



# African Journal of Commercial Studies

Publisher's Home Page: <https://ijcsacademia.com/>



Review Paper

Open Access

## A Review of Effectiveness of Anti-Corruption Strategies and Institutions in Kenya

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### Article Info

Volume 4, Issue 4, May 2024

Accepted : 24 May 2024

Published : 29 May 2024

*doi:* [10.59413/ajocs/v4.i4.5](https://doi.org/10.59413/ajocs/v4.i4.5)

### Abstract

It is often stated that the fight against corruption in Kenya does not need strong men; rather, the onslaught against pilferage and plundering of public resources requires strong institutions. Unfortunately, present efforts to combat corruption in Kenya have yielded a mixed bag of results, both negative and positive. Ostensibly, extant discourses indicate that anti-corruption institutions in Kenya and the Ethics and Anti-Corruption Commission in particular have been unable to achieve a single high-profile conviction. Towards this, the debate on the effectiveness of anti-corruption strategies and the institution in the country is interminable. It is, therefore, the view of this study that institutions in Kenya face systemic and endemic snags that are perhaps preventing them from achieving their institutional duty of custodianship of good practice. Results from this conceptual review indicate that although Kenya has one of the most progressive legislative and institutional frameworks on anti-corruption, the Corruption Perception Index has it that Kenya still experiences high corruption, with a score of 3 out of 10, or a ranking of position 126 out of 180 countries. Although the study noted political interference, particularly from the executive, it underscores that anti-corruption institutions do not have adequate human and financial resources, which are thought to hinder their capacity to investigate and prosecute corrupt individuals. It is recommended that Kenya should strengthen legal safeguards, empower whistleblowers, implement various anti-corruption strategies and entrench a culture of integrity. The study recommends that the anti-corruption institutions should be allocated sufficient resources, both human and financial, so that they carry out their duties independently. The study further recommends that the future of anti-corruption actions depends on incorporating civil society organizations, the media, and international partners into the campaign against misappropriation of public funds, as these entities play peripheral, yet pivotal roles in oversight, advocating for reforms, and enhancing public awareness. Over and above, the study notes the criticality of freeing independent institutions from the control of the executive so that they can work autonomously.

**Keywords:** Corruption, Anti-Corruption, Legal and Institutional Framework, Transparency, Leadership, strategies, Institutions

## 1. Introduction

The developmental needs of any country are likely to be realized when public institutions discharge their duties according to the established code of conduct and legal framework. Developed nations in the Global North and emerging market nations, such as China, have been able to realize economic growth and eventual development because of robust anti-corruption strategies and institutions (Kesiranon, 2023). Regrettably, the same cannot be assumed to hold true in the Global South and Sub-Saharan Africa in particular. Corruption is one of the often cited (see, for instance, Elekyabi, 2021; Tennant, 2021, among others) reasons for underdevelopment in Africa since public resources are dissipated by those holding public offices. Consequently, there is erosion of public trust due to the disenfranchisement of the citizenry. Notably, public offices are exploited for self-aggrandizement and gain as the custodians of such positions often take advantage of existing gaps and rationalization to pilfer (Lehtinen et al., 2022).

There is a proliferation of publications that have attempted to define the concept of corruption. This paper uses the definition of the United Nations Convention against Corruption (UNCAC), which conceptualizes corruption as “abuse of entrusted power for private gain, bribery, embezzlement, misappropriation or diversion of property, trading in influence, laundering the proceeds of crime, and obstruction of justice” (United Nations Office on Drugs and Crime, 2004). Based on the above conceptualization of corruption, this discourse operationalizes corruption as encompassing various illicit activities, such as bribery, which involves offering, promising, asking for, accepting, or accepting an undue advantage to influence the performance of a public or private function.

Corruption remains a pervasive and endemic challenge across the world. However, the preponderance of the vice in Africa and Kenya in particular has necessitated governments to formulate and legislate several policies to tame the vice. However, the extent to which existing strategies have been effective remains a subject of debate, both at the policy and practice level. According to Transparency International (2023), Kenya ranks position 126 out of 180 countries or 31 points out of 100 contrasted to 32 points in 2022. In the report, Transparency International pointed out the Aror-Kimwaror dam graft as an example of grand corruption where the public lost 63 billion Kenyan shillings or USD 390 million. Bearing in mind these statistics, it is possible to argue that the effectiveness of anti-corruption strategies and institutions appears to be regressing.

### 1.2 Statement of the Problem

Corruption proclivity in Kenya is enabled by the citizens who are often ready to give a bribe so that they can access a

service that should be offered at no fee. This has been aggravated by the political elites who control decision-making institutions, such as Parliament and the Executive (see Maina, 2019). It is not news that Kenya has experienced some notable corruption heists in the recent past; however, this has not been resolved by the anti-corruption institutions in the country. This continues to cast doubt on the effectiveness of the existing strategies that were anticipated to reign on the run-away plundering of public resources. Notable cases of corruption that have been prosecuted in both the court of public opinion and criminal justice system include but are not limited to Aror-Kimwaror dam graft, the Eurobond scandal (2014), Goldenberg saga (1990s), Anglo-Leasing Scandal (2004), Chickengate Scandal (2015), Afya House Scandal (2016), just to name but a few. Unfortunately, institutions charged with the responsibility of preventing and/or responding to such cases have done very little since there is no prominent offender who has been prosecuted and sentenced to serve jail term. This has raised questions about the efficacy of the anti-corruption laws and institutions.

Statistics by the EACC indicate that Kenya losses close to 7.8% of the Gross Domestic Product (GDP). Government ministries, Departments and Agencies are the worst ranked on the corruption index provided by Kenya’s anti-corruption body (EACC, 2021). Likewise, EACC’s 2021 survey indicated that 20.9% of those who sought government services paid a bribe with an average bribe of KES 5,889.89 in that year. Recall that Kenya rarely scores more than 3/10 according to Transparency International’s corruption perception index, signifying that corruption in the country is endemic, systemic, and deliberately entertained by the political elites. The National Ethics and Corruption Survey Report 2023 ranked Government Ministries, Departments, Agencies and Counties and revealed, among others, that 6 out of 10 Kenyans perceive corruption to be high and that giving and receiving bribes, abuse of office, favoritism, nepotism, and deliberate delay in service provision have been on the increase (EACC, 2024). Reflecting on the mentioned empirical evidence, it is possible to argue that corruption edifice in Kenya is built upon layers of interconnected practices, norms, and individuals.

Most of anti-corruption bodies in Africa and Kenya in particular appear to target petty pilfers, such as subordinate and/or support staff who receive bribes so that they can offer public services (see, Eke, 2018). EACC seems to focus on law enforcement agencies, such as the Kenya Police and Traffic personnel, which pre-empts the doubt that the agency is a toothless dog that only barks at visitors and runs away from thieves when it is most needed. This discourse reiterates that anti-corruption institutions are a yardstick of the executive since pillagers of public resources are politically correct and/or connected and are rarely arrested,

tried, and sentenced to serve jail term. It therefore, defeats the logic of having independent institutions that pander to the whims of the executive. Notably, the corruption cases during the Jubilee regime were dropped when the new administration came to power. Furthermore, those with corruption cases hanging on their shoulders were appointed by the executive to plum state jobs, including being elevated to become Cabinet Secretaries (ministers). Towards this, it is probable to elucidate that corruption is institutionalized and has become the order of the day.

