

SCHOOL OF HUMANITIES AND SOCIAL SCIENCES

DEPARTMENT OF PUBLIC POLICY AND ADMINISTRATION

**AN ASSESMENT OF CHALLENGES FACING ETHICAL PRACTICES IN THE
PUBLIC SECTOR IN KENYA**

A CASE OF ETHICS AND ANTI CORRUPTION COMMISION

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DECLARATION

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

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DEDICATION

I dedicate this research project to my family with Special regards to my wife Rosalyn, Son George and Daughter Esther who endured many days of my absence as I tried to complete the project. Their support, encouragement and love were unwavering in the course of my research and studies. It's from them that I drew a lot of inspiration; it's my hope and prayer that they will achieve beyond what I have achieved. May God bless them abundantly.

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ABSTRACT

World over, public officials have often been embroiled in scandals of varying magnitude. The genesis for most of these scandals is the gradual deterioration in ethical behavior of public officials, which has given rise to all kinds of malpractices. This has triggered condemnation from various stakeholders, especially the general public, for the development and implementation of policies that address ethics, integrity, transparency, accountability and professionalism, to promote accountability in the management of public resources and improve public sector results. Literature on ethical practices has focused heavily on the effects of corruption and the laws enacted to address it. There is scant literature on the challenges to ethical practices in the public sector in Kenya. This is despite the mounting evidence available on the challenges in tackling ethical practices in the country. The above necessitated this research with the aim of addressing the above knowledge gap on the subject. The study sought out to investigate the challenges of ethics, accountability, transparency, integrity and professionalism in the public service. It specifically discussed how procedural factors, institutional factors, social cultural factors and economic factors challenge the practice of integrity and ethical practices in Kenya's public service. The research project is anchored on the Public Choice Theory and Broken Window Theory. The research project relied on primary data collected from the ethics and anti-corruption commission office. Procedural factors, institutional factors, socio-cultural factors, economic factors, were found to be satisfactory in explaining integrity and ethical practices in the public sector. This is supported by coefficient of determination also known as the R square of 72.4%. This means that procedural factors, institutional factors, socio-cultural factors, economic factors explain 72.4% of the variations in integrity and ethical practices. The R^2 before moderation was 72.4% but after moderation the R^2 improved to 75.9%. This implies that legal framework enhances the provision of integrity and ethical practices in the public sector. Regression analysis indicated that procedural factors and integrity and ethical practices in the public sector had a positive and significant relationship ($r=.228$, $p=0.030$). It was also found that institutional factors and integrity and ethical practices in the public sector have a positive and significant relationship ($r=.390$, $p=0.000$). The study also established that social cultural factors and integrity and ethical practices in the public sector have a positive and significant relationship ($r=.277$, $p=0.004$). Social cultural factors and integrity and ethical practices was found to have a positive and significant relationship ($r=.282$, $p=0.007$). The study concluded that procedural factors, institutional factors, socio-cultural factors, economic factors, impede integrity and ethical practices in the public sector in Kenya. The study recommends the revision of procedures in investigating and prosecuting individuals who commit economic crimes. The procedures should be systematic and supported legally. The study recommends the cooperation of various government institutions in taming and fighting graft. The various institutions include department of Criminal Investigation, EACC, the Judiciary, civil society and the religious groups. When this entire group pulls together, graft in Kenya will be rooted out. It was also recommended the inclusion of ethics and moral lessons in school curriculum. It is important that young generations are taught on the importance of being honest right at an early age. The society including community leaders, parents, religious leaders and teachers should teach good morals among the younger generation. The study recommends the facilitation of all institutions by enhancing their

capacity and capability in fighting graft. There should be clear law on economic crime that is testable in the court of law.

ABBREVIATIONS AND ACRONYMS

AUCPCC – African Union Convention on Preventing Corruption

CBK – Central Bank of Kenya

CFE – Certified Fraud Examiner

EACC – Ethics and Anti-Corruption Commission

ECOWAS – Economic Community for West African States

GoK – Government of Kenya

PFM – Public Financial Management

SADC – Southern African Development Community

UNCAC – United Nation Convention against Corruption

DEFINITION OF TERMS

Accountability – the processes by which those who exercise power whether as governments, as elected representatives or as appointed Officials, must be able to show that they have exercised their powers and discharged their duties properly.

Corruption–This is the misuse of power entrusted to an individual by the public for personal gain.

Ethics – This is a branch in philosophy that endeavors to Ethics is a branch of philosophy that attempts to offer an explanation that is lucid on how people should best live.

Ethical Practices–Conduct that are regarded ethical and moral in the society. In this study the practices include levels of transparency, accountability, honesty, trustworthiness, reliability, commitment, adherence and compliance.

Fraud–This is the falsification of truth with a motive to deceive an organization or individual. In

Impediment - A hindrance or obstruction in doing something. These are factors that hinder integrity and ethical practices.

Integrity– It is considered as being honest and being morally principled.

CHAPTER ONE

INTRODUCTION

1.1 Background of the study

In the last few decades, an increasing number of governments from around the world have adopted measures and policies to reform and revitalize their public sectors. These governments have been forced to embrace change in the management of their public sector by contemporary forces such as globalization, liberalization and democratization. Some of the changes involved delineating government functions and responsibilities, restructuring government to address challenges that the private sector cannot address because of resource limitations, empowering public agencies with more tools and resources to be able to fulfill their mandate, adopting modern technological systems and processes in public management, restructuring procurement and financial systems in order to promote accountability, and equipping public servants with the skills necessary to execute their functions (Allan, 2016).

Despite the milestones achieved in restructuring and refining the public sector across the world, a significant number of countries are still bedeviled with many challenges, principally, how to win back the eroded public trust in public service and to make citizens willing partners with their governments in the reform process. The erosion of trust in public service and governments is demonstrated in citizen apathy towards elections, the entrenchment of extremist and radical ideologies, and the pervasive negative perception of government agencies by the public (UNDESA, 2016). In the highly dynamic environment that characterizes the modern workplace and society at large, values such as integrity, ethics and accountability are relegated to the background by public servants while personal survival takes center stage. The government is still expected to deliver even with dwindling resources and budget shortfalls, and this burden is

transferred to public servants. In situations of dire resource shortfall, for instance during or after conflicts, the strain on resources and the pressure on public services can pose an existential danger to citizens (UNDESA, 2016).

Citizen unrest and government overthrow is an increasingly common feature where the public loses confidence in the check and balances instituted by the law, especially where gross conduct of public officials or misappropriation of public resources is brought to the public limelight. As literacy levels rise over the world and the public becomes more sensitive to public governance issues, governments are being compelled to establish mechanisms for the detection, flagging and punishment of unethical practices. Western democracies led by the United States have led in this campaign by adopting stringent mechanisms to enforce ethical standards in the public and private sector. For over a century, the United States has been at the forefront of driving debate and developing policy frameworks on ethical standards acceptable at the workplace (Allan, 2016).

In the United States, the agitation for reform dates back to the early 1880s, sparked by the assassination of then President Garfield by a disgruntled Job seeker. This paved way for the passage of the first civil service legislation, the Pendleton Act, in 1883. Although the implementation got off to a slow start and hardly covered half the federal government workforce by 1930, it was gradually adopted and by early 1960, majority of the federal workforce was covered by the law. Similar versions of this law were replicated across the country's 50 states covering the workforce. (Auckey, 2013).

The seeds of this reform were laid much earlier. In the period between 1890 and 1920, reformers and activists led a spirited campaign to enact reform policies that ranged from adopting professionalism in the management of municipal governments (institutions that were rife with

corruption) to the implementation of substantial electoral reforms that were geared towards encouraging transparency as trust-building measure between the government and citizens. Citizens were empowered by constitutional provisions to recall their elected officials at the state level, float new legislation or make changes to state laws (Arnold, 2015).

The reform movement was also instrumental in promoting and passing various laws that governed how elected officials and appointed officials related. Stringent regulation that governed fiscal policy was also adopted. This brought greater transparency and accountability in areas such as procurement and auditing of state and federal transactions. The United States is a good model for other countries on how to tame corruption and impunity through regulation. The size of the country, its long history of public governance, and its diversity makes it a unique case study for other countries, since almost all of them can identify with most of the challenges already faced by the United States (Mueller, 2012).

Despite being a federal government, the country has delegated substantial political and legal authority to the states. This has afforded each state the ability to make laws that address their unique challenges in regard to ethics and accountability. The overlap between federal and state laws guarantees that almost every imaginable scenario in respect to public accountability and ethical behavior has been factored into the country's laws, which informs the daily functions of public servants.

According to Bayart (2013), African governments have an oversized role in their respective economies with very little oversight, a situation which makes public office a ladder to wealth. The attendant benefits of democracy in regards to accountability as witnessed in western societies have not been replicated in Africa even with democratization. Governance is still rooted in unethical practices with power and resources shared on the basis of patrimony, while citizens

hardly participate in political decision making. Unethical behavior in public service has flourished in Africa due to lack of robust laws that address this behavior, and in cases where laws are there, there is a lack of political will to implement them (Camerer, 2010).

Institutional corruption has been entrenched in a majority of African countries. This has been made worse by the large network involving the private sector, government and the politicians (Githongo, 2015). With institutions and high levels of poverty there is strong visibility of the high levels of unethical practices in Africa. Anti-corruption commissions have been established to respond to both internal and external pressure by governments and donors. Anti-graft agencies have attracted criticism for not being effective in their duties (Khameni, 2012).

Across the world, and particularly in Africa, there is a growing political and societal willingness to address the challenge of unethical behavior in both the public and private sphere. Various bodies have been formed with the mandate of eradicating the vice at the national, regional or international level. Bodies such as the United Nations Convention against Corruption (UNCAC), the African Union Convention on Preventing and Combating Corruption (AUCPCC), and the Southern Africa Development Community (SADC), the Economic Community for West African States (ECOWAS) and the East African Community protocols have been formed to advance accountability, transparency and ethical practices within their areas of mandate. A significant number of African states have also formed anti-corruption bodies to stem the rampant graft that has plagued the continent. Despite these commendable efforts, corruption continues to be a major challenge to growth and development across the continent (Regional Anticorruption Programme for Africa, 2016).

Disregard for ethical standards and accountability has given rise to graft and impunity, which pose the biggest obstacle to good governance and sustainable development in the country. These

vices have corrupted the fabric of the society stifling progress and stability across the continent. Unethical behavior and lack of legal mechanisms to address these misdeeds dampens foreign investments, impedes the growth of vibrant markets, increases the cost of doing business, and dents the impact of government projects in the country. These practices also lead to mismanagement or misappropriation of tax revenues, and erode the quality and impact of services (Regional Anti-Corruption Programme for Africa, 2016).

Kenya is grappling with governance issues due to the high levels of unethical practices in the country. These unethical practices have had a negative effect on the stability of progress in the continent. They have deterred foreign investors who view the governance challenges as a threat to their businesses. These unethical practices have also affected the level and quality of service delivery in the public sector in African countries. (RACP, 2016).

Unethical practices are undoubtedly the most pressing governance and development challenge that Kenya is confronted with today. They have a debilitating and corrosive effect on progress, stability and development of the continent. They impede economic growth by discouraging foreign investments, creates distortion in resource allocation and competitive markets, increase the cost of doing business, and reduces the net-value of public spending. They also reduce the quality of services and public infrastructure and the volume of tax revenues, and encourages the misappropriation and misallocation of scarce resources (Regional Anti-Corruption Programme for Africa, 2016).

Unethical practices disrupt political order by undermining the sanctity of the law, disregarding human rights, and weakening governance. This destroys public trust in the governing institutions and office holders, which might lead to open revolt or anarchy. Corruption also taxes the populace by facilitating inequalities in income, precipitating poverty while fundamentally

distorting the morality of a society. Kenya has constantly featured among the most corrupt countries in the world, a perception that does considerable damage to the country's image as an investment hub in the region. The EACC is the body charged with investigating corruption in the country. In Kenya corruption in the public service has hindered prosperity and economic development.

The investigation and arraignment of individuals involved with corruption is in doubtful status. Corruption has to be an almost insurmountable challenge, with the parties participating in the vice and the amounts involved growing with every expose (Olola, 2011). Despite a spirited campaign by the government to root out the vice over the last few decades, corruption has grown markedly in both real numbers and in perception. These points to a deficiency in the efficacy of the investigative or legal mechanisms adopted to contain the vice. The growing number of legislation introduced to fight corruption has proved insufficient in actually contain or eradicate it, putting the viability of the country's development initiatives in peril (EACC, 2017).

While a lot of efforts and resources have been directed in detecting and investigating corruption cases there is little empirical evidence on the gains made. While scholars have differed on the gains made in the fight of this vice the opinion is unanimous that new ways need to be identified to fight this scourge. It is the intention of the researcher to identify the challenges to integrity and ethical practices in the public sector in Kenya as they will to provide solutions in the fight against corruption. The researcher proposes to identify the challenges which if tackled will arrest the problem before it is compounded and nets other people in the process of its execution.

Among the factors that challenge integrity and ethical practices are procedural factors. This are factors that relate to the procedure of conducting government business, access of information of government businesses, prosecution and the collection of evidence in cases relating to integrity

and ethical practices (Transparency International, 2015). These factors significantly slow the progress in cases against graft and lead to acquittal of most graft related cases.

