

Police Officers' Perceptions of Factors Contributing to Corruption in the Police Force: A Case of Nakuru County, Kenya

Sumare L. Kisipan*, Mark I.O.Okere, Dolphine Wanga

Department of Curriculum, Instruction & Educational Management, Egerton University

Corresponding Author: Sumare L. Kisipan

Abstract: This study investigated the influence the police officers perceptions on the institutional factors which are contributing to persistence of corruption among members of the police service in Kenya. Grounded theory research design was used. The target population was all the police stations in Nakuru County having combined population offorty police `stations. A total of five police stations were selected. The stations were drawn purposively in Nakuru County. A focus group discussion guide was used to gather information from the police officers. The data analysis was done through thematic content analysis with the help of Nvivo software where themes and concepts were analyzed. The results obtained from some of the stations showed that indeed the police officers perceive themselves to be corrupt. Majority of the respondents agreed with the reports that depicted the police as the most corrupt institution in Kenya. Some groups were of the opinion that corruption is bad and should be shunned. The findings from this study recommend that the Independent Policing Oversight Authority (IPOA) to independently investigate serious complaints of police misconduct and recommend action. This should be done publicly to send a message that corruption is not condoned and that the Government should adopt a sector-wide approach to implementation of Police reforms that embrace partnerships as a key strategy. This approach is evidence in the composition of past Police reforms task forces and committees where membership is drawn from line Ministries, Departments and Government agencies, development partners, Private sector and consultant advisors.

Key words: Bribe, corruption, institutional factors, perception, police

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I. INTRODUCTION

Corruption is defined differently by various authors, For example; some define it as the misuse of public office for private gain by elected politician or appointed civil servant (Daniel, 2000; Jacob, 2005). While Petrus van Duyne (2001) defines corruption as an improbity or degeneration in the decision-making practise where a decision-maker assents to digress from the principle which should guide his or her decision-making, in return for an incentive or for the assurance or anticipation of a reward, while these intentions swaying his or her decision. Corruption refers to the dishonest or partial exercise of official functions by the public official (Independent Commission Against Corruption, 1998). Transparency International (2003) defines corruption as the misuse of public power for private benefit. Misuse involves applying illegal and unethical standards. Some researchers define corruption from a behavioural perspective as the abuse of public power for private benefit (Park, 2003). Svensson (2005) indicates that corruption can be a response to either beneficial or harmful rules.

Corruption appears in response to benevolent rules when individuals pay bribes to avoid penalties for harmful conduct or when monitoring of rules is incomplete. Most considerations of the causes of corruption have been conceptual rather than empirical (Getz & Volkema, 2001). Ashour (2006) classified the underpinning factors of corruption into political infrastructure of state, economic structure, institutional infrastructure, and social/cultural infrastructure. Therefore, corruption is an outcome of a country's political and legal aspects, economic and structural policies, and the role of institutions, human development, and globalization. Economists explain corruption in terms of institutional theories that suggest looking at per capita income, education, and the role of instructions that restrict market and competition as causes of corruption (Svensson, 2005).

Corruption has ravaged every civilization known to have existed in human history. Political corruption is cited by several historians as among the causes of the fall of the once great Roman Empire (Huntington, 2008). Corruption is one thing that can erode any social economic achievements of any nation. Corruption brings mistrust, laxity, laziness, greed and all sorts of evil which by no means can bring any people down. Corruption transcends frontiers or era and is stated in religious books such as the Bible ("Do not accept a bribe,

for a bribe blinds those who see and twists the words of the innocent”, Exodus 23; 8 NIV), and in Chinese dynasty of Qin Dynasty (221-207). A case in point of corruption in modern civilizations is the disintegration of the once famous and powerful Soviet Union because of grand corruption. The once dreaded empire built on communist principles was brought down by corruption, (Johnson, 2005). The regime was built on principles of equity and fairness but within no time those in places of influence started accumulating wealth through dubious ways that is, corruption.

On the global scene, countries have put forth spirited efforts against corruption by ratifying to the United Nations Convention against Corruption (UNCAC) which came into force in December 2005 with 155 states, Kenya included, of the United Nations ratifying it. It is an international legal instrument and the only one geared globally to fight corruption. The UNCAC indulges member States to thwart and criminalize corruption; to encourage international cooperation; to help in seizing and repossession of stolen properties and to advance technical help and information interchange in the public sector as well as the private sector (World Bank, 2014). The Convention introduces trailblazing measures in four specific areas: prevention, criminalization, international cooperation and asset recovery. The United Nations Office on Drugs and Crime (UNODC) helps member States of the United Nations in the implementation of the UN Convention against Corruption and offers technical support and training.