From the foregoing, it is the view of this discourse that anti-corruption institutions and their attendant strategies are not effective. They only appear effective when arresting and prosecuting minor pilfers, albeit small and grand corruption being wrong. The consequences of corruption are well known - lifetime poverty, underdevelopment, and exclusion, among others. This is caused by diverting public resources for personal gain, which stifles development in various sectors of the economy, such as education, health, agriculture, and construction. The result of this is that it predisposes vulnerable populations to poverty, meaning that people are unable to afford education, healthcare, and farm inputs, to name but a few. Despite numerous anti-corruption strategies and institutions established in Kenya, corruption remains a pervasive and significant problem.

## 2. Methodology

The study employed a case study research design since the concentration is on the effectiveness of anti-corruption strategies and institutions in Kenya. Case studies are well-suited for addressing questions that delve into the reasons behind specific outcomes or how certain events unfolded. Thus, a case study design is selected on the basis that it enabled the researcher to provide rich details and context, which ideally made it possible for the study to offer unapparelled exposition into the state of corruption in Kenya in addition to the level of effectiveness in thwarting the same. An exhaustive keyword search was conducted across several databases, such as Google Scholar, GARDIAN, EBSCO, CCAFS, to name but a few. This initial probe yielded approximately 10,000 studies, which were subsequently trimmed through a screening process that focused on titles and abstracts, resulting in around 500 pertinent papers.

To draw a comprehensive understanding of the effectiveness of constitutional bodies mandated with fighting corruption in Kenya and their strategies, 9 search criteria were formulated to screen extant literature. The following themes were coined upon formulating the problem statement: United Nations Convention on corruption and how it relates to the Kenyan case study, corruption perception index, extant anti-corruption strategies, corruption scandals in Kenya, zero high profile convictions, success stories in the fight against corruption in

Kenya, political will and leadership, and the future of anti-corruption efforts. However, it is important to note that although there is a considerable number of studies that have delved into the question of corruption and the strategies to fight the vice, there is a dearth of recent empirical evidence in the mainstream academic literature that has queried the effectiveness of anti-corruption strategies and institutions, suggesting that this discourse was restricted to studies published post-Kenya's new constitutional dispensation.

The study also analyzed and documented specific case laws, statutory publications, and legal frameworks within and outside Kenya, to name but a few. Importantly, the concentration of the studies entailed institutional response to corruption and the attendant efficacy. The reviewed studies either had titles on the 9 themes or had an objective(s) as part of their focus or the broader research design. Notably, the criteria also involved corruption in the public sector since institutionally mandated anti-corruption bodies ideally tackle public sector plundering of resources. Notably, the study was also interested in reviewing documents that had collected and analyzed primary data as they were deemed to have a sound empirical exposition. Besides, the search also considered the units of observation and analysis, signifying that the studies must have primarily concentrated on knowledgeable respondents/informants on corruption in the public sector.

Studies that were deemed relevant to the prescribed criteria were extracted from conference proceedings, books, and journals, among others. This was done through both manual and computerized bibliographic searches. However, this conceptual review heavily relied on a computerized search since it was more practical to access scholarly and peer-reviewed journals on online academic platforms. On the other hand, a manual bibliographic search was done on conference proceedings and books. In total, about 30 journals, 10 books, and 14 conference proceedings on corruption were identified. As already stated, the search prioritized journals public in Africa and Kenya in particular that were in tandem with the empirical exposition of corruption and the level of efficacy in the onslaught against corruption.

The approach employed in this conceptual review was mainly content analysis of the existing materials to extract useful information on the effectiveness of anti-corruption strategies and institutions. To ensure that important information was not lost, a document review guide was adopted to improve coding consistency. Subsequently, conclusions were drawn from the coded publication followed by the reporting of results.

## 3. Findings and Analysis

In elucidating the effectiveness of anti-corruption strategies and institutions in Kenya, a desk review of the existing studies was meticulously executed to capture key information on the thematic areas coined under the

methodology section. A content analysis approach was undertaken to provide several snapshots into the efficacy of anti-corruption efforts. It is anticipated the following themes will offer an undisputed probe into the status of corruption in Kenya and provide a solid unpacking of hits and misses that the country has experienced.

### 3.1 United Nations Convention Against Corruption

Corruption plagues many countries across the globe, suggesting that it is an insidious challenge that the Commonwealth of Nations has committed to fight. The UNCAC, also known as the Merida Convention, is the only legally binding international anti-corruption multilateral treaty (Kesiranon, 2023; UNODC, 2004) that was adopted by the UN General Assembly in 2003 and entered into force in 2005. As of 2024, 190 countries have ratified the Convention, including Kenya (Kuwali, 2024), a signatory to the UNCAC. Kenya signed and ratified the Convention on December 9, 2003, and it entered into force for the country in 2005 (see, Busingye et al., 2024). Kenya being a signatory to the convention, it borrows a lot and uses UNCAC's framework to formulate and build anti-corruption legal and institutional frameworks. It is noteworthy to state that Kenya has made tremendous efforts in adopting the provisions contained in UNCAC, such as the creation of independent institutions to fight corruption, notably, the Antigrift Agency (EACC), Asset Recovery Agency, ODPP, and PSC, among others. It is also important to place on record that the EACC was established under Section 3 of the Ethics and Anti-Corruption Commission Act No. 22 of 2011 following the repealing of the Anti-Corruption and Economic Crimes Act of 2003, which had established the EACC as the primary anti-corruption agency in Kenya (EACC, 2021).

Some of the legal frameworks in Kenya that are anchored on the UNCAC include the Public Procurement and Asset Disposal Act, the Proceeds of Crime and Anti-Money Laundering Act, the Public Service Commission Act, the Ethics and Anti-Corruption Commission Act, the Penal Code, Public Finance Management Act, the Leadership and Integrity Act, the Public Officer Ethics Act, the Bribery Act, and the Anti-Corruption and Economic Crimes Act (Kireri, 2022). It is important to note that policies and strategies aimed at fighting corruption in Kenya are coordinated by the Judiciary and the Office of the Attorney General. Kenya also collaborates with other international anti-corruption networks, such as Asset Recovery Inter-Agency Network for Southern Africa and Eastern Africa.