Institutional factors also challenge the fight against graft and ethical practices. These factors majorly relate to cooperation among various institutions that are charged in the fight against graft, the powers and privileges that the institutions charged with the fight against graft are given (World Bank, 2015). The cooperation amongst the relevant institutions mandated to investigate graft and unethical practices, the safeguards to ensure longevity amongst institutions mandated to fight graft, and the goodwill accorded to the institutions charged with the fight against graft and unethical practices.

Social cultural factors are also a contributor to the fight against graft and unethical practices. Key among the leading factors include desire for greater social standing, moral decadence among members of the society, social and economic pressure among civil servants and private company employees, political patronage especially among graft suspects, and ethnicity which has led to tribal divide when graft cases are being investigated of graft cases (Ngujiri, 2015).

Economic factors also challenge the investigation of cases involving graft and unethical behaviour. Economic power and prestige among individuals involved in graft, greed among public servants and investigative agencies, the lack of proper economics crime law and the lack of implementation of lifestyle audits have been among the leading economic factors impeding the fight against graft (Adan, 2013).

1.1.1 Ethics and Anti-Corruption Commission

The Ethics and Anti-Corruption Commission (EACC) is a public body established under section 3(1) of the Ethics and Anti-Corruption commission Act 2011 which was enacted in accordance

with Article 79 of the constitution of Kenya. EACC replaces Kenya Anti-Corruption Commission (KACC). The commission is headed by a chairperson and two other members. They are recruited competitively through a panel set up by the president thereafter they undergo the approval process by the national Assembly and appointed by the president (EACC, 2017).

The secretary /chief executive is the secretary of the commission and heads the secretariat which is made up of the commission staff. The chief executive is appointed by the commission through an open, competitive and transparent process with the approval of the national assembly. Their vision is to have a corruption free society that upholds integrity and the rule of law. Their mission is to promote integrity and combat corruption through law enforcement, prevention and education (EACC, 2017).

The commission relies both national and international laws in pursuit of its mandate in the fight against corruption among the laws are the constitution of Kenya, Leadership and Integrity Act 2012, Ethics and Anti-Corruption commission Act 2011, Anti- Corruption and Economic Crimes Act 2003, Public Officer Ethics Act 2003, Public Procurement and Disposal act 2012, Proceeds of Crime and Anti-Money Laundering Act 2012, Public Financial Management Act 2012, Code of Ethics and Professional Standards. The international laws and treaties it relies upon are the United Nations Convention against Corruption, African Union Convention on Preventing and Combating Corruption, East African Community Draft Protocol on Combating and Preventing Corruption.

The commission has six directorates headed by directors. They include investigations, legal services, preventive services, finance and planning, Ethics and Leadership, and human resource and administration. The commission has regional offices in Mombasa, Nakuru, Kisumu, Eldoret, Nyeri, Isiolo, Garissa, Malindi, and Machakos. The commission has also set satellite offices at

Malaba and JKIA (EACC, 2017). The institutions that help infighting corruption are the EACC, office of the DPP, The Police Service and the Judiciary.

1.2 Statement of the problem

Corruption is a retrogressive practice in the world and it is rampant especially to the developing countries. There is overwhelming body of knowledge that proves corruption is a challenge and a threat to development. Corruption facilitates inequality by distorting resource allocation for the personal benefit of a few individuals which leads to skewed distribution of income and wealth” (EACC, 2018).

The increased democratic space and public sector reforms have led to increased demand for greater accountability in the public service (Minja, 2013). The drive to promote equity, effective service delivery, citizen engagement in policy making and the observance to the rule of law has never been more heightened. With this in mind, public servants and governmental institutions must re-look into how they serve the citizens and clients from the perspective of accountability for results and means as well (Minja, 2013).

Minja (2017) avers that with increased demand for accountability in the public sector in Kenya institutions engaged in the fight against corruption and unethical practices in the country have been in the spotlight due to the slow progress and few cases that have been prosecuted and secured convictions. Critics have argued that the institutions charged with the fight against corruption and unethical practices have been ineffective in executing their mandate (Njue, 2015).

Literature on integrity and ethical practices has focused heavily on the effects of corruption and the laws enacted to address it (EACC, 2018, Minja, 2013, Minja, 2017). There is scant literature on the challenges to integrity and ethical practices in the public sector in Kenya. This is despite

the mounting evidence available on the challenges in tackling integrity and ethical practices in the country. The above necessitated this research with the aim of addressing the above knowledge gap on the subject.

1.3 Objectives of the study

(i) To establish how procedural factors challenge integrity and ethical practices in the public sector in Kenya.

(ii) To establish how institutional factors challenge integrity and ethical practices in the public sector in Kenya.

(iii) To establish how social cultural factors challenge integrity and ethical practices in the public sector in Kenya.

(iv) To establish how economic factors challenge integrity and ethical practices in the public sector in Kenya

1.4 Research Questions

(i) Does procedural factors challenge integrity and ethical practices in the public sector in Kenya?

(ii) Do institutional factors challenge integrity and ethical practices in the public sector in Kenya?

(iii) Does social cultural factors challenge integrity and ethical practices in the public sector in Kenya?

(iv) Do economic factors challenge integrity and ethical practices in the public sector in Kenya?

1.5 Assumptions of the Study

1.5.1 Procedural Factors

The study assumed that procedural factors act as a challenge to integrity and ethical practices in Kenya. The study assumed that matters relating to procedures in the law enforcement process, evidence collection and preservation of evidence are a challenge to integrity and ethical practices in the country.

1.5.2 Institutional Factors

The study assumed that institutional factors are a challenge to integrity and ethical practices in Kenya. It assumed the institutions mandated to investigate, prosecute and hold to account matters relating to integrity and ethical practices are a challenge in the fight against the vice.

1.5.3 Social Cultural Factors

The study assumed social cultural factors are a challenge to integrity and ethical practices in public service. The social cultural settings and norms of the Kenyan society promote instead of eliminate unethical practices among public servants. This social cultural factors relate to beliefs, norms and practices.

1.5.4 Economic Factors

The study assumed economic factors are a challenge to integrity and ethical practices in public service. The economic settings of the Kenyan society promote instead of eliminate unethical practices among public servants. These economic factors relate to economic standing, social status and poverty index.

1.6 Justification and significance of the Study

When public officials who are bankrupt of integrity, ethics or morality divert resources meant for development for personal gain, or when public servants mismanage the resources put under their care, this has a debilitating effect on development in the country which only aggravates poverty. When such officials are not held to account, it destroys the confidence that citizens had put in their legal and governance systems, which further weakens the rule of law.

Whereas significant research has been carried out on people's perceptions of corruption levels, no research has been undertaken to investigate the challenges to its fight. The study obtained data from EACC as it is the entity mandated to investigate cases relating to integrity and unethical practices in the country. EACC is the premier anti-corruption body in Kenya.

The findings of this research will be critical to policy makers and would spur policy reforms that would seek to address the underlying issues that affect integrity and ethical behaviour. Secondly, the research will be of importance to scholars and future researchers who may use this research to inform and build on their work.

1.7 Scope of the study

The study was undertaken at the Ethics and Anti- Corruption offices in Nairobi that has the constitutional mandate of fighting fraud in the country. Beginning in 2005, Kenya Anti – Corruption Commission (KACC), which was later renamed the Ethics and Anti–Corruption Commission (EACC) has been conducting annual perception corruption surveys in the public sector and how it affects public service delivery.

1.8 Limitation of the study

The researcher faced limitation in collection of data for the study. This is because integrity and unethical practices is a hot button issue and is rarely discussed in public neither is information regarding it easily shared. The researcher held a briefing session with the respondents in order to assuage their fears and answer queries regarding the research instrument. This briefing session was used to gain confidence and approval from the respondents who were key to the research undertaking.

CHAPTER TWO

LITERATURE REVIEW

2.1 Empirical Review

2.1.1 Procedural Factors

De Vois (2017) in his study pointed out the various legal and policy frameworks that countries, primarily democratic ones with advanced economies, have enacted to manage the ethical behavior of public servants and elected officials. Although it would require a substantial manuscript to fully summarize his findings or to test the viability of his conclusions, it bears highlighting some of them.

De Vois discovered that governments generally adopt two methods to reinforce ethical practices; first, the government promotes transparency on its operations by availing the necessary information to the public. This accountability to the citizenry grants them an oversight role over public servants and elected officials. The second method adopted is the enactment of legislation and guidelines that inform the behavior of public servants and government officials.

The first method calls for the adoption of such governance protocols as the maintenance of open records, holding public meetings over key policy decisions such as budgeting, and the availing of government documents to the public for review as an accountability measure. This empowers the public especially through the civil society to audit government operations and to flag malpractices and corruption. (Curtis, 2017)

The second method involves providing citizens with detailed information on the constitutional provisions, laws and regulations that govern government operations such as budgeting, service

delivery and other programs (Curtis, 2017). While most of these practices are well entrenched in mature democracies, they either hardly exist or have not taken root in young democracies (Ngugi, 2017). In fact, in most nascent democracies, the government maintains a tight lead on information or frustrates initiatives driven by civil societies for openness and accountability. This hinders the oversight role of citizens and emboldens public officials to engage in graft and other malpractices.

Courtney (2017) in his study highlighted how international political and financial organizations such as the IMF and the United Nations have been pushing for greater accountability in governance across the world and the provision of information about government functions to their citizens. Agencies such as the World Bank have lobbied governments to make public their budget-making process to promote inclusivity, transparency and citizen oversight of how their resources are utilized, both at the national and local level (World Bank, 2017).

To lead the way, these bodies have adopted policies that tie their loans or investments to the enactment of laws that promote accountability, such as the open records law. Such laws compel government officials to make public all their correspondence and documentation that touch on their official duties which aids in the audit of their accounts or oversight of their operations by the public and media (Kimberly, 2016).

Artkinson (2017) in his study articulated a less extreme measure of encouraging transparency by government agencies. He proposed adopting new administrative policies and frameworks that guarantees information produced by these agencies is automatically availed to the relevant stakeholders. He cited the importance of embracing information technology systems in the management of information within government, digitizing public records, performance review and planning, and budgeting systems. These systems are vital for citizen oversight of

government programs and processes especially where adequate security measures are adopted to maintain the integrity of information (Akinwu, 2016).

Akinwu (2016) further argues that the proliferation of technology and its subsequent adoption by government agencies in the management of their day to day operations, and the adoption of technology in communication and in reporting, and the provision of information over the web, has had a profound influence on accountability by public officials and institutions. This has also had a positive net impact on government performance as government officials are discouraged from stealing or wasting public resources.

Aggrey and Benfort (2015) in their study found that another operational framework that can be adopted to drive transparency and integrity in information sharing by government includes equipping investigative agencies with enough manpower, legal tools and operational resources so that when questions of integrity or ethics of public officials arise, they can be adequately addressed by these investigative agencies.

Government from around the world led by the United States have adopted various measures to handle ethical challenges. They have bolstered internal audit teams while also relying on outside counsel to optimize their operations, have bolstered legislative mechanisms and facilitated oversight bodies with information and resources to execute their mandate, and have ensured that the buck stops with the executive on issues of government performance, which is ultimately accountable to the people (KENAO, 2016).

Governments have also made provision for internal audit and oversight within their departments. The integrity of these internal audits is guaranteed by ensuring that office holders at managerial or executive positions within these departments are held liable for the deeds or misdeeds of their

juniors. Additionally, audit is conducted periodically and their performance is measured often against key benchmarks (Arnold, 2017).

Another approach utilized to guarantee transparency and ethics in government is by clearly delineating the expected norms and behavior expected of every public servant and government official. This is achieved by coming up with a code of ethics that are mostly reinforced through social pressure. However, some government agencies and employees are governed by laws passed by legislative bodies, which guide them on how to conduct their official duties, and which also impose criminal liability for failure to abide by these laws. This is especially common for officials tasked with managing financial resources of the government. (World Bank, 2017).

Another sphere of public life that is easily compromised by corruption is politics. In many western societies, public servants are prohibited from engaging in political activities or openly identifying with any one political affiliation, in order to reduce or avoid their susceptibility to corruption for the benefit of their favored party. Additionally, western democracies led by the United States have adopted laws that protect whistleblowers and guarantee their anonymity to promote the exposure of corrupt, unethical or compromised individuals and institutions (USAID, 2017).

Brookes (2015) in his research on integrity and ethical practices in the United Kingdom noted that procedural factors acted as an impediment to investigation and prosecution of unethical practices in the United Kingdom. The study conducted by Brookes between 2010 and 2015 focused on government agencies. The study used government employees as the respondents, the findings indicated that procedural arrangements played a significant role in investigation and prosecution of corrupt individuals.

Griffin (2010) in his study on investigation and prosecution of unethical behaviour in the state of Massachusetts found that the procedural arrangements among government departments charged with the investigation and prosecution of unethical practices determined the success or failure of such investigations. The study was carried out among employees in agencies mandated in investigation of corruption and other related cases.

Atkins and Geoffrey (2017) in their paper on the successes and failure of the fight against corruption noted that procedural factors acted as an impediment to effective and speedy investigation of corruption cases in the United States. In their study they noted that sixty percent of the acquittals of corruption related cases in the United States were due to poor coordination resulting from procedural regulations among the organs charged with the investigative mandate.

Akinwu 2017 in his study on the successes and failures on the fight against corruption in Nigeria found that laws regarding the collection of evidence, evidence preservation and its presentation contributed to the high number of acquittals and withdrawn cases in courts. In his paper he found that the procedural emphasis on obtaining of evidence placed an un-needed burden to investigative agencies which led to a loss of up to seventy percent of the cases in courts of law.