African countries are said to remain behind in development because of corruption. African countries inherited systems of governance from the western imperialist. The colonial rulers were blamed for the wanton looting of resources from the African continent to develop their own countries. Africans rose in arms to fight against this colonialist corruption. It was expected that when they get to those leadership positions they would behave differently. To the amusement of many, the new crop of African leaders who picked from the imperialists proved to have greater appetite for looting public resources than even the hated and dreaded imperialist (Klitgaard, 2008). The African leaders became the vampires of the new order. They went on a looting spree accumulating public wealth from the public coffers.

Kenya has not been exempted from the problems of corruption. A nation-wide opinion poll published in October 2014 by the International Republican Institute found that "24% of respondents say that corruption is the single most important issue facing Kenyan, followed by poverty (22%) and unemployment (15%)" (Transparency International-Kenya, 2012). This problem observed by Kenyans is reported in succeeding years up to date. In fact levels of corruption are said to be increasing every year and is defined by some as fundamentally widespread.

According to Mutonyi (2003) in his paper entitled. "Fighting Corruption: Is Kenya on the right tract?" Corruption can be traced back to its origins in the early years of Kenya as an independent nation until the height of the corruption in the 1990s. First, in the Early Post-Independence Culture; from the inception of independence in 1963, Kenya had already developed an elite capitalist class where ample personal wealth, notwithstanding, the means used to acquire it, seemed to be a prerequisite for victory in politics. Secondly, Lack of distinction between private and public responsibilities of officials holding public position precipitated the corruption culture. Public officials' leadership positions pivots very largely to the magnitude to which one is able to fulfill his or her own community needs. Thus, public officials come under intense pressure to offer favors, work and other economic assistances to their family and their local community. Finally, Mutonyi asserts that ethnic factions have fueled corruption in Kenya. Since ethnicity is a strong part of Kenyans' identities, distribution of resources has favored those affiliated with the ruling regime's ethnic group. Furthermore, hiring in the public sector is not meritocratic rather, nepotism and cronyism pervade it. This has led to unexceptional and mediocre delivery of services in the public sector.

Kenya has been weighed down with a number of scandals among them Goldenberg scandal, Anglo leasing, Maize scandal, oil scandals, Grand/ Laico Regency among others. Kenya remains in the bottom 20 percent of Transparency International's Corruption Perception Index (CPI), (Transparency International, 2013). Kenya has had a number of commissions set up to unravel the scandals but all of them have proved to be an exercise in futility. A survey done in 2004 by the World Bank and the Kenya Institute for Public Policy Research shows that graft still oils the wheels of business in Kenya. Half of the firms surveyed said that they had been asked for a bribe in the past year. Corruption is observed to be the biggest impediment to quality and equitable service delivery in the public sector. Corruption is eroding the development efforts of the Government (Ngunjiri, 2003). It is slowing down development and service delivery in both private and public sector.

Successive Governments have tried to stamp out the corruption cycle but with little success. Corruption is said to be rampant almost in every sector of public service. Many efforts have been put forward by successive governments to stop the menace of bribe taking by the police but to no avail. Many reforms have been initiated with aim of eradicating the vice but it is still glaring at us. The Kenyan government has adopted various strategies in fighting corruption, this includes parliament enacting legislation towards establishment of an independent Ethics and Anti-Corruption Commission (EACC) in 2011. Inclusion of Leadership and Integrity as chapter six in the constitution which obligates state officers to be objective and impartial in decision making,

and ensure decisions are not influenced by nepotism, favouritism, other unsuitable motives or corrupt practices (Transparency International, 2013). Local and international Civil Societies and NGO's, have also had an effect on the fight against corruption. The civil societies have also played a critical role in this respect. For example, civil societies such as Transparency International- Kenya (TI-Kenya), Mars Group, Centre for Governance and Development (CGD), and Centre for Law Research International (CLARION) have offered intellectual leadership by continuously analyzing the impact of corruption on public coffers.

When the NARC government (2002) came into power on the platform of zero tolerance to corruption. On December 30, 2002, H. E. President Mwai Kibaki said:

“Corruption will now cease to be a way of life in Kenya and I call upon all those members of my government and public officers accustomed to corrupt practice to know and clearly understand that there will be no sacred cows under my government”.

