



Kenyatta's War on Corruption: Words Won't Cut It, the Budget Is the Corruption

By John Githongo



The three key issues Kenyans are talking about today when they survey the political scene are corruption; 'the handshake' between Raila Odinga and Uhuru Kenyatta; and, the fate of Deputy President William Ruto as he prepares for a run at the presidency in 2022. For his part, Mr. Kenyatta came out of the handshake in March with a renewed push against the theft and plunder that has characterised his regime thus far. He has issued strong statements against corruption; announced that procurement officers would be asked to step aside and vetted before resuming their positions. Previously he'd even announced that lie detector machines would be introduced into the public service to promote integrity. Most recently, he pronounced public officials (starting with himself) would be subjected to lifestyle audits and that all major public procurements would see their details published in the media including the names of the companies winning the tenders complete with their beneficial owners. All strong stuff especially coming on the back of a series of breathless exposés in the mainstream press of the looting of a range of government bodies, the National Youth Service (NYS) merely being the most egregious and colourful. The scandals have exasperated Kenyans.

Oddly though, all the bold pronouncements are yet to capture the public imagination. Indeed, Kenyans seem sceptical about the President's anti-corruption crusade. This is partly because he has historically been big on talk and small on action where this particular vice is concerned. Secondly,

there is suspicion regarding its timing. Why do now what you were unwilling to do between 2013 and 2017? Thirdly, there is the rather scattershot character of the anti-corruption initiatives announced. This has led some to observe that a series of tactical moves are being employed without a coherent strategy. For example, it is self-defeating to attempt a serious anti-corruption campaign in a society as open as Kenya's while alienating the media and civil society at the same time. Public opinion is mobilised by civil society, civic society (the churches, professions etc) and the media - not by politicians no matter how well-meaning.

This is partly because Kenyatta has historically been big on talk and small on action where this particular vice is concerned...There is suspicion regarding the timing of the latest war on corruption. Why do now what you were unwilling to do between 2013 and 2017?

The broad scepticism that has greeted Kenyatta's efforts thus far was best articulated by one of the country's most experienced progressive politicians, Senator Jim Orengo of Ugenya, [speaking before the Senate on May 31st](#). He warned that the real corruption in Kenya was happening at the highest levels but we Kenyans were afraid to call it out. He essentially asked the president and other top leaders to look around themselves and they would find that the real rot sits in cabinet with them: "In the inner sanctum of power there are people sitting there who should not be sitting there."

The truth of the matter is that 50 percent of the fight against corruption is related to perceptions. Despite extraordinary efforts to manage the media, the current campaign is yet to capture the public imagination. Until it does Mr. Kenyatta is rolling a stone uphill watched by a disbelieving population. As I said, part of the problem is that it's clear he doesn't have a coherent strategy, which makes even simple efforts all the more difficult. Secondly, Kenyatta and his colleagues are victims of an even more serious strategic misinterpretation.

Corruption in Kenya isn't about greedy procurement officers, fiddling civil servants, crooked businessmen, shady bankers, thieving politicians. These are creatures found in all societies. The issue at hand in the Kenyan context is that these players are born of a system of politics and governance that is itself inherently corrupt; one in which the thieves and those who facilitate them thrive. Indeed, if one were looking at where the next scandals will come from one doesn't need an army of technicians with polygraph machines. This week the Cabinet Secretary for Finance presented to parliament a Ksh.2.5 Trillion (US\$25 billion) budget. The thieving in Kenya starts right here. It is built into the budget. When the budget of the NYS shot up from US\$50 million to US\$250 million in Jubilee's last term it was clear that this wasn't a measure of the NYS's absorptive capacity or a vast upgrading of this programme but the creation of what was literally a slush fund created to be stolen. This 'theft-ready' budget is a product of our politics. Last week the Auditor General, Edward Ouko, told Reuters that corruption across all levels of government threatens the integrity and basic functioning of the state. He said that the corruption was 'coordinated at a high level'.

This week the Cabinet Secretary for Finance presented to parliament a Ksh.2.5 Trillion (US\$25 billion) budget. The thieving in Kenya starts right here. It is built into the budget. When the budget of the NYS shot up from US\$50 million to US\$250 million in Jubilee's last term it was clear that this wasn't a measure of the NYS's absorptive capacity or a vast upgrading of this programme, but the creation of what was literally a slush fund created to be stolen. This 'theft-ready' budget is a product of our politics.