Probing the effectiveness of the legal frameworks coined from the UNCAC, there are both misses and hits. For instance, the PSC Act and Public Service Act have been instrumental in ensuring that public sector vacancies are announced and competitively hired. Notably, vacancies are announced on the PSC website and at least one widely circulated daily newspaper, as well as through radio broadcasts and other communication channels. The Constitution establishes the Salaries and Remuneration Commission, which comprises representatives from various service commissions, trade unions, and employers. The PSC plays a crucial role in human resource development within the public service, involving the training of public officers and the promotion of an ethical working environment. Regular staff rotation is implemented across different institutions, including the Kenya Revenue Authority, the

judiciary, the EACC, and the National Police Service. One of the biggest misses is the ethnic composition of the public sector, for instance, the Kenya National Bureau of Statistics' Public Service Employee Census indicated that six major ethnic groups (Kikuyu, Kalenjin, Luo, Luhya, Kamba, Kisii) comprise 82.6% of the public sector workforce, while the rest of 42 ethnic groups share the remaining 17.4% (KNBS, 2019). From the mentioned statistics, it is possible to elucidate that some of the legislations anchored on the UNCAC are not effective.

Focusing on leadership and integrity, this discourse argues that there are employees in the public sector who fail to pass the minimum threshold. For instance, there are public sector servants who have questionable wealth, which they cannot account for. This appears to suggest that there are many cases of conflict of interest where public sector employees and political elites use their powers and positions to gain and/or benefit from public resources. The accumulation of wealth that cannot be justified by legitimate sources of income may indicate corrupt activities such as embezzlement, bribery, or abuse of public resources. In this respect, it is noteworthy to ask the question of the place and relevance of anti-corruption bodies in the Republic of Kenya.

It is the view of this study that the UNCAC provides a robust framework that Kenya has been able to leverage in her onslaught against corruption. However, it is left to the public to guess the institutional independence of anti-corruption bodies, such as EACC, which as previously highlighted appears to be the extension of the executive. More profoundly, Kenya enacted the Proceeds of Crime and Anti-Money Laundering Act of 2009 to combat money laundering and the proceeds of crime. Enacted to align with international standards and commitments, the Act provides a legal basis for the identification, tracing, freezing, seizure, and forfeiture of assets derived from criminal activities. Regrettably, the exact assets recovered by ARA remain unclear since most of the assets that were previously recovered have been taken back by the pillagers who exploit legal gaps.

### 3.2 Corruption Perceptions Index

Corruption Perception Index (CPI) is heavily researched in both policy and practice (see, Gilman, 2018; Tsao & Hsueh, 2023). It is important to point out the index was developed and is applied by Transparency International, where its core focus is on public sector corruption around the world (Transparency International, 2023). From the conceptualization of the index, it does not measure actual corruption; rather, it gauges perceptions of corruption based on expert assessments and business surveys (Baumann, 2020; TI, 2023). The index assigns a score from zero (0), which represents instances of high corruption, to 100, which signifies no corruption to each country (Lin & Yu, 2020; TI, 2023). Before providing a snapshot of Kenya's CPI ranking, it is noteworthy to offer an overview of the most corrupt and least corrupt countries as it relates to their public sector management.

According to the latest CPI ranking, most of the least corrupt countries are in Europe. Notably, Denmark (position 1), Finland (position 2), New Zealand (position 3), Norway (position 4), Singapore (position 5), and Sweden ((position 6), to name but a few are cited by Transparency International as the least corrupt countries (TI, 2023). The factors

contributing to their success include strong democratic institutions, independent judiciaries, and free press, among others, which are thought to create a system with checks and balances that discourages corruption (Budzaratragoon & Jitmaneeroj, 2020). Based on the results from countries that are lowly ranked on the preponderance of corrupt activities, it is possible to infer that such nations have strong and independent anti-corruption institutions that exercise autonomy in prosecuting any instances of corruption. This is to say that they are not at the mercy of the executive; rather, they have original jurisdiction on matters of public interest.

As it relates to the most corrupt countries globally, [Transparent International \(2023\)](#) has it that Somalia (position 180), Syria (position 177), South Sudan (position 177), and Venezuela (position 177), among others, consistently rank at the bottom of the CPI, with scores of 12, 13, 13, 13 respectively. These nations' public sectors are perceived as highly corrupt, and the most common types of corruption in these contexts often involve bribery ([Dell'Anno, 2020](#)). Notably, officials in the mentioned countries misuse their power to extract personal gain in exchange for preferential treatment ([Jansky & Li, 2021](#)). Additionally, their public sectors are riddled with illegal appropriation of public funds for private (embezzlement), and nepotism, to illustrate but a few ([Alfaro, 2022](#)). As a result of these corrupt activities, it is probable to argue that corrupt countries are stifled in terms of economic development, which arguably hinders the delivery of essential public services, which in turn erodes public trust. Towards this, this discourse argues that corruption thrives in environments with weak rule of law, where law enforcement and the judiciary are susceptible to bribes, which in the short and long terms hinder investigations and prosecutions. In addition, literature (see, for instance, [Adam & Fazekas, 2021](#)) indicates most corrupt countries are characterized by low levels of transparency because of limited regulations and government processes that create bureaucratic red tape and bottlenecks.

Excessive, yet unnecessary rules and procedures in the public sector are meant to, in the view of this study and many published empirical and conceptual studies (see, among others, [Moiseev et al., 2020](#); [Tsao & Hsueh, 2023](#)), institutionalize corruption since most citizens and businesspersons are likely to offer a bribe to receive a service in a somewhat timely manner contrasted to following bureaucratic formal procedures. Riddled with bureaucratic processes, this study elucidates that it becomes challenging to detect corruption in the public. Even when corruption is unearthed by civil society and independent watch groups, they are harassed and intimidated to silence, which in turn curtails the ability of the mentioned groups to expose corruption. To this end, it is possible to argue that political interference in most of the corrupt countries has been one of the key factors that is thought to weaken anti-corruption efforts as agencies may be manipulated for political gain, which further undermines their credibility and effectiveness.

Shifting attention to the local context, the 2023 CPI index released by [Transparency International \(2024\)](#) indicates that Kenya scored 31 points out of an 'impossible' 100, placing the country at position 126 out of 180 countries. It is the view of this study that the country has a lot of work to do to stem out and/or reduce the levels of corruption in the public sector. Furthermore, it appears, from the

standpoint of this study, that Kenya's score on the 2023 CPI, and the country's anti-corruption strategies and institutions seem to be having limited effectiveness. While Kenya has implemented various legal frameworks, investigative bodies, and financial measures to combat corruption, the CPI score indicates a continued perception of significant corruption within the public sector. This suggests that current efforts are not yet enough to significantly reduce corruption. Despite the presence of anti-corruption mechanisms, the statistics suggest that these institutions may face obstacles in their effectiveness, possibly due to factors such as inadequate resources, limited independence, or political interference.

Based on the foregoing, it is the view of this study that the persistence of corruption in Kenya perhaps lies in the inadequate enforcement of anti-corruption laws and a judiciary that may lack the necessary independence to prosecute offenders effectively. Furthermore, political interference further compounds the problem, as political elites, most of those allied to the executive, might manipulate anti-corruption agencies for personal or political gain, thus curtailing impartial investigations. It is thus probable to infer that the country faces the historical burden of a society that, at times, tolerated corrupt practices, making it challenging to instigate transformative change. It is also possible to elucidate that a lack of robust public awareness programs may have contributed to a culture that tolerates or turns a blind eye to corrupt practices.

