

UNIVERSITY OF NAIROBI

**DEPARTMENT OF POLITICAL SCIENCE AND PUBLIC
ADMINISTRATION**

**THE INFLUENCE OF EXTERNAL FUNDING ON THE EFFECTIVENESS
OF CIVIL SOCIETY ORGANIZATIONS IN THE FIGHT AGAINST
CORRUPTION – A CASE STUDY OF TRANSPARENCY
INTERNATIONAL KENYA**

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POLITICAL SCIENCE AND PUBLIC ADMINISTRATION**

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DECLARATION

I declare that this Master research project is my original work and has not been presented for another academic award in any other University or Institution. Any thoughts from others or literal quotations are clearly acknowledged.

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This Master research project has been submitted for examination with my approval as University Supervisor.

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This Master research project is dedicated to my late mother Cecilia Obinda, my late grandmother Salome Atwoli, my late grandfathers Vincent Ngesa Rajula and Andrew Vigatsi Lumwachi.

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LIST OF ABBREVIATIONS/ACRONYMS

ACECA.....	Anti-Corruption and Economic Crimes Act
AUABC.....	Africa Union Advisory Board on Corruption
AUCPCC.....	Africa Union Convention on Preventing and Combating of Corruption
AfriCOG.....	Africa Centre for Open Governance
APNAC.....	Africa Parliamentary Network against Corruption
A4T.....	Action for Transparency
BiH.....	Bosnia and Herzegovina
CSO.....	Civil Society Organizations
CfP.....	Call for Proposals
CIPU.....	Critical Infrastructure Protection Unit
CPI.....	Corruption Perception Index
CDF.....	Comprehensive Development Framework
CGSR.....	County Governance Status report
COK.....	Constitution of Kenya
COVID-19.....	Corona Virus Disease 2019
CREAW.....	Center for Rights Education and Awareness
CRECO.....	Constitution and Reform Education Consortium
DFID.....	Direct Foreign Investment and Development
DCD.....	Development Cooperation Directorate
EACC.....	Ethics and Anti-Corruption Commission
EABI.....	East Africa Bribery Index
FE.....	Foreign Aid
FIDH.....	Partnership of International Federation for Human Rights
GAC.....	Governance and Anti-Corruption
HLF.....	High Level Forums on Aid Effectiveness
IDA.....	International Development Agency
IEBC.....	Independent Electoral and Boundaries Commission
IMF.....	International Monetary Fund
INGO.....	International Non-Governmental Organizations