It is time to accept that Kenya's corruption crisis may in part be caused by the deliberate collapsing of our public finance management system - chunks of it are owned by what have come to be known as 'cartels'. When this happens the challenge you face is not chasing bribe-soliciting cops on the beat but fixing a situation where the budget itself *is* the corruption. There are generally three types of corruption: petty corruption that is often extortion by public officials for small considerations to overlook minor infractions or expedite the delivery of services already paid for in your taxes. Grand corruption that typically involves senior officials conspiring with private sector players to skim off public works projects of one kind or the other. There is a third type of 'corruption' that I call looting or economic delinquency on the part of the elite. In this type of thieving the pretence of a project to skim off is set aside as elites raid public coffers with impunity and pocket billions. This causes the kind of macroeconomic effects we are seeing in Kenya as our foreign debt soars on account of the looting of a small elite.

It is time to accept that Kenya's corruption crisis may in part be caused by the deliberate collapsing of our public finance management system - chunks of it are owned by what have come to be known as 'cartels'. When this happens the challenge you face is not chasing bribe-soliciting cops on the beat but fixing a situation where the budget itself *is* the corruption.

In 1998 the fight against corruption, which had been a global advocacy campaign since the early 1990s by organisations like Transparency International, entered the mainstream of the global development agenda. There was no development programme in any developing country that didn't have an anti-corruption aspect; that didn't say something about transparency, accountability, basic freedoms etc. Even the World Bank whose legal department had previously blocked its officials from mentioning 'corruption' broke with tradition and joined the bandwagon. Previously corruption was described as project 'leakages' and 'slippages'.

What had actually happened is that with the fall of the Berlin wall the opening up of political space meant that corruption, bribery and other forms of skulduggery that had been essential to governance during the Cold War found themselves being reported in newly free media, by a public free to associate and speak their minds. Between 1998 and 2008 a series of corruption scandals shook governments across the world. From Kenya to Germany, Peru, South Korea etc. In Latin America alone between 1998 and 2008, 11 governments fell due to corruption scandals that morphed into political crises of one sort or the other. By the start of this century anti-corruption researchers such as the respected Chilean economist Dani Kauffmann (now of the Natural Resource Governance Institute), [argued to Moises Naim in Foreign Policy](#) that with regard to the fight against corruption "Much was done, but not much was accomplished. What we are doing is not working."

Indeed, corruption was increasingly blamed for all societal ills. More recently we've seen corruption scandals cause political shakeups in India, Mexico, Brazil, Bulgaria, Thailand, Guatemala, South Korea etc. In Kenya we face a crisis in the health and education sectors; we are unable to create jobs for a majority of our youth. Unsurprisingly, corruption is the easiest to blame for what are sometimes failures caused by incompetence, a lack of capacity and the inability of the ruling elite to define the national interest separate from their own commercial interests.

Between 1998 and 2008 a series of corruption scandals shook governments across the world. From Kenya to Germany, Peru, South Korea etc. In Latin America alone between

1998 and 2008, 11 governments fell due to corruption scandals that morphed into political crises of one sort of the other. By the start of this century anti-corruption researchers...argued...that with regard to the fight against corruption: "Much was done, but not much was accomplished. What we are doing is not working".

In Kenya, a serious effort to delineate personal interests from national ones would go a long way to dealing with our corruption problem. Conflict of interest was entrenched in our public service by the infamous Ndegwa Commission report of 1972 and we've been paying for it ever since. Most recently it is the poor who are paying most for it. The budget this week saw a cash-strapped regime under the gun of the IMF increase taxes on basic commodities in part to pay for the cynical profligacy of the elite since 2013. Ironically, Kenya's constitution has created a legal infrastructure that should make the kind of economic delinquency and looting that's in evidence impossible. But breathing life into a constitution requires political will that still seems to be lacking. In the meantime anti-corruption campaigns will be embarked on full of drama, gimmicks, speeches and technical fixes to problems that have much to do with the fact that our elites refuse to let governance institutions work, as they should. As a result, they are struggling to engineer the public sympathy and support essential to make the changes that need to happen.

Research by Juliet A. Attelah

Published by the good folks at [The Elephant](#).

The Elephant is a platform for engaging citizens to reflect, re-member and re-envision their society by interrogating the past, the present, to fashion a future.

Follow us on [Twitter](#).



THE
ELEPHANT