With this commitment, the Kenyan citizenry had reasons to look forward to a clear break from the corrupt past and a government that would relentlessly pursue the corrupt (Njuguna & Bruce, 2003). The new constitution promulgated in 2010 under the grand coalition, judicial reforms, and the many police reforms were expected to bring up a new nation free of corrupt practices. This then calls for researchers, think tanks and all of us to do further study to determine and identify factors that motivate police to keep on taking bribes despite the concerted efforts of eradicating the vice. There is no room of giving up the fight on corruption for it is having a direct bearing on our under development in all aspects of life.

Police are not corrupt by themselves. There is an influence of the public which is making the police corrupt. This is commonly called the public's corruption culture. The common citizenry believe that essential service which they require from those in authority can easily be processed if the hands are 'oiled'. The argument that it makes sense to do it makes corruption inevitable and very hard to fight. It makes it popular and normal. The system and the general public have believed corruption as a way of getting things done in the shortest time and cheapest way (Bryan, 2013).

The police service is ranked as the most corrupt public institution in Kenya, a report by Transparency International (TI) shows the Police Force in Kenya as the most corrupt government department for a sixth year running (Transparency International, 2014). The surveys done by both international and national institutions all show that the police are still the most corrupt public institution in the country (BBC News, 2014). The police service is one of the very important public institution which provides security and ensures adherence of law and maintenance of peace and order. These crucial services they are to provide are being impaired by corruption. Their service delivery is compromised by corruption and the public are left suffering and lacking the very crucial service from the police.

II. PURPOSE AND OBJECTIVE OF THE STUDY

The purpose of the study was to identify police officers' perceptions of factors contributing to corruption in the police force.

- a) To determine the police officers' perceptions on the institutional factors which are contributing to persistence of corruption among members of the police service in Kenya

III. RESEARCH QUESTION

- a) What are the institutional factors encouraging corruption in the police force?

IV. METHODOLOGY

The grounded theory research design was employed in this study. The study was conducted in five police stations in Nakuru County- Kenya. These were: Nakuru Central Police Station, Bondeni Police Station, Nakuru Railway Police Station, Bahati Police Station and Njoro Police Station. The target population was all the police stations in Nakuru County giving a total population of 40 from which a total of 5 police stations were purposively drawn. Focus group discussion guide was used to obtain information from the police.

V. RESULTS

The following study objective was achieved:

To determine the police officers' perceptions on the institutional factors which are contributing to persistence of corruption among members of the police service in Kenya.

In this section, the respondents were asked to give their perceptions on the institutional factors that contributed to corruption. Results are as discussed below.

The institutional factors here are the inside forces within the police force which are seen to be contributing to the escalation of corruption in the force. The general view from all respondents is anonymous that there is a problem with the police service from the time of recruitment, retention, promotion, transfers and even

to dismissal. The discussion from the Police Stations gave a picture of institutional corruption. They observed that a non corrupt police officer is a non police. They observed corruption as normal and almost official.

Recruitment

Respondents confided that recruitment of the police is riddled with corruption. They pointed out that many people are finding their way to the police force not because they had relevant requisite qualification but because they paid to be in the service through bribes during recruitment.

Retention

Respondents talked emotionally about the retention factors which are enhancing corruption within the police force. The factors observed are.

Housing

Officers of other ranks in the police Services are required to reside in police lines for ease of mobilization. Officers in higher ranks are free to rent accommodation outside the Stations but the house allowance provided does not enable them to rent decent housing. However, many of these quarters are overcrowded with married and single police officers being forced to share single rooms. Other Units were found to be dilapidated while a number of officers lived in tents, tin huts, timber or grass thatched mud structures. The resultant effect has been decay in values and morals, low morale, high levels of stress and strained interpersonal relations between the officers. In some Stations, civilians are occupying houses meant for police officers. This situation was supported by statistics which indicated that the Kenya Police, with a complement of 42,342 officers, had a shortfall of 30,000 housing Units. The budgetary provision for housing for the police Services has consistently been low and does not take into account, the rising numbers in both Services. These problems were further compounded by the bureaucracies and corruption commonly associated with the procurement of construction Services.

Salary and Monetary Allowances

The respondents discussed in detail the monetary challenge the police officers are facing. They based their arguments on what a respondent called "good pay in prestigious professions". The group observed that the payment of the police officers is below the internationally requirement. They claimed that work is hard and risky but the pay is meager. A respondent said those working as teachers, doctors and bankers are getting reasonable pay compared to what the police are getting. On further probing the respondents lamented the lack of advocacy for the police rights. They lack a union from which they can advocate for their rights. A simple questioning or advocacy by a police officer for their right would be met with stiff penalty which might even be a total dismissal.