2.1.2 Institutional Factors

Brookes (2017) in his paper on governance and ethical practices argues that in order to enforce ethical standards in government, it is vital for there to be a structural governance structure that grants independence to each arm of government to ensure checks and balances. These checks and balances are especially necessary in the management of financial resources, which can be applied in such a way that no single entity or individual has a monopoly on financial decisions, but input is needed from different independent offices.

Brookes further argues such a management and governance structure limits the chances of abuse of power, theft or mismanagement of resources which bolsters transparency across the government. Separation of power is also crucial in promoting openness and facilitates information flow to the public since each independent arm of government is at liberty to share as much or as little information as they deem necessary, within the confines of the law.

Aurley (2012) in his study on ethical practices in public service averred that governments that have embraced democratic ideals and accountability in their management and functions, are also more likely to decentralize power and authority across their departments. Scandinavian nations are particularly famous for decentralizing power and responsibility especially in regard to financial management and the budget making process, which augurs well for citizen oversight over their governments. This empowers people with information about how their governance institutions function and enables them to enforce standards from the municipal level (USAID 2017).

Governments around the world have also structured themselves in such a way that gives significant oversight power to key institutions to enforce ethical standards and accountability. For Scandinavian nations, the office of the ombudsman was created and granted sufficient oversight power over government departments. This official is independent and is sensitive and highly responsive to public sentiment regarding ethics, accountability and transparency (Aggrey, 2017).

For the United States, the office of the inspector general was created in various government departments and agencies. The official who man these offices are given the legal mandate to investigate cases where best practices or ethical standards are flouted within their departments

and to oversee the successful implementation of policies and practices geared towards promoting professionalism and ethical behavior (USAID, 2017).

Austin and Kimberly (2017) emphasize the importance of ensuring that both the legislature and judiciary have sufficient oversight power and authority and are also independent of the executive. In the United States, the judiciary accomplishes this with the help of grand juries while the legislature forms committees with the power to summon members of the executive to explain themselves when cases of ethical irregularities occur.

The legislative arm of government is given power to summon government officials to account for their official duties, and where found culpable for engaging in unethical practices, they can recommend their prosecution. Additionally, the legislature forms committees that have oversight responsibility over all government ministries and departments. These committees have sufficient legal power that span across all government functions, primarily the management of financial resources. (Kimberly, 2012).

There are various structural mechanisms that democracies led by the United States have instituted to drive openness, accountability and ethical behavior in government. Some of these mechanisms include relying on citizen input to inform the running of government. In some cases, western democracies have delegated the decision making function fully to citizens through open forums or public boards. These boards rely on the services of competent professionals and have the legal power to compel departments under them to provide information necessary for performing their duties (Aliko, 2013)

Additional, citizens are given the power to recall their elected representatives from office upon raising the requisite number of signatures. This usually precipitates new election where people

can make redress of the ethical or moral failings of their elected officials. This provision ensures that elected officials are constantly kept in check and at the very least prevents cases of gross misconduct or outright unethical behavior (Austin, 2013).

Aggrey (2017) in his study on the factors contributing to the success of ethics and accountability in the public service in the United States found that strong institutions acted as a great check to unethical practices among public servants. Aggrey noted that when the institutions charged with the investigation and prosecution of corruption cases were strong and independent public servants will be reluctant to engage in unethical practices because the chances of them escaping conviction were slim.

In another study conducted by Austin (2017) in the United States, he found that where institutional structures were strong and had been in existence for a long period of time, the number of cases successfully investigated and prosecuted was high compared to jurisdictions where the institutions were fairly new and did not have a strong structure. In the study it was noted that strong institutions not only acted as a strong agent in investigation of corruption cases but they acted as a great impediment to corruption.

Geoffrey (2015) in his study on factors influencing ethical behaviour in public service in the UK found that strong institutions acted as a deterrent to unethical practices in the public service in the UK. The study carried out between 2010 and 2015 was consistent to previous studies done by Aggrey, Atkinson and Barley (2014) which showed strong institutions acted as a deterrent to corrupt and unethical practices in the UK.

Institutions such as parliament have been accused of being part of the problems bedeviling the country. It has been argued that powerful businessmen have infiltrated government to influence

policies and regulations (Minja, 2017). This has been referred to as “state capture” corruption aimed at changing rules and regulations to favour the interests of the corruptor (Minja, 2017). It is imperative that legislative institutions should divorce themselves from actors of corrupt activities and therefore help in the fight against corruption and unethical behaviour.

2.1.3 Social Cultural Factors

In the paper Austin and Kimberly (2017) mentioned earlier, the researcher pointed out that the systems or policies set up by the government are subject to legal modifications or even manipulation. This problem is especially rife in nascent democracies where institutions can undergo radical change depending on which political party or individuals come into power. What this means is that the crucial bedrock for ethical behavior in public service might actually not be the governance structures set up, but the values, tradition and cultural norms that underlie a society.

Mauley (2017) opined that an independent, open and media with robust press freedoms especially in western societies has played a significant role in driving ethical behavior and accountability in government. It can even be argued that the presence of a strong media playing an oversight role over government has been the greatest agent driving ethical practices, transparency and accountability in the public service.

Although the media has often been the victim of an onslaught from public officials and elected government officials, and despite being accused of bias in their investigative work, it has served as an important agent of change and openness within government. In most cases, investigative journalists work under a cloud of intimidation and violence, and it is therefore advisable for these

practitioners to be granted special protection under the constitution if they are to perform their job effectively, to the benefit of the society (Fostin, 2013).

In her study, Christine (2017) observed that great emphasis is placed on how government officials are educated and socialized in democratic countries, particularly in the United States. Public officials are inculcated with the notion that they are public servants and not overlords, and that they are answerable and accountable to the citizens for their deeds or misdeeds. Coupled with the legal responsibility placed on their shoulders by virtue of their positions, public officials therefore strive to maintain high professional and ethical standards.

A country with long term political and economic stability and with a vibrant civil society is more likely to enforce ethical standards across the public service. It is impossible for the rule of law to take root in an environment of political instability or economic malaise. A country that is reasonably stable politically and economically has the liberty to hold its public officials to a higher standard of performance, ethics and accountability than with fragile systems or economic challenges (Ayiemi, 2012).

On the same vein, a robust civil society can promote ethical standards by holding the government to account for ethical failures through the available legal mechanisms. Civil societies that are manned by experts on governance, which have financial independence, and that are free from government interference can help enforce standards that the government is either unwilling or unable to enforce. These bodies serve act as watchdogs over public officials and institutions to the benefit of the country and its citizens (Amanda, 2015).

In his study Achigwu (2017) noted that cultural influence played a great role in the ethical practices of public servants in Nigeria. In his study he noted that the social cultural influence of

the community around them influenced the behaviour of public servants regarding to their ethical behaviour. He noted in societies that the cultural norms did not frown upon unethical behaviour it was highly likely public servants would practice unethically due to the acceptance level of the community around them.

Ondigo (2016) noted that a key challenge to the fight against graft and unethical practices was greed amongst members of the society. He noted that greed had become so perverse that it had gained new level of acceptance in the society. He noted that in cases of embezzlement reported in the country between 2010 and 2015 most of the people involved were high ranking civil servants who were remunerated well and they were most likely among the upper echelons in our society.

In the same paper Ondigo (2016) noted that the desire for higher social standing among members of the society was a leading contributor to cases of graft and unethical practices in the society. The higher social standing also acted as an impediment to the investigation of cases of graft and unethical practices since the individuals with such standing easily used their influence and status in the society to impede investigations.

Kimani (2015) pointed out that the level of moral decadence in a society not only influenced the level of corruption but also affected its fight against corruption and unethical practices. He argued that when a society is morally decadent its acceptance level of social ills goes up and things that were deemed un-acceptable once in the society become much more acceptable. This he argued influenced investigations and even prosecution of graft cases.

The pressure to succeed and amass wealth was also pointed out to be a key contributor to graft and unethical practices among public servants and also an impediment to the investigation and

prosecution of such cases. Oleche (2012) in a survey carried out among public servants in Nigeria in the year 2012 found that the pressure to succeed and amass wealth was what fueled corruption in the Nigerian public sector.

In a study carried out in Kenya by Synovate Research Company in the year 2013 it was found that ethnicity and political patronage were viewed as the biggest contributors to corruption and unethical behaviour in the public service in the country. The two factors were also mentioned to be among the key impediments to the fight against corruption in the country. Citizens' viewed political patronage as the key reasons why cases were never successfully investigated and fully prosecuted in the courts of law.

Ominde (2015) averred that the churches and mosques were part of the problem of corruption and unethical practices in the country. This he argued was because they play a significant role in instilling social values among members of the society. He averred they had failed in instilling the right values and instead glossed over the essentials which had led people to mistakenly believe that things were right.

Brooke 2013 averred that the social stigma associated with being a whistle blower deterred individuals from whistle blowing. Okello 2015 in his paper averred that what happened to David Munyakei the whistleblower of the golden bag scandal served as a deterrent to would be whistle blowers. He argued that the events on Munyakei's life are too tragic to even make one contemplate being a whistle blower. In his research paper he found that most civil servants were stigmatized by the thought of being whistle blowers or even being labelled as one.

A report by the United Nations (2000) that with heightened expectations in this era the government must go beyond investigation, prosecution and punishment of corruption cases. The

paper argues that reliance of prosecution for public corruption is an admission of systemic failure (UN 2000, cited by Minja 2017). Minja in his paper argues that governments should be more focused on prevention and changing the behaviour of people serving in government. In the paper he argues that the arrest and prosecution of public officials even if done in large numbers will do nothing to reinforce the public's belief in the fairness and legitimacy of governmental institutions.

Durkheim argues that Governments must have preventive measures in place that not only lessen the burden of law enforcement, but also maintain high levels of public confidence (Durkheim, 2013 cited by Minja 2017). Social cultural influences of a society model a societies thinking and rations people's thoughts into what is acceptable and unacceptable. The government and the institutions involved must look for ways to influence the social cultural ways of a society in order to re calibrate their thinking and expectations.

2.1.4 Economic Factors

In a study conducted in the United States Dunford (2017) found that economic factors played a role in effective and successful prosecution and conviction of corruption cases. Dunford in his paper noted that where the agencies charged with the investigation of corruption and unethical practices were adequately funded and well-staffed there was likely to higher chances of conviction as opposed to instances where they were not.

In another study Aggrey 2017 noted that adequate funding played a significant role in investigation and prosecution of corruption cases. In cases where the investigative agencies were ill equipped and not well funded the chances of conviction were slim as compared to cases where

well-funded. He noted that economic muscle of the investigative agencies played a key role in their successes or failure of corruption cases.

Atemi (2016) noted that investigative agencies were crippled due to underfunding and this led to loss of cases in courts. This he noted had greatly contributed to the increase of corruption cases in Nigeria. Atemi in his study found that in periods when the investigative agencies were well funded there was an increase in successful convictions of corruption related cases and in periods when the agencies were underfunded the number of cases successfully convicted were few.

Achoki in his study (2015) averred that the economic pressures people faced were among the reasons that graft and unethical behaviour flourished. He pointed out that individuals were susceptible to compromise during investigations of graft related cases as they will be easily swayed by bribes in order to hamper investigations. In his paper he argued that if the government were to ease economic pressure on its citizens then the motivation for graft and unethical practices will be reduced.

Greed and accumulation of wealth was also pointed out as a key contributor for graft and also acted as an impediment to the investigations and prosecution of graft suspects (Killu, 2013). In a study Killu found that in cases where there was high level graft in government the individuals involved were already wealthy and that their motive could only be to accumulate wealth. This also presented problems to the investigative agencies as the illicit wealth amassed by the individuals was used to compromise individuals and in some cases institutions in the process of investigating graft.

The absence of an effective economic crimes law was cited as a major impediment in the fight against graft and unethical practices. Osaji (2013) pointed out that an effective economic crimes

law not only outlines the economic crimes, it prescribes penalties to be sanctioned on individuals who have engaged in economic crime and lays out the procedure and process for recovering illicit wealth. In instances where the country did not have economic crime law the cases of corruption and unethical behaviour were reported to be high (Osuji, 2015).

Introduction of lifestyle audits of public servants was recommended as a key strategy in the fight against unethical practices in public service (Ogal, 2013). Ogal noted that in democracies where lifestyle audit was a mandatory requirement for key public officials unethical practices were less rampant and investigation and prosecution of graft cases was more effective. Kelly (2016) averred it was imperative that key public officials underwent lifestyle audits in order to curb graft in public service and that officers involved in the investigative process should also undergo lifestyle audits.

Ogal (2017) averred that for effective fight against corruption and unethical behaviour money transfers and remittances should be subjected to strict checks to ensure illicit wealth did not find its way in the economy. This he argued will act as a safeguard in the fight against corruption. The ease of cleaning money in the system he argued was what made corruption more attractive. When there were safeguards in the system such behaviour would not be encouraged.

Ominde (2017) in his theses averred that religious institutions such as churches and mosques were among the key reasons why graft and unethical practices still persist in our country. Ominde argued that if religious institutions shied away from taking money from individuals with shady characters such people will not be motivated to participate in unethical practices for self-gain knowing that the society will shun them.

2.2 Theoretical Framework

The literature reviewed in this chapter formed the framework of the study. The literature reviewed examined various studies and analyzed different theories; this enabled the researcher to give a critical analysis of the theories presented by various writers in past studies.

