional bodies, religious organisations, Non-governmental organisation and community based organisations possess proactive functions and responsibilities to encourage and nurture a corrupt
free culture in the society through awareness raising strategies. It entails raising public awareness on the harm done by corrupt people to the society and to people at individual levels. Citizens should be enlightened on their right to service at a given price or at no cost. Materials on civic education should put emphasis on transparency and accountability.

5.2.3 Reforming the Civil Service

The civil service plays a crucial role in public administration. This aspect of reform ought to focus on the quality of personnel who occupy bureaucratic positions. The civil service ought to be de-politicised and made independent. Effective, responsive, responsible, fair, friendly and efficient public service will raise the morals of the public so that the civil service is corruption free.

5.2.4 Strengthening Existing Institutions

If judicial institutions are strengthened, it could go a long way in eliminating corruption from our midst. For instance, Courts of law, Police Department, and Kenya Anti-Corruption Commission. The judiciary should be strengthened through enhanced independence and strict adherence to this independence, which will ensure that there is respect for the rule of law and improved social behaviour and moral standards.

Existing anti-corruption bodies should involve people in diagnosing corrupt systems. Citizens are fertile sources of information about where corruption occurs. It would be useful to set up citizens oversight bodies for public
agencies involving professional bodies, consulting village councils, using telephone hotlinks, call – in radio and television shows (Mehra, 2000:36)

5.3.0 Conclusion

This study has unearthed several points that need to be highlighted:

- Corruption permeates the entire social fabric of the country and poses problems of monumental proportions to the social, political and economic future of the country if it is not checked now.

- Appropriate measures are necessary to influence ethical standards of culture and behaviour since these have an impact on public servants in various ways, for instance; commitment and honesty.

- It is imperative that all Kenyans appreciate that all forms of corruption are harmful and that prevention has public beneficial results.

- National codes of conduct are necessary to assist and guide public servants in dealing with ethical problems. Public servants should be sensitised and made aware of the problems posed by corruption and possible remedies.


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APPENDIX I: SAMPLE QUESTIONS

PERSONAL INFORMATION

Name of Respondent ..............................................
Gender .................................................................
Age .................................................................
Marital Status ......................................................
Occupation ..........................................................

DATA ON CORRUPTION.

1. Are you familiar with the term “corruption”?

2. What in your opinion constitutes corruption?

3. What do you think is the frequency of corruption in this Country?

4. What is your reaction towards people who engage in Corruption?

5. If you had a chance to personally benefit from a corrupt deal, would you take the offer? (No, Yes). Why?

6. In your own opinion what do you think are the causes of corruption in this country?

7. What can be solutions of corruption in Kenya?