Transfers and promotions

Respondents were in a position to discuss promotion and transfers in depth and details. One respondent was bold enough to narrate how he was promoted at one time and even transferred from a hardship area because of kickbacks he has been giving the seniors from the bribes he collected. This was discussed as a very serious issue killing moral of most of the police officers. The hard working and long serving officers are denied their rightful promotions because of the systemic corruption within the service. The junior officers seen to cooperate with the seniors by the way of giving goodies are the ones who find themselves promoted and transferred to friendly areas. Those that fail to sing the song find themselves transferred to hardship areas and hardly get any promotion. As the discussions got heated, an officer interjected that it's not only bribes and giving of goodies that are observed in promotions and transferred. He brought the issue of nepotism and favoritism.

Nepotism and favouritism

The respondents observed that there is a trend which according to them is evil of rewarding people positions of influence because they come from from certain regions in the country. A lady respondent lamented that she missed a promotion at a certain time just because she comes from a different tribe from the one of his senior who was authorized to effect the promotion. She emotionally narrated that her mistake was "nimetoka kabila mbaya" I come from the bad tribe. This was discussed further by other respondents and it was clear that there is tribalism and favouritism in the police service

Recruitment and training

All the focus groups identified recruitment as the first point where the police are introduced to corruption. The discussions identified that the process of recruitment is riddled with corruption. The participant

were however falling short of confessing that they corrupted their way to the police, however they were anonymously in agreement that there is corruption in the recruitment process.

It is interesting because the five focus groups all gave suggestions that the police training curriculum is clear on corruption. They all agreed that the content in the curriculum is sufficient when it comes to addressing corruption. The groups were all in agreement that the virtues that should make a police deter from corrupt activities are well articulated in the police training curriculum. A participant in Police Station C was sarcastic when he said that the curriculum was meant for the recruits only.

Retention promotions and transfers

Another major institutional factor which the groups identified as enhancing corruption to thrive in the police force is the issues of retentions, transfers and dismissal. On this the participants were so open to even give their accounts of how they have bribed to be in stations deemed more profitable. A participant at Police Station A revealed how he at one time bribed his way to be removed from a war torn area of north eastern frontier to where he is today.

Promotion was also identified as another area enhancing corruption in the police force. The participants were categorical that merit is not the only factor observed in promotion. A participant at Police Station E informed how a colleague he knows got promoted after “coughing out something”

Dismissal and discipline

The discussants discussed how police are disciplined when found on the wrong. Here the discussions were diverse. Corruption is identified as influencing discipline. Participants diverged that there are instances when a known offender finds his/her way out by influencing the decisions of the seniors through corrupt means. The punishment is bailed out through bribes given to the senior officer who enforce the discipline.

VI. DISCUSSION

Corruption is rampant within Kenya's police. The Kenya National Police Service is ranked as the most corrupt institution in the country, and bribery is reported to be the only way to access the police and expedite services. Three out of four Kenyans consider most or all police officers as corrupt. Half of all Kenyans who have come into contact with the police report having paid a bribe (Global Corruption Report, 2017). The police also struggle with a lack of oversight and organizational and technical deficiencies. Kenya's police relentlessly engage in false imprisonment, abuse of human rights and fabrication of charges to extort bribes. Corrupt police officers are rarely arrested or prosecuted for corruption crimes. Companies report the business cost in Kenya to be high and police reliability is rated as poor (Global Corruption Report, 2017). The findings of various authors above are in agreement with the findings of the present study in that the discussants also agreed that they were involved in corruption but with a number of reasons some of which include; lack of proper housing and inadequate salaries among others.

Corruption represents a governance ill. It is a characteristic of bad governance. It persists in Kenya primarily because there are people in power who benefit from it and the existing governance institutions lack both the will and capacity to stop them from doing so. Despite the existence of an anti-corruption commission formerly the Kenya Anti-Corruption Commission (KACC) established in 2003 and reframed in 2011 as the Ethics and Anti-Corruption Commission (EACC) and several other measures that have been put in place to try to tackle the corruption problem, Kenya is still classified as one of the most corrupt States in the world (Hope, 2012). Tackling the corruption epidemic in Kenya: Toward a policy of more effective control. This work takes a governance and development perspective to examine the causes and consequences of corruption in Kenya (Transparency International, 2014). It identifies the key factors and synthesizes and analyses available data, indicators, and other information in that regard. Corruption in Kenya has become a matter of great concern, domestically and internationally, primarily because ‘it can hardly be said that corruption in the country is limited to a few rogue officials at the top. The culture of corruption has grown roots in society at large and become endemic’ (Mogeni, 2009) noted from comments of Kenyans, everyone is corrupt in Kenya, even grandmothers. This explains the consistent narrative found in the research finding that the public corruption culture is enhancing corruption in the police force. This entrenchment of corruption in Kenya points to the fact that something has gone wrong in the governance of the country. Institutions, which were designed for the regulation of the relationships between citizens and the State, are being used instead for the personal enrichment of public officials (politicians and bureaucrats) and other corrupt private agents (individuals, groups, and businesses). In particular, opportunistic bureaucrats and politicians have been successfully maximizing their take without regard for such perdition on the size of the overall pie and thereby accounting for the growth of corrupt activities and the particularly adverse impact that corruption has in the country.