2.2.1 Public Choice Theory

This is a theory developed by Geoffrey Brennan and James Buchanan (1985) which holds that the rules that govern individual behavior within a society are important in determining the behavior of individuals and institutions within that society. The theory posits that corruption is an opportunistic trait with attendant benefits for a few at the expense of the wider society. Public choice theory also argues that corruption levels within a country have more to do with the institutional makeup of the country and less to do with the personal values of its public servants.

Proponents of Public choice theory also hold that the behavior of the parties participating in corruption should only be studied within the context of the wider institutional frameworks, laws and regulations. Failure to take this into account will result in a distorted picture when trying to study and diagnose corruption in a country. In designing and implementing laws to combat corruption, lawmakers and anti-corruption bodies should be sensitive to the influence that prevailing rules have on the behavior of both citizens and public officials if they are to be successful (Baucham, 2013).

Rules regulate individual behavior and interaction with each other, and provide basis for the resolution of conflicts while discouraging unacceptable behavioral traits by individuals and groups within a society. Clearly delineated rules encourage individuals and institutions to exercise their private business without curtailing the ability of others to do the same. Corruption

can therefore be termed as a breakdown of constitutional order that can only be rectified through legal mechanisms.

Presently, anti-corruption initiatives in Africa are bedeviled with some key weaknesses. First, they lack the backing of clear and viable rules. Second, they attempt to get results through policing without rectifying deficiencies in rules. Third, there lacks sufficient checks and balances that govern the operations of agencies mandated with enforcing rules and regulations, leaving them open to compromise. To effectively address corruption, therefore, it is vital to create rules that ensure the results obtained by anti-corruption are in synch with the desired results (Berkely, 2010).

2.2.2 The Broken Windows Theory

This is a criminology theory which was first proposed by Wilson & Kelling (1982) and refined by Kelling & Coles (1998). It posits that urban disorder and vandalism directly impact crime levels and anti-social behavior. It therefore follows that nipping these vices before they take root, and adopting a strict regime to monitor and manage public order is crucial in stopping them from degenerating into unmanageable levels.

The theory presumes that minor disorder, if left unchecked, will desensitize individuals and groups to the evils of crime, which will lead to social disorder and a gradual spike in crime levels. Social disorder and physical disorder such as abandoned buildings, empty spaces, waste, graffiti, and abandoned cars all lead to the erosion of social order. Corruption may also be viewed from the lens of a “broken windows” theory.

Government officials who accept bribes points to a breakdown of governance and a compromise of the country’s rules, which ultimately leads disorder and anarchy in the society. Graft and

unethical practices are a broken window that indicates the failure of systems that regulate behavior and guarantee social order. In essence, when the government lacks the resolve to tackle petty corruption, it will hardly be able to stem grand corruption (Aggrey, 2013).

Numerous studies have been undertaken that demonstrate the relationship between corruption and social trust. According to the broken window theory, every form of corruption has a cost on the social trust that citizens bestow on their governing institutions. Public trust in these institutions is equally by petty corruption as by serious graft. In effect, a society that is keen to address petty corruption will also have the necessary capacity to address grand theft.

A government that is actively and publicly fighting corruption giving impetus to its citizenry to become partners on the war on graft, while signaling its willingness to promote welfare of its citizens. Empirical data proves a strong relationship between anti-corruption crusades and improvement of the public welfare. The international community has also adopted stringent legal mechanisms to address cross-regional and international graft. An increasing number of world governments have formulated laws to root out the vice from their jurisdictions (Ayiemi, 2016).

Despite the commendable strides made in fighting graft, developing nations are doing poorly when compared to their developed counterparts. These nations would be served well by the adoption of the broken windows framework for tweaking laws that address corruption (Ogutu, 2012). This would entail classifying corruption as a component of disorder in the society. More emphasis would also be placed on addressing petty corruption before it festers into grand corruption, while creating synergy between the government and the private sector in the fight against corruption.

2.3 Summary Literature Gaps

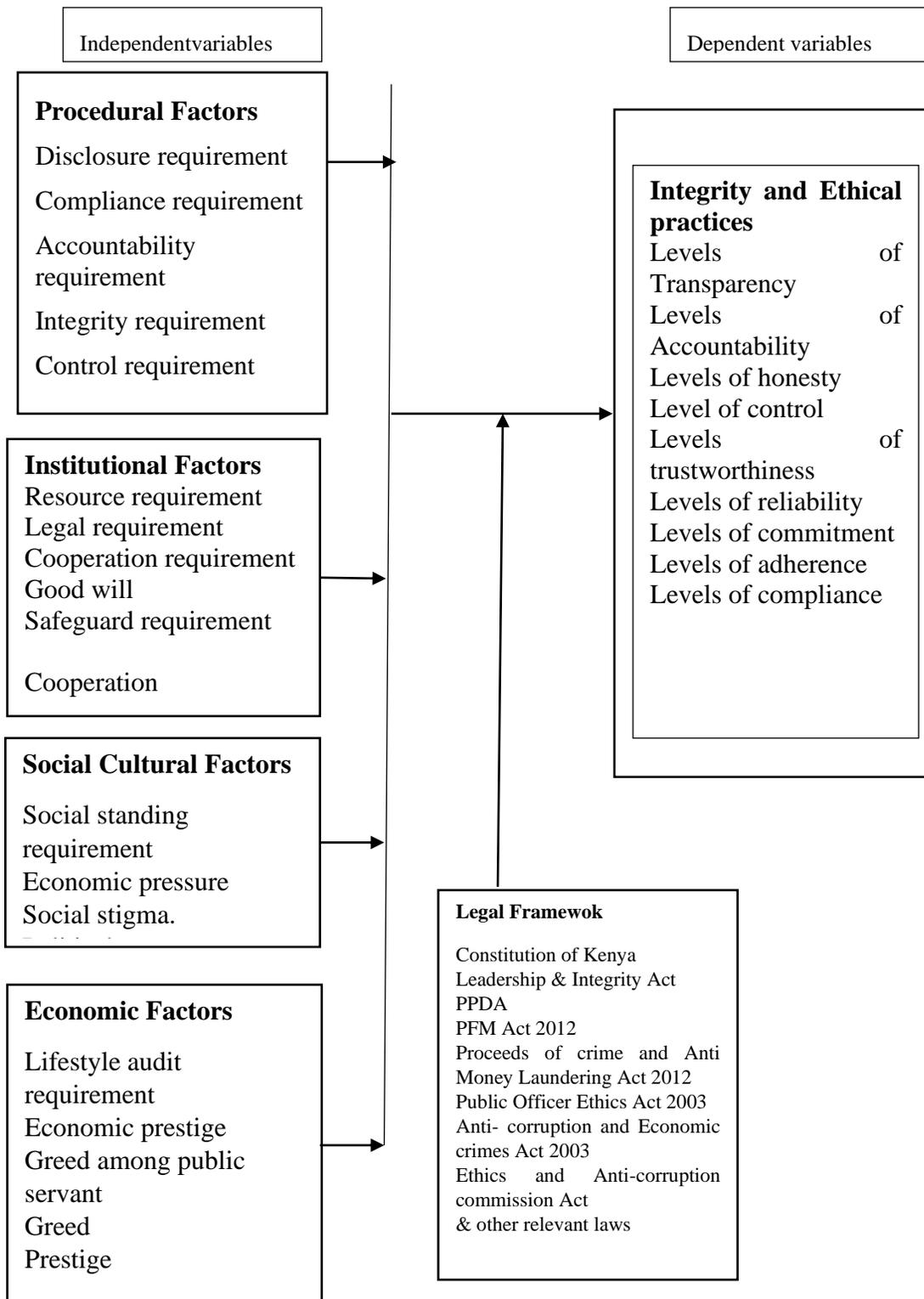
Author	Findings	How to address the gap
De Vos (2017)	There are myriad of procedural arrangements around the world implemented by different governments	List the procedural arrangements and where they have been implemented and how they have addressed the fight against graft
Artkinson (2017)	Introduction of Management Information System will help address the issues of graft and unethical behaviour	He did not cite studies done to support this neither were the benefits of MIS enumerated i.e. Has performance increased after the introduction of MIS
Akinwu (2017)	Laws on preservation and presentation of evidence led to the high number of acquittals in courts	Provide recommendations on how to make the laws and the process watertight in order to prevent acquittals on flimsy grounds
Ominde (2017)	Religious institutions were the key reason why graft continued to permeate the society	Enumerate ways in which the religious institutions would vet money that comes to them.
Brooke (2013)	Social stigma associated with whistle blowing deterred people from whistleblowing	Put forward ways in which to address the social stigma that whistle blowers faced.
Minja (2013)	He argues that the arrest and prosecution of public officials even if done in large numbers will do nothing to reinforce the public's belief in the	Provide solutions that should be done to change the society's view on the issue of graft in order to change their social cultural beliefs and

	fairness and legitimacy of governmental institutions	tradition where corruption is viewed as a necessary evil
Minja (2013)	Institutions such as parliament have been accused of being party the problems bedeviling the country. This has been referred to as “state capture” corruption aimed at changing rules and regulations to favour the interests of the corruptor	Provide checks at the legislative level to divorce powerful and influential institutions such as parliament from being part of corruption triangle

2.4 Conceptualization

Conceptual framework is a set of coherent ideas or concepts organized in a manner that makes them easy to communicate to others (Schwartz, 2006). The conceptual model is formulated carefully. This model illustrates the relationship between procedural factors, institutional factors, cultural factors and economic factors.

Figure 1: Conceptual Framework



CHAPTER THREE

RESEARCH METHODOLOGY

This chapter describes the research design and the methodology that was used by the researcher to validly objectively economically and accurately answer the research questions. It is a reflection of the flow of the study. It presents the research design the study sight, the target population, the sample size the sampling procedures, the data collection methods, the research instruments, the data processing and analysis, the instrument validity and reliability as well as the legal and ethical considerations, this study used both primary and secondary data.

3.1 Research Design

Research design is a systematic model that enables the researcher to draw conclusions concerning casual relationships amongst variables under investigation (Kothari, 2014). The researcher used a descriptive research design. A descriptive study tries to discover answers to who, what, when, where and how questions (Cooper & Schindler, 2013).

Robson (2012) argued that descriptive research design is one of the best methods for conducting research in human contexts, because of portraying accurate current facts through data collection for testing hypothesis or answering questions to conclude the study. A descriptive study is concerned with finding out the what, where and how of a phenomenon

3.2 Variables of Study

The general variable of the study is an assessment of the challenge to integrity and ethical practices in the public sector in Kenya. The independent variables are procedural factors, institutional factors, cultural factors and economic factors.

3.3 Site of the Study

The study was undertaken in EACC offices in Nairobi, Mombasa, Machakos, Nyeri and Nakuru. The researcher requested permission prior to accessing the study site. The researcher interviewed the respondents in the EACC offices, the respondents interviewed were the investigating, legal, Ethics and leadership and preventive services officers within the EACC offices during the research undertaking.

3.4 Target of the Study

The researcher collected data from officers in the Investigations, legal, Preventive service, Ethics and Leadership and Preventive services. The researcher focused on the above population segment because of the direct role they play in prevention and investigation of corruption cases. The staff of the four departments are two hundred and thirteen in number the researcher sampled thirty five percent of the members of staff.

Table 3.1: Target Population

Department	Frequency
Investigations	120
Preventive Services	56
Ethics and leadership	30
Legal Department	7
Total	213

EACC (2018)

3.5 Sampling Techniques and Sample Size

Sampling is a procedure, process or technique of choosing a sub-group from a population to participate in the study. It is the process of selecting a number of individuals for a study in such a way that the individuals selected represent the large group from which they were selected (Mugenda & Mugenda, 2013). On the other hand, Kothari (2014) defines a sample as a small proportion of an entire population. The study sampled 35% of the entire population this is because this was considered appropriate and justifiable. Mugenda and Mugenda (2013) avers that for a small population one can sample the entire population, for a large population one can sample 1% of the entire population while for a sample that is not too large or too small a sample of 35% is considered appropriate.

Table 3.2: Sample Size

Department	Frequency
Investigation	42
Preventive Services	15
Ethics and Leadership	11
Legal department	7
Total	75

EACC (2018)

3.6 Research Instruments

A questionnaire was used as the primary tool for data collection. A questionnaire with structured and unstructured questions was used to collect the data. The questionnaire had standardized questions to ensure all respondents replied to the same questions in a defined manner.

3.7 Data Collection Procedures

Primary data is the data which is collected afresh and for the first time, and thus happens to be original in character (Kothari, 2013). In this study the primary data was collected using a questionnaire. A questionnaire is considered as the appropriate data collection instrument for this study since it provided a high degree of data standardization, they are relatively quick to collect information from people in a non-threatening way and they are cheap to administer. Questionnaires are also able to give a detailed answer to complex problems (Kombo & Tromp, 2016).

3.8 Validity

According to De Vos a valid instrument measures the concept in question and it measures it accurately. The validity of a research instrument concerns the extent to which the instrument yields the same results on repeated trials. Content validity of the instrument was determined through expert judgment which involved discussing the items with the research project supervisor.

3.9 Reliability

Instrument reliability according to Mugenda and Mugenda (2013) is the ability of a research instrument to consistently measure the characteristics of a research instrument over time. Reliability is a measure of a degree to which a research instrument yields consistent results or is influenced by random error which is the deviation from true measurement.

3.10 Data Analysis Procedures

Data processing and data analysis involves analysis using numerical or statistical measurement using test hypothesis (Loree and Guisinger, 2015). This study employed quantitative and

qualitative data analysis techniques. All quantitative data collected were analyzed with the aid of SPSS. The information was checked for completeness, it was coded, categorized and entered on the data master sheet.

