



You Can't Digitise Integrity: Lessons from the Politics of the Belly

By John Githongo



Late last year the country was briefly captivated by an audacious heist by two brothers, Halford Munene Murakaru, 32, and Charles Mwangi Murakaru, 30, and their cousin Julius Ndungu Wainaina, 30, who'd allegedly dug a 30 meter long underground tunnel into the strong room of the Thika town branch of the Kenya Commercial Bank (KCB). They then crept in on Sunday the 19th of November and made off with Ksh.52 million (US\$520,000). The theft itself was unsurprising to Kenyans. It was the ingenuity and patience behind the tunnel that caught the public imagination. My own attention was piqued by later comments attributed to [their father Titus Murakaru Githui, 59, aka Kahiga](#).

When interviewed about the conduct of his sons he was totally relaxed and unsurprised about it. As unusually frank as his comments were, they contained some wisdom about Kenyan society and attitudes around theft. He reportedly told local dailies that the actions of his sons were part of a wider societal problem. He argued that they had been 'inspired' by the current Kenyan condition that sees major scandals such as those that take place at the NYS and Ministry of Health happen and the public officials allegedly involved not only get off scot-free, but are also allowed to prosper as a result. Quite frankly he was not too far off the mark.

Last week public consternation lit up social media when the former Managing Director of the

scandal-prone Kenya Power company, Ben Chumo, showed up in parliament for vetting by the Finance and Planning Committee, the presidential nominee for chair of the Salaries and Remuneration Commission (SRC). Mr. Chumo is currently in court with other indictees over graft charges involving the alleged theft of KSh 450 million (US\$4.5 million) from Kenya Power. He has been photographed smiling broadly from the dock and this apparent lack of any sense of irony or appreciation of the ludicrous contradiction his behaviour implied was apparent during and after he went in for the vetting. Perhaps even more lacking in irony, the Committee rejected Mr. Chumo's nomination, explaining in deadpan tones: "(Ben Chumo) has integrity issues arising out of the fact that he has been accused of economic crimes and therefore does not satisfy the requirements of Chapter Six of the Constitution on Leadership and Integrity." (See [here](#))

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A supremely ironic twist because it was parliament in August 2012 that approved the [Leadership and Integrity Act](#) and then proceeded to mangle and water down Chapter Six of the Constitution while purporting to operationalise it. The legislative hollowing out of Chapter Six has continued apace over the last six years. It would be unsurprising, in these twisted circumstances, if Mr. Chumo challenged the decision of parliament in court.

I would argue that Mr. Chumo would understandably have been quite taken aback by this rejection and the reasons articulated by the Committee for it. His attitude represents a prevalent culture in Kenya especially as regards the public service and theft from the public service. While the government has embarked on an anti-graft drive complete with a series of arrests, vetting procedures, the anticipated introduction of lie detector machines etc, it is clear corruption in Kenya no longer has a technical fix. Indeed, Kenya has among the most sophisticated anti-corruption [infrastructure regimes in Sub Saharan Africa](#). It has even become the subject of study by academics and other anti-corruption experts from around the world. It's clear that Kenya doesn't lack institutions, programmes, officials and initiatives to fight corruption; rather, graft has become part of our political, economic and social framework for understanding ourselves as Kenyans. Theft has been normalized and instrumentalised as a tool for maintaining stability of the Kenyan kind, which means sustaining a tiny elite in power. This hasn't happened by mistake.

It is a deliberate project that feeds into a culture of political cooptation and compromise designed to undermine any elite solidarity around progressive issues: inequality, fighting poverty, protecting the environment, the rights of women, minorities and marginalized groups etc. These strategies of compromise and cooptation have been resilient: in part, their success is derived from changing the very way people understand power, wealth and access to justice; and in turn how these are acquired and perpetuated. One prospers by 'getting in on the act'; agreeing to 'play the game'. Entire institutions can be compromised and sometimes the elites of entire tribes. And so it is that a plethora of laws and statutory agencies find themselves helpless against a culture of theft precisely because they are constructed on a moral and cultural foundation that is inimical to their success.

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When the solidarity of progressive forces is undermined society is quietly eaten away from within. Among, the unchallenged continental masters of these cynical approaches to governance have included figures like the late Mobutu Sese Seko of Zaire (now Democratic Republic of Congo); Robert Mugabe of Zimbabwe and our own Professor of Politics Daniel T. arap Moi.