### 3.3 International Cooperation and Assistance

Kenya actively engages in international cooperation to address its challenges in combating corruption. The country collaborates with various international organizations, including the United Nations, World Bank, and the International Monetary Fund ([Gu et al., 2020](#)). Through these partnerships, [Barasa \(2021\)](#) states that Kenya gains financial and technical support to augment its anti-corruption efforts. Kenya works closely with Transparency International, where the country has drawn global best practice frameworks aimed at improving transparency and accountability. Notably, Kenya has formal bilateral cooperation with countries such as the United States and the United Kingdom, which encompasses sharing tried and tested practices and intelligence to strengthen anti-corruption measures.

Evidence indicates that Kenya has been a recipient of significant international cooperation and assistance in its fight against corruption. According to [Gu et al. \(2020\)](#), aid comes in the form of financial support for anti-corruption agencies, training for investigators and prosecutors, and technical assistance for strengthening legal frameworks. Notably, the United States is a major bilateral donor, providing over \$560 million in assistance to Kenya in 2020, with some portion likely focused on good governance initiatives ([US Department of State, 2023](#)). The European Union also provides substantial aid, though a 2014 report by the European Court of Auditors highlighted concerns about the effectiveness of their direct support for anti-corruption efforts.

Proponents of international assistance argue that it provides much-needed resources and expertise to improve Kenya's domestic efforts ([Okore, 2021](#)). It is imperative to point out that donor countries offer specialized skills in areas such as forensic accounting and asset recovery, which can be

crucial for tackling complex corruption cases. Importantly, foreign aid helps strengthen the institutional framework and resources available to anti-corruption agencies in Kenya. For instance, funding is allocated to training programs, technological infrastructure, and the establishment of specialized units tasked with investigating and prosecuting corruption cases. This financial support is thought to contribute to enhancing the efficiency and effectiveness of anti-corruption institutions, enabling them to carry out their mandates more rigorously.

However, it is the view of this study that the effectiveness of international cooperation is a subject of debate. Critics point out that such assistance can sometimes be misused or misdirected; For instance, donor funds can be subject to bureaucratic hurdles within Kenya, delaying or hindering investigations (Bare, 2020). Additionally, some scholars (see, for example Topchii et al., 2021) argue that a focus on technical solutions perhaps neglects the deeper societal factors that enable corruption, such as weak political will or a culture of impunity. From the foregoing, it is probable to elucidate that whereas Kenya has received substantial assistance from bilateral and multilateral entities, the extent to which this has translated into fruitful fight against corruption remains a grey area. Review of existing evidence indicates that international assistance to Kenya has conditionalities attached to aid, which continues to create a dynamic where Kenya prioritizes programs that appease donors contrasted to those that address the root causes of corruption within its own context (Shopina, et al., 2022). Towards this, it can be deduced that international cooperation in itself means that policies implemented locally are not tailored to combat corruption as they lack ownership, and thus are not sustainable in the long-term.

Although Kenya has been a recipient of international aid and/or assistance to tackle corruption, the ranking of the country on Transparency International's Corruption Perception Index remains stubbornly low, indicating a persistent problem. It is the view of this discourse that Kenya seems to have failed to uphold accountability and transparency in the utilization of international assistance. For instance, concerns have been raised about the potential misuse of funds and resources, which has led to a lack of tangible impact on the ground as far as the fight against corruption is concerned. Transparency International's CPI score signifies that the aid that the country has been receiving is yet to be the 'magic' in an attempt to weed out corruption.

Onger'a (2021) contends that the effectiveness of anti-corruption institutions themselves can be questioned. Notably, inadequate resources, internal inefficiencies, potential biases, among others, within these bodies have the potential to hamper investigations and possible prosecutions. Furthermore, a revolving door between public service and the private sector is likely to create conflicts of interest and weaken the resolve to pursue powerful individuals. Similarly, Wegulo (2022) has it that the lack of high-profile convictions significantly weakens the fight against corruption as it increases the likelihood of breeding public cynicism, discouraging future investigations, and allowing corrupt practices to continue with impunity. Onger'a (2021) attributed the deficiency in convictions to systemic issues within the judiciary. Towards this, it is the perspective of this study that corrupt judicial officers can sabotage the conviction of high-profile cases by accepting bribes,

manipulating legal processes, and exhibiting bias. This undermines the fair application of the law and possibly impedes the successful prosecution of high-profile corruption cases.

### 3.4 Current Anti-Corruption Strategies

Kenya, like many other nations, has grappled with the pervasive and systemic issue of corruption. In response to this challenge, the Kenyan government has implemented various anti-corruption strategies to curb malfeasance and promote transparency in the utilization of public resources. These strategies encompass legal reforms, institutional strengthening, and international collaborations, where each addresses specific facets of corruption within the country (see, Onyango, 2021). One notable approach in Kenya's anti-corruption arsenal is the continuous improvement of legal frameworks. The government has enacted and amended laws to strengthen anti-corruption institutions and ensure more severe consequences for offenders. Notable legislation includes the Ethics and Anti-Corruption Commission Act and the Public Officers Ethics Act. These legal measures provide a strong footing for prosecuting corruption cases and holding public officials accountable. However, there are many instances where Kenya's legal framework has been abused by the powers that be. For instance, in the Anglo Leasing scandal of the early 2000s, a fictitious security equipment supply contract was awarded by the Kenyan government (Onguny, 2021). Despite glaring red flags, the contract was pushed through by powerful individuals allegedly involved in the scheme. Legal avenues were then exploited to delay investigations and prosecutions.

Besides, the ongoing investigation by the EACC in the Kimwarer and Aror Dams scandal has raised concerns due to its slow pace and apparent lack of progress against influential figures involved. This case reflects specific limitations in current strategies, such as the EACC's potential need for increased resources and enhanced investigative powers to tackle elaborate corruption cases involving powerful individuals. Some reports from news outlets suggest the loss could be as high as Ksh 21 billion (approximately \$178 million USD). This figure includes inflated project costs and potentially misappropriated funds. On the other hand, the Kenyan government disputes these high-end estimates. The then Deputy President, for instance, claimed the losses were closer to Ksh 7 billion (Gitonga, 2023).

Kenya has likewise focused on improving anti-corruption institutions to expand their capacity to investigate and prosecute corrupt practices (Onyango, 2022). The EACC has been at the forefront, receiving increased funding and support to carry out its mandate. Strengthening institutions is thought to create a deterrent effect, which in turn signals the government's commitment to eradicating corruption at all levels (Ochieng, 2021). As severally highlighted in this discourse, institutions charged with the responsibility of fighting corruption are not effective due to their inability to prosecute high profile cases. For instance, the failed outcome of the National Youth Service (NYS) scandal appears to disrepute the effectiveness of anti-corruption institutions. The EACC, with improved resources and capabilities, was unable to effectively investigate and prosecute individuals involved in the embezzlement of funds meant for youth empowerment programs.