Collected data were validated, coded and checked for any errors and omissions. Later the data was run through the statistical Package for Social Science (SPSS). The objective was met by computing the regression analysis of the variables. The regression model to test the relationship between the challenges and ethical practices in the Kenya public sector. The equation is as follows:

$$Y = \beta_0 + \beta_1 \text{PRC} + \beta_2 \text{INT} + \beta_3 \text{CTR} + \beta_4 \text{ECN}_{it} + e$$

Where:

Y: independent variable: Integrity and Ethical Practices (Ethics Score Card)

PRC: Procedural factors

INT: Institutional factors

CTR: Cultural factors

ECN: Economic factors

3.11 Validity and Reliability of the Questionnaire

The developed questionnaire was checked for its validity and reliability through pilot testing. Pilot test was conducted to detect weakness in design and instrumentation and to provide alternative data for selection of a probability sample. The study subjected the questionnaire to 5 people in EACC to participate in the pilot study. This presents 6.6% of the sample size. According to Mugenda and Mugenda (2013) a successful pilot study would use 1% to 10% of the actual sample size.

The five respondents were exempted from taking part in the actual study. The objectives of pre-testing allowed for modification of various questions in order to rephrase, clarify and or clear up any shortcomings in the questionnaires before administering them to the actual respondents. It helped the researcher to correct inconsistencies arising from the instruments, which ensured that they measure what was intended.

3.12 Data Management and Ethical Considerations

The researcher stored data in a safe secure way in order to avoid it being misplaced, or accessed by unauthorized persons. Mugenda & Mugenda (2013) ethics has been defined as the branch of philosophy which deals with conduct and serves as guide to one's behavior. The researcher recognized the need to observe ethical behavior while carrying out the study. The researcher sought permission from the management of EACC. The researcher did not to divulge any secret information obtained during the research to any outsider party without prior permission

CHAPTER FOUR

RESEARCH FINDINGS AND DISCUSSIONS

4.1 Introduction

This chapter represents the findings, results and interpretation of the variables including the response rate, reliability and validity and descriptive statistics. Correlation, multiple regression and was performed. The independent variables of the study were procedural factors, institutional factors, socio-cultural factors, economic factors and how they impede integrity and ethical practices in the public sector and overall regression analysis.

4.1.1 Results of Reliability and Validity of the Instrument

The validity and reliability of the tools resulted from the extent to which responses of the field reflected theories and empirical evidence of other scholars who have studied similar variables. The main tool of data collection used was the Likert-scale questionnaire. The instrument was reviewed and tested by experts in public policy and administration fields using Cronbach's alpha test. Nachmias and Nachmias (2016) have explained that a Cronbach's alpha test confirms the reliability and consistency of a research instrument. The results of the test are summarized in Table 4.1.

Table 4.1: Reliability Results

Variable	Cronbach's alpha	No of items
Procedural factors	0.7221	5
Institutional factors	0.7145	2
Social cultural factors	0.7021	2
Economic factors	0.7123	3

From Table 4.1 the questionnaire instrument consistently returned high scores averaging 0.7 which is highly acceptable since Cronbach’s alpha coefficient of over 0.7 qualifies an instrument as reliable and consistent (Lyn & Michelle, 2014).

4.2 Response Rate

The number of questionnaires that were administered were 75 and a total of 73 questionnaires were properly filled and returned but one of the respondents returned the questionnaires half-filled while other did not return it despite a lot of follow up. The response rate result is shown in Table 4.2.

Table 4.2: Response Rate

Response	Frequency	Percent
Returned	73	97.3%
Unreturned	2	2.7%
Total	75	100%

Out of the 75 questionnaires administered 73 were filled and returned representing 97.3% percent. This response rate is considered satisfactory to make conclusions for the study. Bailey (2010) stated that a response rate of 50% is adequate while a response rate greater than 70% is very good. This implies that based on this assertion, the response rate in this case of 97.3% is therefore very good. The data collection procedures used could have attributed to this high response rate. These included use of competent research assistants, pre-notification of respondents and voluntary participation by respondents; drop and pick of questionnaires to allow for ample time to fill; assurance of confidentiality and anonymity and follow up calls to clarify queries from the respondents.

4.3 Demographic information analysis

The background information of the respondents was deemed necessary because the ability of the respondents to give satisfactory information on the study variables. The background information includes the department, level of education and years of work.

4.3.1 Departments

The study sought to establish the department of the respondents. The results are presented in Figure 4.1

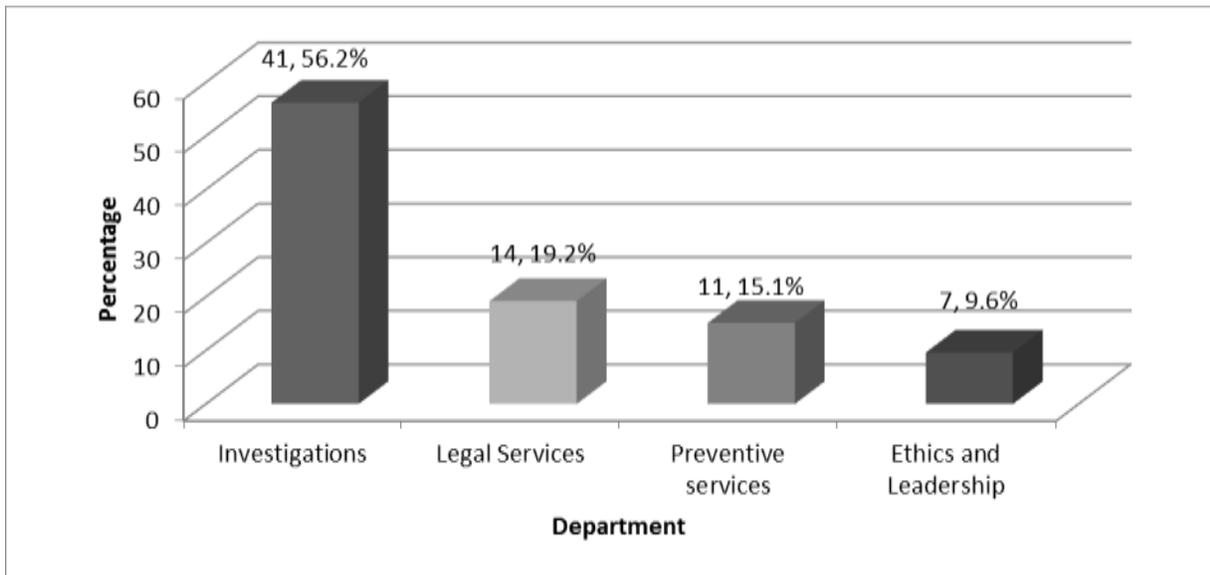


Figure 4.1: Department

As shown in Figure 4.1, of the total respondents, 41 were investigators (56.2%), 14 were in legal service (19.2%), 11 were in preventive services (15.1%) while 7 were in ethics and leadership (9.6%).

4.3.2 Professional Qualification

The study sought to establish the professional Qualification of the respondents. The results areas presented in Figure 4.2.



Figure 4.2: Professional qualification

The findings in Figure 4.2 indicated that, 58% of the total respondents had other professional qualification while 42% had CFE professional qualification.

4.3.3 Period of service of the respondents

The respondents were asked to indicate the duration they had worked. The study sought to present the period of service in government. The results are presented in Figure 4.3.

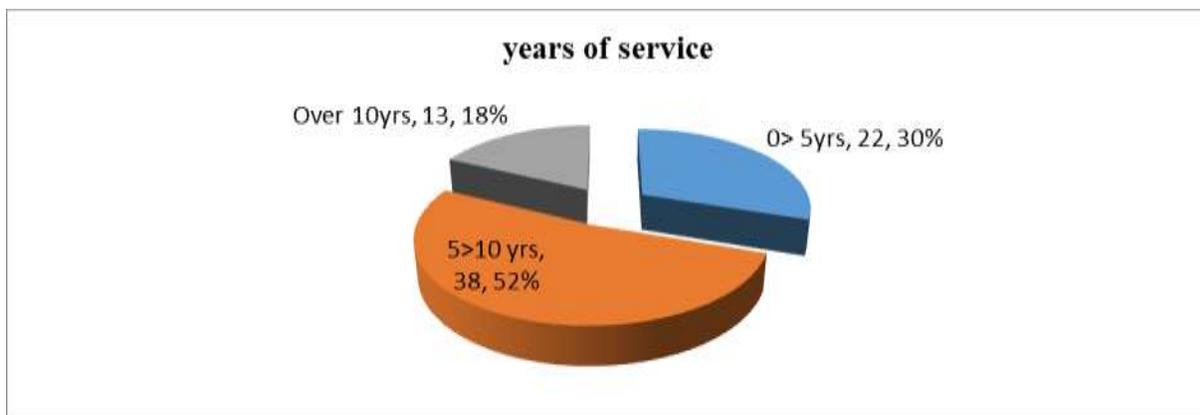


Figure 4.3: Period of service

Majority 52% of the respondents indicated that they had worked for 5-10 years, 30% for less than 5 years while 18% had worked for over ten years. The number of years worked by the respondents indicated their deep understanding to the operations of government and therefore they were in a good position to understand the challenges of integrity and ethical practices in government.

4.3.4 Education Level of Respondents

The study sought to establish the educational levels of the respondents. The results areas presented in Figure 4.4.

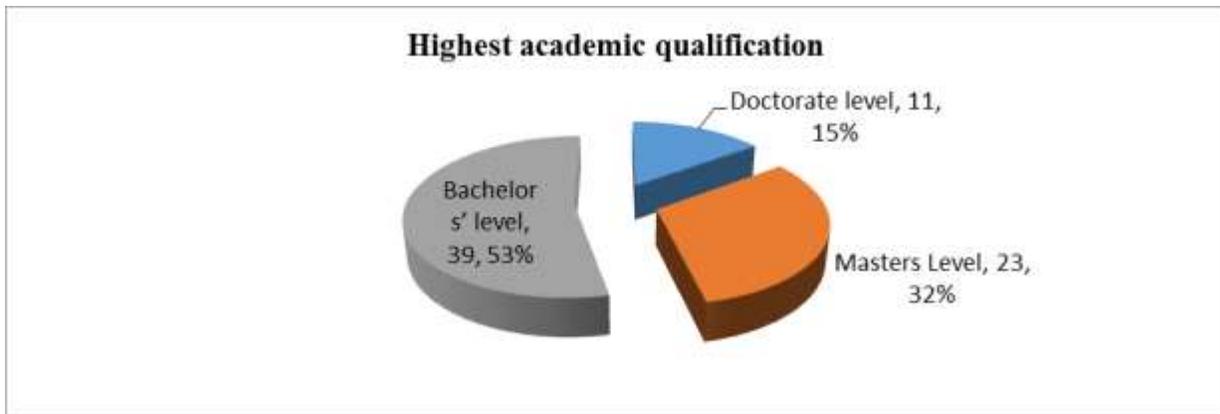


Figure 4.4: Education Level of Respondents

The findings in Figure 4.2 indicated that, 53% of the total respondents had bachelors level of education; 32% of the respondents had master's degree while 15% had doctorate level of education.

4.4 Descriptive Analysis

This section contains descriptive analysis for procedural factors, institutional factors, socio-cultural factors, economic factors, integrity and ethical practices in the public sector. A Likert

scale with options of strongly disagree, disagree, neutral, agree and strongly agree were presented for answering by respondents. The results were presented in form of percentages, mean and standard deviations.

4.4.1 Procedural factors and integrity and ethical practices

The first objective of the study was to establish how procedural factors impede integrity and ethical practices in the public sector in Kenya. A Likert scale of 1 to 5 (1 = strongly disagree, 2 = Disagree 3 = Neutral, 4 = Agree, 5 = strongly agree) was used and the mean response rate from the respondents calculated. For the purposes of interpretation 4 & 5 (agree and strongly agree) were grouped together as agree, 1 & 2 (strongly disagree and disagree) were grouped as disagree while 3 was neutral. The results of this study are as depicted in Table 4.3.

Table 4.3: Procedural factors and integrity and ethical practices

Procedural factors	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Mean	SDE V
Open record laws that allow citizens to public records have helped in the fight against corruption	12.3%	50.7%	6.8%	9.6%	20.5%	2.4	1.4
The provision of extensive relevant documentary information enabling citizenry to accurately access government activities has helped in the fight against corruption	11.0%	46.6%	13.7%	13.7%	15.1%	2.3	1.3
The cost of citizenry accessing government records has hampered the war against graft	16.4%	42.5%	9.6%	16.4%	15.1%	2.3	1.3
The laws pertaining collection of evidence and prosecution allow for effective investigation and	11.0%	54.8%	13.7%	6.8%	13.7%	2.2	1.2

prosecution							
The procedure for acquiring illicit wealth is well laid out has been effective	9.6%	11.0%	15.1%	52.1%	12.3%	3.6	1.1
The laws, policies and regulations to aid in the fight against graft and unethical practices are adequate	12.3%	12.3%	15.1%	53.4%	6.8%	3.5	1.2
Vetting of public officials will help curb unethical practices in public services	6.8%	54.8%	11.0%	19.2%	8.2%	2.1	1.1
The involvement of religious institutions in the vetting of public officials will help in eliminating graft	11.0%	52.1%	9.6%	17.8%	9.6%	2.2	1.2

Regarding the statement on open record laws that allow citizens to public records have helped in the fight against corruption, majority of the respondents 63.0% (12.3%+50.7%) agreed to the statement. The results had a mean response of 2.4 with a standard deviation of 1.4. This means that majority of the respondents were agreeing with the statement. Majority 57.6% of the respondents agreed that the provision of extensive relevant documentary information enabling citizenry to accurately access government activities has helped in the fight against corruption. The results had a mean response of 2.3 with a standard deviation of 1.3. This means that majority of the respondents were agreeing with the statement. This is consistent with the findings of De Vos (2017) who averred that open record laws and enactment of laws promoting transparency in government helped in promoting transparency and ethical practices.