Mobutu's relationship with his one-time minister and [then political opponent Jean Nguza Karl-i-Bond](#), nephew of the Katangan secessionist leader, Moise Tshombe, was profoundly illustrative of this approach. Karl-i-Bond served as minister in Mobutu's regime, then fell out, made up and fell out again. Bond agreed to serve as Mobutu's Prime Minister in the 1990s even after torture by Mobutu's agents had left him impotent in 1977 when, regarded as a possible Mobutu heir-apparent, the Guide turned against Nguza and publicly accused the PM of attempting to seduce his wife.

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Such are the politics of personal rule.

As Zimbabwe comes out of its first post-Mugabe election, a major challenge facing the country shall be how delicately the incoming administration will manage the land issue in the country. When Robert Mugabe lost a constitutional referendum that shredded his legitimacy in 2000, he became a victim of his own ruthless machinations. Led by Chenjerai Hitler Hunzvi, the war veterans leveraged authentic grievances to force a massive pay-off from the Mugabe regime and a land redistribution programme which marked the beginning of the end for Zimbabwe's economy.

Allow me to illustrate Kenya's case.

I remember a story related to me by a top academic and friend of a trip he made to visit former President Moi one Sunday morning in the 1990s. A peer of his at the university hurriedly arranged the trip. A couple of university vehicles had been rustled up to pick up a largish group of academics all of whom hailed from his ethnic group. This is an important fact, as was to later become apparent. The group was more than peers; they were friends who attended the baptisms, weddings and funerals of family members. They were also part of an intellectual cadre - a group who thought a particular way about Kenya, what it was and where it was going. They were big brains, influential and some of them often critical and questioning of the then stifling status quo under a one-party authoritarian regime. By late morning the three vehicles full of professors, some with their spouses, were headed to the country retreat of the President 100 or so kilometres out of the capital in the scenic Rift Valley.

Though questions were asked about the purpose to which they had been summoned at such short notice, Presidential summonses sufficed as an explanation in and of themselves. On reaching the Rift

Valley town the group was first delivered without ceremony to a church. They were directed to pews and handed hymnbooks. Shortly, and again without prior announcement the head of state arrived with his entourage and they took their place at the front. Mass started. My friend and his fellow professors sang along to the hymns. At the end of mass, again without much being said, the entire group was delivered to the Presidential residence nearby for lunch. The meal was served on a long table and the group had been joined by a large collection of senior officials from various departments for what turned out to be a sumptuous meal. Again nothing was said to the academics who found themselves by other high officials enjoying the lunch and making small talk. It was only after lunch when they were directed to a red-carpeted waiting room that some began to ask, "What's going on here exactly?". Their colleague who had engineered the entire visit that morning urged patience. Before long they were summoned into a wood-panelled office where they found the President in relaxed spirits. He greeted them all graciously and then proceeded to lecture them on the singular responsibility that fell on their shoulders as the moulders of the country's university students who were the nation's future leaders.

At the end of this speech, without responses being sought the head state informed them that he intended to reimburse them for the travel and trouble that Sunday. He pulled out a bag and gave each of the male professors, say, US\$1,000. They all respectfully and thankfully accepted his handout. Then, abruptly as if he had not realized some of them had come to with their spouses he exclaimed, "Oh, you have some of your Mamas here too?" He then proceeded to give each of the women \$500 and they grovelled appropriately in gratitude. Then in a final gesture the head of state gave \$5,000 to the professor who had rustled up the others and told them, "you go and divide that among yourselves."

The group retreated to a nearby hotel to discuss the day's events and share out the \$5,000. Things went wrong when two things happened. First, one of the academics who had been unable to travel with his wife because she'd been at church when the van came to pick him up protested. "Why wasn't I told to come with my wife? If I had come with her I would have \$1,500 now! So compensate me for the difference from the \$5,000!" My friend made things worse complaining with disgust, "This whole experience was a violation of us! We are individuals with our dignity not to be brought out here for handouts!" He put his \$1,000 on the table. Silent confusion reigned. Eventually the group made it back to the capital.

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It is not clear if the outstanding issues that were raised were ever resolved but something more important had happened. This group of top academics and peers from the same ethnic group; men who in the past were comrades, birds of a feather - they were never the same again. The State House handout and the divisive responses it led to shattered a fundamental and implicit trust that had existed before they met the president. The handout had worked. If that group of 'radical' Professors from that tribe had ever harboured any thoughts of political activity that may have undermined the president then their capacity to organise for it had been broken for good.

Untangling this vicious cultural web can't be done by an agency or a few laws. It requires political

creativity and authenticity on a scale only glimpsed thrice in Kenyan history: briefly at independence; briefly again in 1991 when Section 2A of the constitution was repealed; and, in 2003 when the KANU regime was removed from office by the NARC coalition. It is just such a transformative moment that needs to be conjured up in Kenya now for the culture of theft and plunder to be halted.

(Research by Juliet Atallah)

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