Kenya has also employed asset recovery as a crucial anti-corruption strategy. Omondi (2021) has it that this strategy is intended to reclaim ill-gotten gains acquired through corrupt practices. This approach involves identifying and seizing assets obtained through corruption, depriving wrongdoers of their illicitly acquired wealth. The legal framework for asset recovery (see, Proceeds of Crime and Anti-Money Laundering Act 2009) has been strengthened to facilitate the identification and confiscation of such assets (Onyango, 2021). However, challenges remain, including the complexity of tracing and recovering hidden assets, both domestically and internationally. It is important to note that successful asset recovery is dependent on effective collaboration with other countries, international organizations, and financial institutions to track and repatriate stolen funds.

Extant evidence points to whistleblower protection as formidable anti-corruption strategy in Kenya. According to Wegulo (2022), whistleblowers play a crucial role in exposing corrupt practices by providing insider information. Legislation, such as The Whistleblower Protection Bill, 2021, has been enacted to shield whistleblowers from retaliation and ensure their confidentiality (Saya, 2020). While this strategy is intended to create an environment conducive to reporting corruption, it has not been effective because of the fear of reprisals and the need for robust mechanisms to ensure the safety and anonymity of whistleblowers. Notably, there are dearth of successful cases where whistleblowers have come forward without facing adverse consequences, which continues to cast doubt on the strategy's effectiveness.

Evidence by Gitonga (2023) indicates that Kenya through the anti-corruption institutions employ public awareness and education campaigns as an approach to combat corruption by informing citizens about the detrimental effects of corruption and the importance of reporting such activities. Notably, Kenya has implemented awareness programs, such as anti-corruption school and community outreach programs, where these programs are intended to entrench a culture of intolerance towards corruption (Ngugi, Musili, & Lutta, 2022). However, the effectiveness of these initiatives relies on continuous efforts to reach diverse demographics and engage the public actively. Successful instances may be identified through increased reporting and a shift in societal attitudes toward corruption.

Another strategy is public education and awareness creation. The Kenyan government through the EACC actively works to educate the public about their rights and how to report corruption (Odhiambo, 2022). This empowers citizens to hold authorities accountable. For instance, the 'Choose to Refuse to Be Corrupted' campaign has seen increased reporting of petty bribery, a common form of corruption. The campaign uses clear and direct messaging that resonates with the public. Slogans like 'Usijali Rushwa' (Don't Accept a Bribe) and 'Sema Ukweli' (Speak the Truth) encourage a culture of rejecting corruption in daily interactions. Besides, public awareness campaigns utilize various media channels, such as television, radio, billboards, and social media to reach a wide audience. This ensures the message reaches diverse segments of the population, from urban dwellers to rural communities. However, it is important to note that the effectiveness of public awareness campaigns can be limited. Notably, changing ingrained cultural perceptions of corruption takes time, and the success of such campaigns relies heavily on consistent enforcement

alongside education.

Recognizing the transnational nature of corruption, Kenya has actively engaged in international collaborations to combat corrupt practices. Partnerships with organizations such as the United Nations Office on Drugs and Crime and participation in global initiatives have arguably provided Kenya with valuable support, expertise, and resources in its anti-corruption endeavors (UNODC, 2004). As already argued in this study, UNODC often works with member states, including Kenya, to improve their capacity in preventing and combating corruption. This collaboration encompasses technical assistance, training programs, and the sharing of best practices. For instance, UNODC offers assistance in the development and implementation of effective anti-corruption policies, provides training for law enforcement and judicial officials, and support initiatives related to asset recovery and international cooperation.

Kenya focuses on strengthening law enforcement and prosecution (Kivoi & Mbae, 2020). The EACC investigates corruption cases and prosecutes offenders alongside the Office of the Director of Public Prosecutions (Odhiambo, 2022). This strategy has, however, raised concerns about lengthy court cases and a backlog of corruption trials. Additionally, a perception of political interference in some prosecutions can undermine public trust in the process. The Kenyan court system is mostly overburdened, which leads to lengthy delays in corruption cases. This allows defense teams to exploit loopholes and delay tactics, thus weakening the prosecution's case.

From the foregoing, it is possible to infer that Kenya's anti-corruption efforts present a mixed picture. The legal framework, public education campaigns, and law enforcement agencies like the EACC have shown some success. However, challenges like lengthy court cases, potential political interference, and cultural acceptance of corruption continue to hinder progress. It is the view of this study that Kenya needs a multi-pronged approach that strengthens legal safeguards, empowers whistleblowers, and entrenches a culture of integrity. Only through sustained commitment and a truly independent judiciary can Kenya effectively combat corruption and build a more transparent and accountable society.

### 3.5 Corruption Scandals in Kenya

Corruption in the public sector is a persistent challenge in Kenya, with various scandals reflecting the depth of the issue. Onyango (2021) has it that corruption involves the abuse of public office for personal gain, eroding public trust, hindering economic development, and impeding effective governance. Notable cases have emerged, which have exposed corruption at different levels of government, resulting in significant financial losses. The Aror-Kimwaror dam graft, which unfolded in recent years, where funds allocated for the construction of dams were allegedly embezzled, leading to substantial financial losses. The Aror and Kimwarer dams' scandal is ongoing, with investigations and accusations of graft dating back to the project's inception in 2009. While the exact sum lost is still under investigation, estimates suggest the misappropriation could be as high as Ksh 21 billion (Miano, 2020).

The Eurobond scandal in 2014 is another case of mega corruption, which raised questions about the use of proceeds from the international bond issuance and potential

mismangement of funds. The Kenyan government issued its first sovereign bond, raising \$2.75 billion (Senga & Cassimon, 2020). While intended for infrastructure development and budgetary support, a significant portion of the proceeds went unaccounted for. Opposition leaders accused the government of embezzling nearly half the funds, with claims of transfers to unexplained accounts. The scandal indicates ineffectiveness in existing strategies (Nkatha, 2022). The Auditor General's report, years after the fact, couldn't trace the specific usage of a substantial portion of the funds (Makiva, 2021). This points to potential gaps in financial oversight mechanisms. While investigations are ongoing, the lack of swift action or clear accountability for those potentially involved raises questions about the effectiveness of law enforcement and prosecution.

The Goldenberg saga in the 1990s is a historical case involving fraudulent export compensation claims, leading to massive financial losses, and tarnishing Kenya's economic reputation. In the words of Githuku (2021), this elaborate scheme involved fictitious gold and diamond exports, with the government paying out inflated compensation to a company called Goldenberg International. Estimates suggest the country hemorrhaged over Ksh 100 billion (\$1 billion USD) through this scandal (Kinyanjui, 2021). Reflecting on this corruption scandal, it is possible to state that the glaring weaknesses of anti-corruption strategies and institutions at the time were exposed. Tyce (2020) has it that the perpetrators were able to exploit loopholes in export compensation schemes and potentially manipulated government officials. The lack of effective oversight mechanisms allowed the scheme to continue for years. Additionally, despite investigations and accusations, no key individuals were ever convicted, further eroding public trust in the system. However, the Goldenberg saga also served as a catalyst for public sector reforms. The public outcry and international pressure forced the government to acknowledge the problem. This led to the establishment of anti-corruption institutions and the EACC in particular to specifically tackle corruption. While the effectiveness of these institutions is still being debated, the Goldenberg scandal serves as a historical marker of large-scale corruption in Kenya.