Another 58.9% of the respondents agreed that the cost of citizenry accessing government records has hampered the war against graft. The results had a mean response of 2.3 with a standard

deviation of 1.3. This means that there was a low variation in the responses from the respondents with regard to the statement. The study also sought to find out whether the laws pertaining collection of evidence and prosecution allow for effective investigation and prosecution. Results of the study showed that 65.8% of the respondents agreed to the statement. The results had a mean response of 2.2 with a standard deviation of 1.2. This means that there was low variation in the responses from the respondents in regard to the statement. This means that majority of the respondents were agreeing with the statement.

That the procedure for acquiring illicit wealth is well laid out has been effective, majority of the respondents 64.4% did not agree to the statement. The results had a mean response of 3.6 with a standard deviation of 1.1. This means that majority of the respondents were not agreeing to the statement.

That the laws, policies and regulations to aid in the fight against graft and unethical practices are adequate, majority of the respondents 60.2% did not agree to the statement. The results had a mean response of 3.5 with a standard deviation of 1.2. This means that majority of the respondents were not agreeing to the statement. The findings are consistent with Akinwu (2017) who in his study on the successes and failures on the fight against corruption in Nigeria found that laws regarding the collection of evidence, evidence preservation and its presentation contributed to the high number of acquittals and withdrawn cases in courts.

Further, that vetting of public officials will help curb unethical practices in public services, majority of the respondents 61.6% agreed to the statement. The results had a mean response of 2.1 with a standard deviation of 1.1. This means that majority of the respondents were agreeing to the statement.

Finally, the respondents responded to whether the involvement of religious institutions in the vetting of public officials will help in eliminating graft, majority of the respondents 63.1% agreed to the statement. The results had a mean response of 2.2 with a standard deviation of 1.2. This means that there was low variation in the responses from the respondents. This means that majority of the respondents were agreeing to the statement. This results are in line with Ominde (2015) who argued in his paper that if religious institutions played their rightful role in the society and were involved in vetting of public officials then unethical practices will not be rife in our society

4.4.2 Institutional factors and integrity and ethical practices

The second objective of the study was to establish how institutional factors impede integrity and ethical practices in the public sector in Kenya. A Likert scale of 1 to 5 (1 = strongly disagree, 2 = Disagree 3 = Neutral, 4 = Agree, 5 = strongly agree) was used and the mean response rate from the respondents calculated. For the purposes of interpretation 4 & 5 (agree and strongly agree) were grouped together as agree, 1 & 2 (strongly disagree and disagree) were grouped as disagree while 3 was neutral. The results of this study are as depicted in Table 4.4.

Table 4.4: Institutional factors and integrity and ethical practices

Institutional Factors	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Mean	SDEV
The institutions tasked with the fight against unethical behaviour are well resourced	4.1%	21.9%	16.4%	45.2%	12.3%	3.5	1.1
There are relevant laws giving powers and privileges to the institutions charged with the fight against unethical behaviour enabling them to be effective	5.5%	6.8%	12.3%	54.8%	20.5%	3.8	1.0

There is cooperation and proper coordination among the relevant institutions charged with the fight against unethical behaviour	6.8%	5.5%	17.8%	43.8%	26.0%	3.7	1.1
There are safeguards to ensure institutional longevity and independence among the institutions charged with the fight against unethical practices	15.1%	6.8%	15.1%	45.2%	17.8%	3.5	1.3
Good will has been accorded to the institutions charged with the fight against unethical practices.	24.7%	45.2%	8.2%	13.7%	8.2%	2.4	1.2
There is failure by our religious institutions to preach against the vice of graft and unethical practices	17.8%	56.2%	11.0%	8.2%	6.8%	2.3	1.1
Religious institutions have been proactive in the fight against graft and unethical behaviour	2.7%	12.3%	11.0%	50.7%	23.3%	3.8	1.0

Regarding the statement that the institutions tasked with the fight against unethical behaviour are well resourced, majority of the respondents 57.5% (45.2%+12.3%) did not agree to the statement. The results had a mean response of 3.5 with a standard deviation of 1.1. This means that majority of the respondents were not agreeing with the statement. Majority 75.3% of the respondents did not agree that there are relevant laws giving powers and privileges to the institutions charged with the fight against unethical behaviour enabling them to be effective. The results had a mean response of 3.8 with a standard deviation of 1.0. This means that majority of the respondents were not agreeing to the statement. This was in line with the finding of Aggrey

(2017) who averred that adequate funding to relevant institutions was essential in the fight against unethical practices in government.

Another 69.8% of the respondents did not agree that there is cooperation and proper coordination among the relevant institutions charged with the fight against unethical behaviour. The results had a mean response of 3.7 with a standard deviation of 1.1. This means that there was a low variation in the responses from the respondents with regard to the statement. Whether there are safeguards to ensure institutional longevity and independence among the institutions charged with the fight against unethical practices, 63.0% of the respondents did not agree to the statement. The results had a mean response of 3.5 with a standard deviation of 1.3. This means that there was low variation in the responses from the respondents in regard to the statement. This means that majority of the respondents were not agreeing to the statement. This are in agreement with Austin (2017) who averred that institutional longevity was important in order for the fight against graft and unethical practices to succeed. He argued where institutional longevity was present cases were managed successfully.

That good will has been accorded to the institutions charged with the fight against unethical practices, majority of the respondents 69.9% agreed to the statement. The results had a mean response of 2.4 with a standard deviation of 1.2. This means that majority of the respondents were agreeing to the statement. That there is failure by our religious institutions to preach against the vice of graft and unethical practices, majority of the respondents 67.2% agreed to the statement. The results had a mean response of 2.3 with a standard deviation of 1.1. This means that majority of the respondents were agreeing to the statement.

Finally, religious institutions have been proactive in the fight against graft and unethical behaviour, majority of the respondents 74.0% did not agree to the statement. The results had a

mean response of 3.8 with a standard deviation of 1.0. This means that majority of the respondents were not agreeing to the statement. This results are in line with Ominde (2015) who argued in his paper that if religious institutions played their rightful role in the society and preached against unethical practices in the society then unethical practices will not be rife in our society. Ominde argued that it is only if the religious institutions played their rightful role was played in the society then such ills will not be prevalent.

4.4.3 Social cultural factors and integrity and ethical practices

The third objective of the study was to establish how social cultural factors impede integrity and ethical practices in the public sector in Kenya. A Likert scale of 1 to 5 (1 = strongly disagree, 2 = Disagree 3 = Neutral, 4 = Agree, 5 = strongly agree) was used and the mean response rate from the respondents calculated. For the purposes of interpretation 4 & 5 (agree and strongly agree) were grouped together as agree, 1 & 2 (strongly disagree and disagree) were grouped as disagree while 3 was neutral. The results of this study are as depicted in Table 4.4.

Table 4.5: Social cultural factors and integrity and ethical practices

Social Cultural factors	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Mean	SDev
Desire for greater social standing is the biggest contributor of graft and fraud cases	13.7%	52.1%	12.3%	9.6%	12.3%	2.1	1.2
Moral decadence among members of the society is the biggest contributor to graft and unethical behaviour	11.0%	54.8%	9.6%	15.1%	9.6%	2.3	1.2
Social and economic pressure is greater among civil servants than private sector employees	16.4%	52.1%	15.1%	6.8%	9.6%	2.4	1.1
Political patronage is among	21.9%	41.1%	11.0%	19.2%	6.8%	2.3	1.2

the greatest impediments in the fight against graft and unethical practices.

Ethnicity is a key impediment to the fight against graft and unethical behavior	13.7%	50.7%	13.7%	12.3%	9.6%	2.1	1.2
religious institutions have been unable to influence the social cultural behaviour of the society	9.6%	52.1%	13.7%	16.4%	8.2%	2.2	1.1
The social stigma associated with being a whistle blower has deterred people from whistle blowing	17.8%	47.9%	9.6%	15.1%	9.6%	2.3	1.2

That the desire for greater social standing is the biggest contributor of graft and fraud cases, majority of the respondents 65.8% (13.7%+52.1%) agreed to the statement. The results had a mean response of 2.1 with a standard deviation of 1.2. This means that majority of the respondents were agreeing to the statement. Majority 65.8% of the respondents agreed that moral decadence among members of the society is the biggest contributor to graft and unethical behaviour. The results had a mean response of 2.3 with a standard deviation of 1.2. This means that majority of the respondents were agreeing with the statement.

The above findings are in agreement with Kimani (2015) who pointed out that the level of moral decadence in a society not only influenced the level of corruption but also affected its fight against corruption and unethical practices. He argued that when a society is morally decadent its acceptance level of social ills goes up and things that were deemed un-acceptable once in the society become much more acceptable. This he argued influenced investigations and even prosecution of graft cases

Another 68.5% of the respondents agreed that social and economic pressure is greater among civil servants than private sector employees. The results had a mean response of 2.4 with a standard deviation of 1.1. This means that there was a low variation in the responses from the respondents with regard to the statement. That political patronage is among the greatest impediments in the fight against graft and unethical practices, 63.0% of the respondents agreed to the statement. The results had a mean response of 2.3 with a standard deviation of 1.2. This means that there was low variation in the responses from the respondents in regard to the statement. This means that majority of the respondents were agreeing with the statement.

The above findings are in line with Ondigo (2016) noted that the desire for higher social standing among members of the society was a leading contributor to cases of graft and unethical practices in the society. The higher social standing also acted as an impediment to the investigation of cases of graft and unethical practices since the individuals with such standing easily used their influence and status in the society to impede investigations

That ethnicity is a key impediment to the fight against graft and unethical behaviour, majority of the respondents 64.4% agreed to the statement. The results had a mean response of 2.1 with a standard deviation of 1.2. This means that majority of the respondents were agreeing to the statement. The above findings are in line with a research conducted by Synovate Research Company in the year 2013. It was found that ethnicity and political patronage were viewed as the biggest contributors to corruption and unethical behaviour in the public service in the country. The two factors were also mentioned to be among the key impediments to the fight against corruption in the country. Citizens' viewed political patronage as the key reasons why cases were never successfully investigated and fully prosecuted in the courts of law

That religious institutions have been unable to influence the social cultural behaviour of the society, majority of the respondents 61.7% agreed to the statement. The results had a mean response of 2.2 with a standard deviation of 1.1. This means that majority of the respondents agreeing to the statement. This results are in line with Ominde (2015) who argued in his paper that if religious institutions played their rightful role in the society and preached against unethical practices in the society then unethical practices will not be rife in our society. Ominde argued that it is only if the religious institutions played their rightful role was played in the society then such ills will not be prevalent.

Finally, that the social stigma associated with being a whistle blower has deterred people from whistle blowing, majority of the respondents 65.7% agreed to the statement. The results had a mean response of 2.3 with a standard deviation of 1.2. This means that there was low variation in the responses from the respondents. This means that majority of the respondents were agreeing to the statement. The findings are consistent with Brooke (2013) who averred that the social stigma associated with being a whistleblower deterred individuals from whistle blowing. Okello 2015 in his paper averred that what happened to David Munyakei the whistleblower of the golden bag scandal served as a deterrent to would be whistle blowers. He argued that the events on Munyakei's life are too tragic to even make one contemplate being a whistle blower. In his research paper he found that most civil servants were stigmatized by the thought of being whistle blowers or even being labelled as one

4.4.4 Economic factors and integrity and ethical practices

The forth objective of this study was to establish how economic factors impede integrity and ethical practices in the public sector in Kenya. A Likert scale of 1 to 5 (1 = strongly disagree, 2 = Disagree 3 = Neutral, 4 = Agree, 5 = strongly agree) was used and the mean response rate from

the respondents calculated. For the purposes of interpretation 4 & 5 (agree and strongly agree) were grouped together as agree, 1 & 2 (strongly disagree and disagree) were grouped as disagree while 3 was neutral. The results of this study are as depicted in Table 4.5.

Table 4.6: Economic factors and integrity and ethical practices

Economic Factors	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Mean	Sdev
Economic power and prestige among individuals involved with graft acts as an impediment to the fight against graft	16.4%	64.4%	1.4%	17.8%	0.0%	2.2	0.9
Greed among public servants and investigative agencies acts as an impediment to the fight against graft and unethical practices.	19.2%	53.4%	4.1%	19.2%	4.1%	2.4	1.1
The lack of a proper economic crimes law has hampered the investigation and recovery of illicit wealth	20.5%	61.6%	5.5%	9.6%	2.7%	2.1	0.9
The use of lifestyle audit will help in the fight against graft and unethical behavior	5.5%	11.0%	6.8%	53.4%	23.3%	3.8	1.1
lifestyle audit will help solve issues of graft and unethical practices in the country	4.1%	12.3%	4.1%	52.1%	27.4%	3.9	1.1
Money transfer and remittances have made it easier for illicit wealth to find its way in the economy.	21.9%	58.9%	2.7%	6.8%	9.6%	2.2	1.2
Religious institutions have promoted the vice by taking accepting money from questionable sources in their places of worship	24.7%	49.3%	8.2%	15.1%	2.7%	2.2	1.1

That economic power and prestige among individuals involved with graft acts as an impediment to the fight against graft, majority of the respondents 80.8% (16.4%+64.4%) agreed to the statement. The results had a mean response of 2.2 with a standard deviation of 0.9. This means that majority of the respondents were agreeing to the statement. Majority 72.6% of the respondents agreed that greed among public servants and investigative agencies acts as an impediment to the fight against graft and unethical practices. The results had a mean response of 2.4 with a standard deviation of 1.1. This means that majority of the respondents were agreeing with the statement.