VII. CONCLUSIONS

- i. The general view from all respondents is unanimous that there is a problem (corruption) in the police service ranging from the time of recruitment, retention, promotion, transfers and even to dismissal
- ii. There should be continuous improvement in police housing and provision of basic services including insurance to the police. Improved remuneration packages for the police in order for them to enjoy better standards of living at par with their colleagues in the military and civil service might help curb corruption

VIII. RECOMMENDATIONS

- i. The Independent Policing Oversight Authority to independently investigate serious complaints of police misconduct and recommend action. This should be done publicly to send a message that corruption is not condoned.
- ii. The Government to adopt a sector-wide approach to implementation of Police reforms that embrace partnerships as a key strategy. This approach is evidence in the composition of past Police reforms task forces and committees where membership is drawn from line Ministries, Departments and Government agencies, development partners, Private sector and consultant advisors.

REFERENCES

- [1]. Ashour, A. (2006). Combating corruption: systemic and strategic perspectives, UNDP POGAR concept paper, United Nations Development Programme, Beirut.
- [2]. BBC (2014). *Ranking of most corrupt public institutions in Kenya*. Retrieved from <http://news.bbc.co.uk/2/hi/africa/6957391.stm>.
- [3]. Bryan, C. (2013). *Original paper on rational irrationality*. Retrieved 2012-02-13
- [4]. Daniel, T. (2000). The causes of corruption: a cross-national study. *Journal of Public Economics*, 76 (2000): 399–457.
- [5]. Getz, K. & Volkema, J. (2011). Culture, perceived corruption, and economics, *Business & Society*, Vol. 40 No. 1, pp. 7-30.
- [6]. Global Corruption Report. (2017). *Corruption in the Police System*. Transparency International Press.
- [7]. Hope K.R (2012). *Corruption and impunity in Africa*. Haundsmills, Basingstoke; Palgrave Macmillan.
- [8]. Huntington, S. P. (2008). *Political Order in Changing Societies*. Yale University Press: New Haven
- [9]. Jakob Svensson (2005). Eight Questions about Corruption, *The Journal of Economic Perspectives*, Vol. 19, No. 3, pp. 19-42
- [10]. Klitgaard, R. (2008). *Controlling Corruption*. University of California Press: Berkeley.
- [11]. Mogeni, D. (2009). Why corruption persists in Kenya. *Daily Nation*.
- [12]. Mutonyi, J.P. (2003). Fighting Corruption: Is Kenya on the right track? *University of South Australia website*.
- [13]. Ngunjiri, I. (2003). Corruption and Entrepreneurship in Kenya. *The Journal of Language, Technology & Entrepreneurship in Africa*, Vol. 2. No.1. 2010, ISSN 199-1279
- [14]. Njuguna, N. & Bruce, L. (2003). *Corruption in Kenya: The Winds of Change? Ethics of Development in a Global Environment E297C*
- [15]. Park, H. (2013). "Determinants of corruption: a cross-national analysis", *The Multinational Business Review*, Vol. 11, fall, pp. 29-48.
- [16]. Petrus C. D. (2010). Corruption in acts & Attitudes. *Forum on Crime and Society*, 2001, vol. 1, nr. 2, 73-98.
- [17]. Svensson, J. (2005), "Eight questions about corruption", *Journal of Economic Perspectives*, Vol. 19, pp. 19-42.
- [18]. Transparency International (2003). "Global Corruption Report 2003", available at: www.transparency.org.
- [19]. Transparency International (2014). *Corruption Perception Index* Retrieved from www.transparency.org.
- [20]. Transparency International Kenya (2013). *A national opinion poll to evaluate progress on the anti-corruption agenda in the last decade*.
- [21]. World Bank (2014). *World Development Report*. World Bank, Washington DC

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