The Anglo-Leasing Scandal in 2004 is another notable corruption example, where government contracts were inflated and awarded to fictitious companies, resulting in substantial financial losses. According to Odero and Machuki (2021) observed that the case involved inflated government contracts for security equipment, with billions of shillings directed towards fictitious companies and nonexistent supplies. Estimates suggest the losses ranged from Ksh 25 billion to Ksh 100 billion (Shipley, 2022). This scandal exposed profound weaknesses in procurement processes and oversight. For instance, inflated contracts bypassed competitive bidding, and powerful individuals allegedly steered projects towards non-existent entities. Besides, the legal system was entangled in the web of corruption. Notably, legal technicalities and accusations of manipulated investigations allowed the case to drag on for years, with some accused individuals finally acquitted. This lack of swift convictions and recouped funds casts doubts on the effectiveness of anti-corruption institutions.

The Chickengate Scandal in 2015 involved bribery and corruption related to election materials procurement, with the revelation of kickbacks paid to Kenyan election officials

by a British printing firm, Smith and Ouzman (Gathogo, 2020). Code-named 'chicken' in email exchanges, the bribes were intended to influence the awarding of lucrative contracts for printing election materials, such as ballot papers (Masinde et al., 2022). Towards this, it is possible to elucidate that corruption in the electoral agencies points to the weak checks and balances in the country. Electoral bodies, such as the independent Electoral and Boundaries Commission (IEBC), ought to exercise highest form(s) of integrity since political bodies are endorsed by the IEBC in Kenya. Regrettably, the agency has been blamed for clearing politicians to run for political office, whereas they have integrity issues. This has further been aggravated by the ineffective EACC and the judiciary which seemingly clear political aspirants to run for office. It is the view of this study that independent institutions in Kenya are accomplices to the ineffective war against corruption.

The Afya House Scandal of 2016 cast a dark shadow over the Ministry of Health in Kenya. A leaked internal audit revealed a staggering amount, over 5 billion Kenyan shillings, had been misappropriated in the 2015/2016 financial year (Gathogo, 2020). The scandal entailed pillage of public funds meant for crucial health programs, which were diverted through fake suppliers, double payments for goods, and misdirected resources from initiatives like free maternity care. According to Kimani (2022), the Afya House Scandal exposed the human cost of corruption, as these funds could have significantly improved healthcare access for Kenyans. Similarly, the Kenya Medical Supplies Authority (KEMSA) Covid-19 scandal of 2020 where top government officials and businesspeople allegedly misuse of millions of dollars meant for buying Covid-19 medical supplies (Wesangula, 2020). While the scandal led to a shakeup within the Ministry, reports indicate a lack of major convictions, leaving the fight against corruption in Kenya with a long road ahead.

These scandals present solid examples of corruption scandals in Kenya's public sector, with vast sums of money lost over the years. Evidently, diversion of public funds to personal pockets indicates that the socio-economic development of the country is affected, which has in turn snowballed into deteriorating well-being of citizens. Thus, it is probable to argue that despite the establishment of independent constitutional bodies, such as the EACC and the DCI, the war on corruption is often lost. This has put anti-corruption institutions into disrepute as they are unable to undertake their constitutional, yet core mandate of protecting public resources.

### 3.6 Understanding Zero High Profile Convictions

As already argued in this study, corruption in Kenya has been a persistent issue, which is thought to undermine development and public trust in government. Hoffman (2021) has it that despite the efforts of anti-corruption institutions in Kenya, such as DCI, EACC and ODPP, tangible results, specifically high-profile convictions, remain scarce. Maragia (2020) states that although high-profile arrests of former government officials continue to grab headlines, there is lack of convictions, especially for prominent figures. Notably, powerful individuals and politicians in particular are notorious in shielding their allies which in turn defeats investigations by swaying judicial outcomes.

To understand the reasons for zero high profile

conviction, Masibo (2021) observes that Kenya's legal system is often overburdened and slow-moving in terms of gathering evidence. Even when evidence is readily available, witnesses are often intimidated in addition to lengthy court battles, which perhaps create loopholes that are easy to exploit. There is resounding evidence in the extant corruption discourse (see, among others Hope Sr, 2023; Maragia, 2020) that the lack of high-profile convictions is indicative of a lack of genuine political will to dismantle corruption entirely. Towards this, it is the view of this study that bureaucratic red tape in the criminal justice system not only delays justice, but also discourages potential whistleblowers, which further impedes investigations and/or potential conviction of pillagers.

As earlier argued in the introductory part of this study, investigations often target lower-level officials, which deflects attention from those at the top. This selective pursuit of justice raises questions about the true motives behind the anti-corruption drive. For instance, Masibo (2021) states that law enforcement officers often bear the brunt of corruption as most of the anti-corruption efforts target state security personnel. While it is important to tame corruption at all levels, this study is of the view that the tendency to target lower-ranking personnel may stem from the practical accessibility of such cases, given their direct interactions with citizens. However, this approach neglects the systemic and more significant instances of corruption involving high-ranking officials and political elites who wield substantial power and influence. The reluctance or hesitancy to pursue cases against the elite can be attributed to political considerations, fear of reprisals, or potential destabilization of existing power structures. This selective targeting perpetuates a perception that anti-corruption efforts are primarily cosmetic, meaning that they lack the necessary teeth to hold those in influential positions accountable.

It is the view of this study that agency incoherence and overlapping mandates has the potential to sabotage effectiveness of anti-corruption efforts. This assertion is likewise mirrored by Page (2021) who argues that the lack of a unified strategy results in anti-corruption entities reading from different scripts, often contradicting each other. This disjointed approach not only creates confusion, but also allows corrupt individuals to exploit gaps in enforcement. Similarly, Roy, et al. (2022) avers that inconsistent methodologies coupled with differing priorities and competition for jurisdiction can lead to a diluted impact on combating corruption. Thus, it is possible to elucidate that without a harmonized and collaborative effort among anti-corruption institutions, it becomes difficult to tame pillage of public resources.

Cheeseman and Peiffer (2020) observed that public apathy towards corruption poses a substantial challenge to effective anti-corruption measures. For instance, when citizens become resigned or indifferent to the widespread nature of corruption, it diminishes the societal pressure on officials to implement and enforce stringent anti-corruption measures. According to Mutuku et al. (2023), this apathy manifests in various ways, such as low levels of civic engagement, minimal participation in anti-corruption initiatives, or a general acceptance of corruption as a norm. Considering the assertions made in the extant literature, it is probable to deduce that cases where citizens perceive corruption as an unavoidable aspect of their daily lives, they

may be less inclined to report corrupt practices or actively support efforts to hold wrongdoers accountable. This lack of collective demand for accountability weakens the overall effectiveness of anti-corruption strategies. As already asserted in this study, there are many high-profile cases that offenders have never been tried nor sentenced to serve jail term. Notably, this study has examined corruption scandals in Kenya, such as Anglo-leasing, NYS and Afya house scandals, to name but a few. In the mentioned cases, Kenya lost huge sums of funds, but the pillagers were never convicted. Towards this, the effectiveness of Kenya's anticorruption institutions continues to face criticism.