The study are in line with Killu (2013) who averred that economic power acted as an impediment to the investigations and prosecution of graft suspects. In a study Killu found that in cases where there was high level of graft in government the individuals involved were already wealthy and that their motive could only be to accumulate wealth. This also presented problems to the investigative agencies as the illicit wealth amassed by the individuals was used to compromise individuals and in some cases institutions in the process of investigating graft

Another 82.1% of the respondents agreed that lack of a proper economic crimes law has hampered the investigation and recovery of illicit wealth. The results had a mean response of 2.1 with a standard deviation of 0.9. This means that there was a low variation in the responses from the respondents with regard to the statement. That the use of lifestyle audit will help in the fight against graft and unethical behaviour, 76.7% of the respondents did not agree to the statement. The results had a mean response of 3.8 with a standard deviation of 1.1. This means that there was low variation in the responses from the respondents in regard to the statement. This means that majority of the respondents were not agreeing to the statement.

The findings are consistent with Ogal (2013) who noted that in democracies where lifestyle audit was a mandatory requirement for key public officials unethical practices were less rampant and investigation and prosecution of graft cases was more effective. The findings are also in line with Kelly (2016) who averred it was imperative that key public officials underwent lifestyle audits in order to curb graft in public service and that officers involved in the investigative process should also undergo lifestyle audits.

That lifestyle audit will help solve issues of graft and unethical practices in the country, majority of the respondents 79.5% did not agree to the statement. The results had a mean response of 3.9 with a standard deviation of 1.1. This means that majority of the respondents were agreeing to the statement.

That money transfer and remittances have made it easier for illicit wealth to find its way in the economy, majority of the respondents 80.8% agreed to the statement. The results had a mean response of 2.2 with a standard deviation of 1.1. This means that majority of the respondents were agreeing to the statement. The findings are in line with Ogal (2017) who averred that for effective fight against corruption and unethical behaviour money transfers and remittances should be subjected to strict checks to ensure illicit wealth did not find its way in the economy. This he argued will act as a safeguard in the fight against corruption. The ease of cleaning money in the system he argued was what made corruption more attractive. When there were safeguards in the system such behaviour would not be encouraged.

That religious institutions have promoted the vice by taking accepting money from questionable sources in their places of worship, majority of the respondents 74.0% agreed to the statement. The results had a mean response of 2.2 with a standard deviation of 1.1. This means that there

was low variation in the responses from the respondent. This means that majority of the respondents were agreeing to the statement.

The findings are in line with Ominde (2017) who averred that religious institutions such as churches and mosques were among the key reasons why graft and unethical practices still persist in our country. Ominde argued that if religious institutions shied away from taking money from individuals with shady characters such people will not be motivated to participate in unethical practices for self-gain knowing that the society will shun them

4.4.5 Economic factors and integrity and ethical practices

The study sought to establish the level of integrity and ethical practices in the public sector in Kenya. A Likert scale of 1 to 5 (1 = Underdeveloped, 2 = needs improvement 3 = adequate, 4 = Good, 5 = Excellent) was used and the mean response rate from the respondents calculated. The results of this study are as depicted in Table 4.6. The results indicated that that level of transparency, accountability, honesty, Integrity, control, trustworthiness, reliability, commitment, adherence and compliance required improvement. The results had a mean response of 2.3 with a standard deviation of 1.1.

Table 4.7: Integrity and ethical practices

Integrity and Ethical practices	Underdeveloped	needs improvement	adequate	Good	Excellent	Mean	Sdev
Levels of Transparency	9.6%	56.2%	17.8%	5.5%	11.0%	2.3	1.1
Levels of Accountability	16.4%	50.7%	12.3%	15.1%	5.5%	2.4	1.1
Levels of honesty	13.7%	54.8%	13.7%	13.7%	4.1%	2.4	1.0
Levels of Integrity	9.6%	68.5%	8.2%	6.8%	6.8%	2.3	1.0
Level of	19.2%	53.4%	12.3%	9.6%	5.5%	2.3	1.1

control								
Levels of trustworthiness	12.3%	52.1%	16.4%	5.5%	13.7%	2.2	1.2	
Levels of reliability	13.7%	60.3%	11.0%	6.8%	8.2%	2.4	1.1	
Levels of commitment	11.0%	60.3%	16.4%	6.8%	5.5%	2.4	1.0	
Levels of adherence	5.5%	52.1%	15.1%	16.4%	11.0%	2.3	1.1	
Levels of compliance	9.6%	60.3%	6.8%	9.6%	13.7%	2.3	1.2	

4.6 Correlation Analysis

Preliminary analysis was carried out to determine whether there were significant associations between procedural factors, institutional factors, social cultural factors, economic factors and integrity and ethical practices. In this study, Pearson’s correlation coefficient (r) was used to explore relationships between the variables, specifically to assess both the direction and strength. This was crucial to assess the nature of relationships existing between the variables before carrying out further analysis.

Pearson’s product-moment correlation coefficient (r) was used to examine the extent of correlation between the variables of study and to show the strength of the linear relationships between the variables in the regression. r ranges between ± 1 . Where $r = +0.7$ and above it indicates a very strong relationship; $r = +0.5$ to below 0.7 is a strong relationship; $r = 0.3-0.49$ is a moderate relationship while $r = 0.29$ and below indicates a weak relationship. Where $r = 0$ it indicates that there is no relationship (Esther- Smith, Thorge & Love, 1999). The results of correlation analysis are presented in Table 4.7.

Table 4.8: Correlation Coefficients Matrix

	Integrity and Procedural	Institutional	Socio-cultural
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		ethics	factors	factors	factors
Integrity and ethics	Pearson Correlation		1.000		
	Sig. (2-tailed)				
Procedural factors	Pearson Correlation	.689**		1.000	
	Sig. (2-tailed)		0.000		
Institutional factors	Pearson Correlation	.746**	.612**		1.000
	Sig. (2-tailed)		0.000	0.000	
Socio-cultural factors	Pearson Correlation	.640**	.559**	.488**	1.000
	Sig. (2-tailed)		0.000	0.000	0.000
Economic factors	Pearson Correlation	.621**	.512**	.495**	.431**
	Sig. (2-tailed)		0.000	0.000	0.000

Source: Survey Data 2018

Results in Table 4.7 indicated that there was a significant positive association between procedural factors and integrity and ethical practices in the public sector ($r=.689$, $p=0.000$).The results agree with De Vos (2017) that legal and policy frameworks procedures that countries help manage the ethical behavior of public servants and elected officials

The results also showed that there is a significant positive association between association between institutional factors and integrity and ethical practices in the public sector ($r=.746$, $p=0.000$).The study findings agree with Brookes (2017) that in order to enforce ethical standards in government, it is vital for there to be a structural governance structure that grants independence to each arm of government to ensure checks and balances.

Results further indicated that there was a significant positive association between socio-cultural factors and integrity and ethical practices in the public sector ($r=.640$, $p=0.000$).The results agree

with Achigwu (2017) noted that cultural influence played a great role in the ethical practices of public servants in Nigeria.

The results also showed that there positive association between economic factors and integrity and ethical practices in the public sector ($r=.621$, $p=0.000$). The results are in agreement with Dunford (2017) that economic factors play an important role in effective and successful prosecution and conviction of corruption cases. Where the agencies charged with the investigation of corruption and unethical practices were adequately funded and well-staffed there was likely to higher chances of conviction as opposed to instances where they were not.

4.7 Inferential Analysis

This section contains inferential analysis for procedural factors, institutional factors, socio-cultural factors, economic factors, integrity and ethical practices in the public sector and overall regression analysis. Inferential statistics in this section include model fitness, ANOVA tests and regression coefficients. The results presented in Table 4.8 present the fitness of model used of the regression model in explaining the study phenomena.

Table 4.9: Model Fitness

Model	R	R Square	Adjusted R Square	Std. Error of the Estimate
	.851	.724	.708	.26677

Procedural factors, institutional factors, socio-cultural factors, economic factors, were found to be satisfactory in explaining integrity and ethical practices in the public sector. This is supported by coefficient of determination also known as the R square of 72.4%. This means that procedural factors, institutional factors, socio-cultural factors, economic factors explain 72.4% of the variations in integrity and ethical practices. Results of the model fitness back up the study by Aggrey and Benfort (2015) in their study found that another operational framework that can be

adopted to drive transparency and integrity in information sharing by government includes equipping investigative agencies with enough manpower, legal tools and operational resources so that when questions of integrity or ethics of public officials arise, they can be adequately addressed by these investigative agencies. The ANOVA results are presented in Table 4.9.

Table 4.10: Analysis of Variance

Model	Sum of Squares	df	Mean Square	F	Sig.
Regression	12.701	4	3.175	44.617	.000
Residual	4.839	68	.071		
Total	17.540	72			

Table 4.9 provides the results on the analysis of the variance (ANOVA). The results indicate that the overall model was statistically significant. Further, the results imply that procedural factors, institutional factors, socio-cultural factors, economic factors are good predictors of integrity and ethical practices in the public sector. This was supported by an F statistic of 44.617 and the reported p value (0.000) which was less than the conventional probability of 0.05 significance level. Regression of coefficient results is presented in Table 4.10.

Table 4.11: Regression of coefficient

Model	Unstandardized Coefficients		Standardized Coefficients	t	Sig.
	B	Std. Error	Beta		
(Constant)	-.603	.248		-2.433	.018
Procedural factors	.228	.103	.198	2.215	.030
Institutional factors	.390	.083	.400	4.709	.000
Socio-cultural factors	.277	.092	.240	3.012	.004
Economic factors	.282	.101	.218	2.801	.007

Regression of coefficients showed that procedural factors and integrity and ethical practices in the public sector have a positive and significant relationship ($r=.228$, $p=0.030$).The results agree with

Transparency International (2015) argues that procedural factors are among the factors that impede integrity and ethical practices. This are factors that relate to the procedure of conducting government business, access of information of government businesses, prosecution and the collection of evidence in cases relating to integrity and ethical practices.

The results also revealed that that institutional factors and integrity and ethical practices in the public sector have a positive and significant relationship ($r=.390$, $p=0.000$).The results agree with World Bank (2015) that institutional factors also impede the fight against graft and ethical practices. These factors majorly relate to cooperation among various institutions that are charged in the fight against graft, the powers and privileges that the institutions charged with the fight against graft are given. The cooperation amongst the relevant institutions mandated to investigate graft and unethical practices, the safeguards to ensure longevity amongst institutions mandated to fight graft, and the goodwill accorded to the institutions charged with the fight against graft and unethical practices.

The results also showed that socio-cultural factors, integrity and ethical practices in the public sector have a positive and significant relationship ($r=.277$, $p=0.004$).The results agree with Ngujiri, (2015) that social cultural factors are also a contributor to the fight against graft and unethical practices. Key among the leading factors include desire for greater social standing, moral decadence among members of the society, social and economic pressure among civil servants and private company employees, political patronage especially among graft suspects, and ethnicity which has led to tribal divide when graft cases are being investigated of graft cases.

The results also showed that economic factors, integrity and ethical practices in the public sector have a positive and significant relationship ($r=.282$, $p=0.007$). The results agree with Adan (2013) that economic factors have also led to the impediment of investigation of cases involving graft and unethical behaviour. Economic power and prestige among individuals involved in graft, greed among public servants and investigative agencies, the lack of proper economics crime law and the lack of implementation of lifestyle audits have been among the leading economic factors impeding the fight against graft.

$$Y = -.603 + .228X_1 + .390X_2 + .277X_3 + .282X_4$$

Where

Y = Integrity and ethical practices in the public sector

X₁ = Procedural factors

X₂ = Institutional factors

X₃ = Socio-cultural factors

X₄ = Economic factors

4.8 Moderating effect of legal Framework

The study established the moderating effect of legal framework in assessing the challenges to integrity and ethical practices in the public sector in Kenya. All the independent variables were moderated by legal framework to give a composite (interaction term). The results presented in Table 4.10 shows model the fitness for a regression model after moderation.

A model systematic developed by Minja 2017 that The study borrows from the systemic model developed by Minja (2017) that pivots on three dimensions namely changing culture to one that is

value based, integrity management pillars and leader as a custodian. These three dimensions being the pedals on which ethical leadership should be established and allowed to flourish to counter the force of corruption and change resistance. Integrity management pillars must work in tandem to create synergy. Laws, rules, codes of ethics help the leadership to impose compliance to a certain minimum standard of behaviour. When violators are sanctioned it acts as a deterrent to illegal and unethical conduct (Minja 2017).