### 3.7 Success Stories in the Fight against Corruption in Kenya

Although there is little to take home about the success stories in the fight against corruption, it is important, however, to be cognizant of the a few successes that have been witnessed in the country. Notable strides in the war against pillage of public resources can perhaps be attributed to the sound anti-corruption laws, such as the Anti-Corruption and Economic Crimes Act (2003) and the Bribery Act (2016) that define and criminalize various corrupt practices (Senu, 2020). It is important to note that despite the fact that Kenya is yet to register a high-profile conviction as early argued in this discourse, some noticeable improvements have been made in creating somewhat deterrence as was the case of prominent member of parliament was sentenced to serve jail term for a multi-million-dollar maize scandal. Although the offender was able to exploit gaps in the criminal justice system to escape the long hand of the law, it is possible to elucidate that trial had somewhat created deterrence on the part of the political and ruling class who for a long time had thought that they were above and beyond the law.

It is the view of this paper that although the Anglo-Leasing and NYS scandals did not yield high-profile convictions, the two cases led to litigations that perhaps translated into the trial of individuals who were thought to have benefitted from the scandals. These cases, in themselves, changed the public debate on what is expected of public and/or civil servants. Although the trials did not translate into meaningful convictions, it is possible to infer that they raised public awareness and demand for greater transparency and accountability on the part of public officials as well as the citizens. In other words, there was a silver lining from corruptions scandals as Kenya has continued to formulate more institutional and legal frameworks that were initially absent.

This paper argues that the creation of the Huduma Centres across the country have significantly revolutionized government service delivery and minimized opportunities for corruption. These one-stop shops for government services streamlined processes, reducing direct contact between citizens and government officials and thereby curbing corrupt practices (Mutegi et al., 2021). Thus, it is possible to infer that the digitization of services not only improved efficiency, but also enhanced transparency by eliminating bureaucratic hurdles and ensuring greater accountability in service provision. Additionally, this paper makes an argument that civil society organizations and the media have played a pivotal role in exposing corruption and advocating for accountability. Through investigative journalism and public awareness campaigns, these actors have contributed to the

pressure on authorities to address corruption effectively. For instance, the anti-corruption campaigns, which are championed by civil society organizations and supported by the media, have mobilized citizens to demand accountability from their leaders, thereby driving anti-corruption efforts forward.

International cooperation and assistance has also been instrumental in strengthening Kenya's anti-corruption initiatives. Similar assertions were presented by Munyai (2020) who affirmed that collaboration with organizations, such as the UNODC, among others, has facilitated capacity building for law enforcement agencies and judiciary officials involved in anti-corruption efforts. Towards this, it is the perspective of this discourse that technical assistance and training extended to Kenya by have perhaps improved the country's capability and capacity to combat corruption effectively, particularly in investigating cross-border corruption cases and recovering stolen assets. Notably, Kenya actively pursues agreements with countries known as tax havens to recover allegedly stolen assets hidden abroad; For instance, Kenya signed agreements with Switzerland and the UK to facilitate the return of misappropriated funds (Obaga, 2021).

The success stories in Kenya's strides to strike out corruption are as well attributed to technological adoption and automation of services. This ensures that services seekers are not in contact with the public sector officials. One notable platform is e-Citizen, a digital platform that provides online access to a wide range of government services and facilitates electronic payments. e-Citizen serves as a centralized portal where citizens can access services, such as applying for passports, driver's licenses, and business permits, among others (Mwangi, 2021). Thus, it is possible to infer that this initiative has transformed service delivery by reducing bureaucratic delays and minimizing opportunities for corruption in service provision and payment processing.

Kenya has equally implemented anonymous public reporting mechanisms to combat corruption, particularly in procurement processes. The Public Procurement and Asset Disposal Act (2015) provides a legal framework governing public procurement in Kenya. According to Musewe and Gekara (2021), the act has improved the application of the principles of transparency, accountability, and fairness. Notably, the Act establishes the Public Procurement Regulatory Authority (PPRA), tasked with regulating procurement processes, ensuring compliance with procurement laws, and promoting best practices in public procurement (Kiremu, 2020). Through its oversight role, it is probable to elucidate that PPRA has somewhat improved accountability in public procurement by scrutinizing procurement activities, investigating complaints, and imposing sanctions for non-compliance with procurement regulations.

It is the view of this paper that the establishment of the Office of the Auditor General and the Controller of Budget play has improved levels of accountability and oversight in Kenya's public sector expenditure. It will be recalled that the Auditor General conducts audits of government finances, programs, and projects to assess compliance with financial regulations and identify instances of mismanagement or corruption (Njue, 2022). Successes of the Auditor General include uncovering financial irregularities, such as unauthorized expenditures and misappropriation of funds,

and recommending corrective actions to enhance transparency and accountability. Similarly, the Controller of Budget monitors government expenditure with the intention of ensuring that it adheres to budgetary allocations and financial discipline. Reflecting on Kenya's institutional framework for transparency and accountability as enshrined in Kenya's 2010 constitution, it noteworthy to state that Kenya has mechanisms that entail strict adherence to recruitment guidelines and procedures. This has partly been achieved through the establishment of oversight bodies, such as the Public Service Commission, to oversee recruitment processes, and implementation of anti-corruption measures, for example, vetting processes to verify the integrity of public officials.

### 3.8 Political Will and Leadership

The place and role of political goodwill and leadership in the fight against corruption cannot be overstated, as it forms the basis of any effective anti-corruption strategy. Political will and leadership are essential ingredients that set the tone for the entire anti-corruption crusade since it is thought to influence the commitment of institutions, the enforcement of laws, and the accountability of individuals. Without genuine political will and strong leadership at the helm, Cheeseman and Peiffer (2020) observe that anti-corruption efforts are bound to falter, leaving room for corruption to thrive and eat into the fabric of society. Thus, it is possible to argue that entrenching a culture of integrity and accountability within the political sphere is paramount to successfully combatting corruption and promoting good governance.

In assessing the effectiveness of anti-corruption strategies and institutions in Kenya, it becomes apparent that the country has faced a mixed bag of fortunes, which is often characterized by both successes and failures. The success or failure of anti-corruption efforts in any nation is intricately linked to the presence or absence of political will and leadership. Reflecting on the positive side, Kenya has gained significant ground in establishing anti-corruption institutions and enacting legislation to combat graft. For instance, the establishment of institutions, such as the EACC, ODPP, DCI, to name but a few, perhaps demonstrates a commitment by political leaderships to address corruption at the institutional level. However, despite these institutional advancements, the effectiveness of anti-corruption strategies in Kenya remains limited. The challenges can perhaps be attributed to inadequate enforcement mechanisms, political interference, and a lack of accountability.