Table 4.12 Model Fitness

Model	R	R Square	Adjusted R Square	Std. Error of the Estimate
	.872	.759	.721	.25420

The R² before moderation was 72.4% but after moderation the R² improved to 75.9%. This implies that legal framework enhances the provision of integrity and ethical practices in the public sector. Further the moderating term has significance with P value 0.000<0.05. This implies that legal framework moderates the overall effect of explanatory variable in the provision of integrity and ethical practices in the public sector. Results agree with Regional Anti-Corruption Programme for Africa (2016) that unethical behavior and lack of legal mechanisms to address these misdeeds dampens foreign investments, impedes the growth of vibrant markets, increases the cost of doing business, and dents the impact of government projects in the country. These practices also lead to mismanagement or misappropriation of tax revenues, and erode the quality and impact of services.

Table 4.13 Analysis of Variance

Model	Sum of Squares	df	Mean Square	F	Sig.
Regression	12.427	4	3.107	41.321	.000
Residual	5.113	68	.075		

Total	17.540	72
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A regression model was run after moderation. The results are presented in table 4.13. The regression coefficients of the variables are presented according to the effect on the overall model. The results agree with De Vos (2017) who points to a deficiency in the efficacy of the investigative or legal mechanisms adopted to contain the vice. The growing number of legislation introduced to fight corruption has proved insufficient in actually contain or eradicate it, putting the viability of the country's development initiatives in peril.

Table 4.14 Regression of Coefficients

Model	Unstandardized Coefficients		Standardized Coefficients	t	Sig.
	B	Std. Error	Beta		
(Constant)	1.074	.121		8.885	.000
Procedural factors*	.236	.039	.121	6.051	.025
Institutional factors*	.397	.033	.429	12.030	.012
Socio cultural factors*	.279	.035	.269	7.971	.018
Economic factors*	.284	.036	.061	7.889	.002

$$Y = 1.074 + .236X_1 + .397X_3 + .279X_2 + .284X_4$$

Y = Integrity and ethical practices in the public sector

X₁ = Procedural factors

X₂ = Institutional factors

X₃ = Socio-cultural factors

X_4 = Economic factors

M = Legal framework

$\beta_0, \beta_1, \beta_2, \beta_3, \beta_4$ = Regression coefficients of changes included in Y by each X value

ϵ = Error term which is normally distributed with a mean and variance of zero

CHAPTER FIVE

SUMMARY, CONCLUSION AND RECOMMENDATIONS

5.1 Introduction

This chapter gives a summary of the findings in line with the specific objectives of the study, conclusions drawn and the necessary recommendations made for the study including suggested areas of further study to enrich relevant knowledge under the study.

5.2 Summary of the Findings

The general objective of this study was to assess the challenges to integrity and ethical practices in the public sector in Kenya. The specific objectives were to establish how procedural factors, institutional factor, social cultural factors and economic factors impede integrity and ethical practices in the public sector in Kenya. Primary data was collected through 75 self-administered questionnaires where 73 were filled and returned. Cronbach alpha was above 0.07 indicating that the data was reliable. Pearson correlation was used to establish the association between the independent variables and the dependent variable and it was found that procedural factors, institutional factors, socio-cultural factors, economic factors, integrity and ethical practices in the public sector and overall regression analysis. Multiple regression was used to answer research

questions. Procedural factors, institutional factors, socio-cultural factors, economic factors, were found to be satisfactory in explaining integrity and ethical practices in the public sector. This is supported by coefficient of determination also known as the R square of 72.4%. This means that procedural factors, institutional factors, socio-cultural factors, economic factors explain 72.4% of the variations in integrity and ethical practices.

5.2.1 Procedural factors

The first objective of the study was to establish how procedural factors impede integrity and ethical practices in the public sector in Kenya. Correlation analysis showed there was a significant positive association between procedural factors and integrity and ethical practices in the public sector ($r=.689$, $p=0.000$). Regression analysis indicated that procedural factors and integrity and ethical practices in the public sector have a positive and significant relationship ($r=.228$, $p=0.030$).

5.2.2 Institutional factors

The second objective of the study was to establish how institutional factors impede integrity and ethical practices in the public sector in Kenya. Correlation analysis showed there was a significant positive association between institutional factors and integrity and ethical practices in the public sector ($r=.746$, $p=0.000$). Regression analysis indicated that institutional factors and integrity and ethical practices in the public sector have a positive and significant relationship ($r=.390$, $p=0.000$).

5.2.3 Social cultural factors

The third objective of the study was to establish how social cultural factors impede integrity and ethical practices in the public sector in Kenya. Correlation analysis showed there was a

significant positive association between social cultural factors and integrity and ethical practices in the public sector ($r=.640$, $p=0.000$). Regression analysis indicated that social cultural factors and integrity and ethical practices in the public sector have a positive and significant relationship ($r=.277$, $p=0.004$).

5.2.4 Economic factors

The fourth objective of the study was to establish how economic factors impede integrity and ethical practices in the public sector in Kenya. Correlation analysis showed there was a significant positive association between economic factors and integrity and ethical practices in the public sector ($r=.621$, $p=0.000$). Regression analysis indicated that social cultural factors and integrity and ethical practices in the public sector have a positive and significant relationship ($r=.282$, $p=0.007$).

5.3 Conclusion

The conclusions of this study were informed based on the findings of the study. Each objective was reviewed and a conclusion provided that covers theory and practice. The purpose of this study was to assess the challenges to integrity and ethical practices in the public sector in Kenya.

5.3.1 Procedural Factors

Based on research finding it can be concluded that procedural factors impede integrity and ethical practices in the public sector in Kenya. These are factors that relate to the procedure of conducting government business, access of information of government businesses, prosecution and the collection of evidence in cases relating to integrity and ethical practices. These factors significantly slow the progress in cases against graft and lead to acquittal of most graft related cases.

5.3.2 Institutional Factors

Based on research finding it can be concluded that institutional factors influence integrity and ethical practices in the public sector in Kenya. These factors majorly relate to cooperation among various institutions that are charged in the fight against graft, the powers and privileges that the institutions charged with the fight against graft are given. The cooperation amongst the relevant institutions mandated to investigate graft and unethical practices, the safeguards to ensure longevity amongst institutions mandated to fight graft, and the goodwill accorded to the institutions charged with the fight against graft and unethical practices.

5.3.3 Social Cultural Factors

Further, it can be concluded that concluded that socio-cultural factors impede integrity and ethical practices in the public sector in Kenya. Social cultural factors are also a contributor to the fight against graft and unethical practices. Key among the leading factors include desire for greater social standing, moral decadence among members of the society, social and economic pressure among civil servants and private company employees, political patronage especially among graft suspects, and ethnicity which has led to tribal divide when graft cases are being investigated of graft cases.

5.4.4 Economic Factors

The study also concluded that economic factors impede integrity and ethical practices in the public sector in Kenya. Economic power and prestige among individuals involved in graft, greed among public servants and investigative agencies, the lack of proper economics crime law and

the lack of implementation of lifestyle audits have been among the leading economic factors impeding the fight against graft

It is also concluded that legal framework enhances the provision of integrity and ethical practices in the public sector. This implies that legal framework moderates the overall effect of explanatory variable in the provision of integrity and ethical practices in the public sector.

5.4 Contribution to the Body of Knowledge.

The study made contributions to Public Choice Theory. The study found that the impediments to integrity and ethical practices in the public sector in Kenya are related to procedures of investigating and prosecuting corruption cases, the corporation between various institutions including department of Criminal Investigation, EACC and the Judiciary. All these institutions require sufficient resources to carry out their duties diligently without partiality. Public choice theory also argues that corruption levels within a county have more to do with the institutional makeup of the country and less to do with the personal values of its public servants.

The study also makes a contribution to criminology theory that posits that urban disorder and vandalism directly impact crime levels and anti-social behavior. The study established that social cultural factors impede integrity and ethical practices in the public sector in Kenya. In the violation of socio norms guiding the society, the aspects of integrity and honest tend to go down. As a result of this, people tend to have the urge to acquire wealth even in illegal ways.

5.5 Recommendations for Policy Implication

Based on the results of the findings and the conclusions drawn from the study, the various recommendations are made to the policy makers, institutions and interested stakeholders charged with ensuring ethical practice in the public sector.

5.5.1. Procedural factors

The study recommends the revision of procedures in investigating and prosecuting individuals who commit economic crimes. The procedures should be systematic and supported legally. The procedures should be easy to follow and implement. Enhancement of existing anti-graft laws which lay out the procedures to be followed in prosecuting graft related cases.

5.5.2 Institutional factors

The study recommends the corporation of various government institutions in taming and fighting graft. The various institutions include department of Criminal Investigation, EACC, the Judiciary, civil society and the religious groups. When all these group pull together, the graft in Kenya will be rooted out. The cooperation amongst the relevant institutions mandated to investigate graft and unethical practices, the safeguards to ensure longevity amongst institutions mandated to fight graft, and the goodwill accorded to the institutions charged with the fight against graft and unethical practices.

There should also be political goodwill accorded to the institutions tasked with fighting graft and unethical practices. This will mean less interference and therefore enable them carry out their mandate effectively. The government should carry out periodic vetting of all public servants in

order to promote ethical practice among public servants since periodic lifestyle audits will act as a deterrence to unethical behaviour.

5.5.3 Social cultural factors

The study recommends the inclusion of ethics and moral lessons in school curriculum. These will ensure that young generations are taught on the importance of being honest right at an early age. The society including community leaders, parents, religious leaders and teachers should teach good morals among the younger generation.

5.5.4 Economic factors

The study recommends the facilitation of all institutions by enhancing their capacity and capability in fighting graft. There should be clear law on economic crime that is testable in the court of law. There should be enough budget allocation to the institutions tasked with the fighting of graft. The welfare of public servants should also be improved in order to

5.6 Areas for Further Research

The study relied on the questionnaire as a method of data collection. There is need for open ended conversation with relevant authorities. Future study should use interview guide to supplement responses from the questionnaire. The study was also limited to a small population frame due to budget constraints, future studies should cover a large population frame in order to capture diverse views and come up with a more comprehensive result.

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APPENDIX II: STAFF QUESTIONNAIRE

PART A:

Respondent Profile:

Please tick where appropriate;

1.

Investigations

Preventive services

Departments;

Legal Services

Ethics and leadership

2.

CFE

Professional Qualification;

Others

3.

0> 5yrs

Over 10yrs

Years of service;

5>10 yrs

4.

Qualification;

Doctorate level

Bachelors' level

Highest

Academic

Masters Level

PART B:

Please indicate your level of agreement with the following:

a)

Procedural Factors

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
i. pen record laws that allow citizens to public records have helped in the fight against corruption		√			
ii. he provision of extensive relevant documentary information enabling citizens to accurately access government activities has helped in the fight against corruption		√			
iii. he cost of citizens accessing government records has hampered the war against graft		√			
iv. he laws pertaining collection of evidence and prosecution allows for effective investigation and prosecution.		√			
v. he procedure for acquiring illicit wealth is well laid out has been effective.				√	

vi.	he laws, policies and regulations to aid in the fight against graft and unethical practices are adequate.				√	
vii.	etting of public officials will help curb unethical practices in the public sector		√			
viii.	he involvement of religious institutions in the vetting of public officials will help in eliminating graft.		√			

b)

Institutional Factors

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
i.				√	
ii.				√	
iii.					

	here is cooperation and proper coordination among the relevant institutions charged with the fight against unethical behaviour			√	
iv.	here are safeguards to ensure institutional longevity and independence among the institutions charged with the fight against unethical practices			√	
v.	good will has been accorded to the institutions charged with the fight against unethical practices.	√			
vi.	there is failure by our religious institutions to preach against the vice of graft and unethical practices	√			
vii.	religious institutions have been proactive in the fight against graft and unethical behaviour			√	

c)

Social Cultural factors

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
i)		√			

ii) Moral decadence among members of the society is the biggest contributor to graft and unethical behaviour		√			
iii Social and economic pressure is greater among civil servants than private sector employees		√			
iv Political patronage is among the greatest impediments in the fight against graft and unethical practices.		√			
v Ethnicity is a key impediment to the fight against graft and unethical behaviour		√			
vi religious institutions have been unable to influence the social cultural behaviour of the society		√			
vii The social stigma associated with being a whistle blower has deterred people from whistle blowing		√			
Vii					

d)

Economic Factors

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
i Economic power and prestige among individuals involved with graft acts as an impediment to the fight against graft		√			
ii Greed among public servants and investigative agencies acts as an impediment to the fight against graft and unethical practices.		√			
iii The lack of a proper economic crimes law has hampered the investigation and recovery of illicit wealth		√			
iv The use of lifestyle audit will help in the fight against graft and unethical behaviour		√			
v lifestyle audit will help solve issues of graft and unethical practices in the country				√	
vi Money transfer and remittances have made it easier for illicit wealth to find its way in the economy .		√			
vii Religious institutions have promoted the vice by accepting money from questionable sources in their places of worship		√			

Please advice on the most effective ways to tackle graft and unethical behaviour among public servants

e. Integrity and Ethical practices

Please tick (√) one cell for each statement regarding self-management and effective leadership in your organization Use the scale where **1** - underdeveloped **2**- needs improvement **3** - adequate **4** - good **5**- excellent

	Integrity and Ethical practices	1	2	3	4	5
1	Levels of Transparency		√			
2	Levels of Accountability		√			
3	Levels of honesty		√			
4	Levels of Integrity		√			
5	Level of control		√			
6	Levels of trustworthiness		√			
7	Levels of reliability		√			
8	Levels of commitment		√			
9	Levels of adherence		√			

10	Levels of compliance		√			
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