One notable setback, as indicated by Hope Sr (2023), is the frequent interference by political elites in the operations of anti-corruption agencies. Individuals and politicians connected to the executive often manipulate these institutions to shield themselves from prosecution, which is thought to sabotage the credibility of the anti-corruption crusade. Moreover, the preponderance of corruption within the political class perhaps creates a culture of impunity, where perpetrators believe they can act with impunity and get away with it. Notably, the slow pace of prosecutions and the relatively low conviction rates of high-profile corruption cases is likely to raise questions about the commitment of the authorities to combat graft effectively.

Despite numerous high-profile arrests and investigations, this study finds that few individuals have been successfully

prosecuted and convicted for corruption-related offenses. This lack of accountability is likely to create a sense of disillusionment among the public and undermines confidence in the anti-corruption institutions. Politicization of corruption allegations in Kenya is not a new phenomenon since it is often used as tool to settle political scores. The dark side of it is that it often leads to selective targeting of individuals based on their political affiliations, rather than objective evidence of wrongdoing. It is the view of this study that this skewed and selective approach not only undermines the credibility of anti-corruption efforts, but also perpetuates political divisions and undermines national cohesion.

### 3.9 Future of Anti-Corruption Efforts

The scorch of corruption is undoubtedly ingrained in the Kenyan society as it has entrenched obstacles in the path of the country's progress. This is to say that graft has permeated the nation's institutions, which has translated into ineffective governance and thwarted developmental aspirations. Despite concerted efforts and the establishment of anti-corruption mechanisms, this paper notes that Kenya still grapples with endemic corruption, which has in turn lowered public trust and impeded socio-economic advancement. As the nation looks into the future, the efficacy of its anti-corruption strategies is characterized by institutional limitations, vested interests, to name but a few.

This study is of the view that despite the establishment of anti-corruption agencies, progress has been slow and uneven. The complexity of corruption networks and the intertwining of political, business, and bureaucratic interests present formidable obstacles to meaningful reform. For instance, high-profile scandals like the misappropriation of funds meant for public projects or the abuse of procurement processes illustrate the depth of the problem. Despite occasional prosecutions and convictions, impunity remains prevalent, with many perpetrators escaping justice or receiving lenient sentences. Such outcomes perpetuate a culture of impunity and discourage whistleblowers and witnesses from coming forward since they fear reprisals or lack of adequate protection.

Looking ahead, the trajectory of anti-corruption efforts in Kenya hinges on political will, institutional capacity, and societal mobilization. Strengthening legal frameworks and enhancing the independence and resources of anti-corruption agencies are critical steps. This paper notes the need for political leadership and the executive in particular to entrench a culture of transparency, accountability, and ethical leadership across all sectors as this is essential for sustainable progress. This study portends that the future of anti-corruption hinges on integrating civil society organizations, the media, and international partners since they play a crucial role in the fight against plundering of public resources. These groups play peripheral, yet pivotal roles in monitoring, advocating for reforms, and raising public awareness about the detrimental effects of corruption on governance and development.

Despite the formidable challenges that Kenya continues to grapple with in the process of stemming out corruption, there are glimmers of hope. Adoption of advanced and modern technology by government ministries, departments and agencies offers innovative tools for improving transparency and tracking public expenditure. This will hopefully lower avenues for corruption. Importantly, the

successful future of anti-corruption efforts in Kenya depends on the extent to which anti-corruption institutions and the executive incorporate stakeholders and exercises political goodwill and commitment aimed at stifling corruption at its onset.

## 4. Conclusion and Recommendation

### 4.1 Conclusion

It is concluded that the effectiveness of anti-corruption strategies and institutions presents hits and misses. Kenya's legal framework on the fight against corruption created independent institutions, such as the EACC, DCI, ODPP, to name but a few. These anti-corruption institutions were intended to create checks and balances and eliminate the root causes of corruption by preventing, investigating, and presenting evidence against corrupt individuals. Unfortunately, this study elucidates that most of the corruption cases in Kenya only target junior/subordinate public officers. Furthermore, this conceptual review finds that there is no single case of high-profile conviction involving corrupt officials even though Kenya has experienced corruption scandals of unprecedented levels, such the Anglo-leasing, Chickengate, NYS, among others. This evidence suggests, in the view of this study, that anti-corruption strategies and institutions in Kenya are not effective. Notably, this study concludes the fight against corruption is often politicized since those who are deemed to be politically correct by aligning to the executive, are often spared by the criminal justice system. This defeats the very existence of independent institutions that ought to investigate and possibly prosecute anyone irrespective of social standing and/or political affiliation.

It is concluded that Kenya's anti-corruption strategies and institutions are utterly ineffective in all definitions and measurements. Notably, this study uses Corruption Perception Index authored by Transparency International, where Kenya scored 31 points out of 100, placing the country at position 126 out of 180 countries. Besides, it is concluded the country's anti-corruption strategies and institutions seem to be having limited effectiveness. While Kenya has implemented various legal frameworks, investigative bodies, and financial measures to combat corruption, the CPI score indicates a continued perception of significant corruption within the public sector. This suggests that current efforts are not yet enough to significantly reduce corruption. This study elucidates that excessive, yet unnecessary rules and procedures in the public sector have covertly institutionalized corruption since most citizens and businesspersons are likely to offer a bribe so as to receive a service in a somewhat timely manner contrasted to following bureaucratic formal procedures. Riddled with bureaucratic processes, this study concludes that it becomes challenging to detect corruption in the public sector. It is concluded that anti-corruption bodies, apart from political interference, face glaring drawbacks, such as lengthy court

cases and cultural acceptance of corruption, which continue to hinder progress.

#### 4.2 Recommendations

Moving forward, it is the view of this study that Kenya needs a multi-pronged approach that strengthens legal safeguards, empowers whistleblowers, and entrenches a culture of integrity. Only through sustained commitment and a truly independent judiciary can Kenya effectively combat corruption and build a more transparent and accountable society. The study notes that anti-corruption institutions are an extension of the executive, thus they truly lack the independence they claim to have. In light of this discovery, it is recommended that the executive should respect the separation of powers and allow independent institutions to operate autonomously.

It is recommended that the anti-corruption institutions should be allocated sufficient resources, both human and

financial, so that they carry out their duties independently. Allocation of sufficient resources will hopefully improve their capability to conduct investigations and bring to book those who abuse public offices for personal gain. It is recommended that Kenya's political leadership, particularly within the executive branch, should instill a culture of transparency, accountability, and ethical governance across all sectors, which is indispensable for sustained fight against corruption. Importantly, this research suggests that the future of anti-corruption actions depends on incorporating civil society organizations, the media, and international partners into the campaign against misappropriation of public funds, as these entities play peripheral, yet pivotal roles in oversight, advocating for reforms, and enhancing public awareness regarding the adverse outcomes of corruption on governance and development.

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#### Declaration of Competing Interests

The authors declare that they are not aware of any competing financial interests or personal relationships that may have influenced the work described in this document.

#### Funding

This research did not receive specific grants from any public, commercial, or non-profit sector funding bodies.

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**Cite this article as:** Yussuf Mohamed Daud (2024). *A Review of Effectiveness of Anti-Corruption Strategies and Institutions in Kenya*. *African Journal of Commercial Studies*. 4(4),303-318. doi: 10.59413/ajocs/v4.i4.5