IAU.....Internal Affairs Unit

KHRC.....Kenya Human Rights Commission

Kelin..... Kenya Legal Aid Network

NSPR..... National Strategy for Poverty Reduction

NGO.....Non-Governmental Organizations

NEMA.....National Environmental Management Authority

ODPP..... Office of the Director of Public Prosecutions

OAG.....Office of the Auditor General

OMCT.....World Organization against Torture

OSEA..... Open Society for East Africa

OECD..... Organization for Economic Cooperation and Development

PWC.....Price Water House Coopers

PBO..... Public Benefits Organizations

PFM..... Public Finance Management

RoGGKenyaReporting on Good Governance in Kenya initiative

SEE..... Southeast Europe

SGB..... Security of Government Buildings

TI..... Transparency International

TI Kenya..... Transparency International Kenya

TISA.....The Institute of Social Accountability

UNCAC.....United Nations Convention Against Corruption

UNECA.....United Nations Economic Commission for Africa

UNODC.....United Nations Office for Drug and Crime

UNDP.....United Nations Development Programme

USIP..... United States Institute of Peace

ABSTRACT

Corruption is a societal problem that continues to thrive unabated, despite the policy and legislative overdrive against it in Kenya. As a result, the government's effort to eliminate corruption has been welcomed with lots of cynicism and suspicion. The government has been accused of manifesting insufficient political will in addressing corruption, as demonstrated by the deeply entrenched political impunity in public service. This has led to the capture and manipulation of key state institutions and processes of governance undermining public service delivery and the quality of citizens' livelihood. The government has therefore lost the credibility to lead the fight against corruption to the Civil Society. Civil Society Organizations depend on external funding to conceptualize and implement anti-corruption projects that include among others compelling the government to fight corruption effectively. This study therefore sought to assess the influence of external funding on the effectiveness of Civil Society Organizations in the fight against corruption, by determining the influence of funding from: (1) International Development Agencies (IDAs) and (2) Foreign Embassies (FEs) on the effectiveness of Transparency International Kenya in the fight against corruption. The study utilized Hegel's theory on civil society and employed an exploratory research design using Transparency International Kenya as a case study. Both primary and secondary sources of data were utilized. Purposive sampling technique was employed in the collection of primary data, to identify the target population from whom data was gathered through administration of questionnaires and oral interviews. In the analysis of data both quantitative and qualitative data analysis methods were utilized. The study established that there is a positive relation between external funding from both International Development Agencies and Foreign Embassies, and the effectiveness of Transparency International Kenya. For instance, the study established that an increase in funding from IDAs & FEs strengthened and enhanced TI Kenya effectiveness. When TI Kenya had more funds, the study findings showed that the organization's capacity and ability to undertake more and quality anti-corruption activities was greatly improved. Some of the key anti-corruption activities undertaken by TI Kenya as a result of funding from both IDAs & FEs include; undertaking quality anti-corruption research, support the formulation, review and enforcement of both anti-corruption and accountability related policies and legislations, conduct anti-corruption public awareness campaigns & citizens' empowerment initiatives, build nascent anti-corruption partnerships, networks & coalitions for collective anti-corruption efforts,

supporting and strengthening integrity and ethics initiatives in county governance and lastly building internal excellence as an anti-corruption organization. The study concluded by recommending that external funding should continue and should be increased as it plays an important role in enhancing CSOs' effectiveness in combating graft. In addition, the study recommends the utilization of core funding as the best model for funding CSOs compared to the project funding model.

CHAPTER ONE: INTRODUCTION

1.1. Background of the Study

Corruption is a serious obstacle to political, social, and economic development. According to the United Nations Economic Commission for Africa (UNECA), corruption remains problematic in many developing countries and flourishes due to inadequate governance and leadership characterized by weak transparency, accountability and oversight systems. It creates adverse situation in which human rights, social justice and the rule of law are undermined.

Corruption distorts public policy decisions and their implementation, promotes poor quality of life, and sanctions organized crime and other threats to human security to flourish (UNODC 2004). It entrenches substandard governance and unsatisfactory public service delivery. This prevents the poor from accessing life-saving and welfare-enhancing services such as health care, clean water, food, education, and protection under the law and shelter (Mbaku, 2007).

Considering its multifaceted nature as a concept, corruption escapes monolithic characterizations and thus lacks a universal definition. However, its manifestation takes different forms, such as bribery, theft of state assets, embezzlement, illicit enrichment, trading in influence, diversion of state revenues, laundering of proceeds of crime, misappropriation, and abuse of functions, obstruction of justice, nepotism and patronage among others (UNCAC, 2004).

These forms typify corruption as a devious plague with widespread destructive impact on the society. It negatively affects people's lives and their aspirations for development as a country. As such Transparency International has widely christened it, "the abuse of entrusted power for private gain". A reminder that the vice is manifest in all segments of humanity and encompasses both public and private life.

To combat corruption, several anti-corruption tools, mechanisms, and frameworks have emerged both internationally and locally. These mechanisms are provided for in global conventions such as the United Nations Convention against Corruption (UNCAC), and the regional Africa Union Convention on Combating and Prevention of Corruption (AUCCPC) among others.

So as to enhance their effectiveness, these mechanisms are implemented by independent institutions. For instance, implementation of UNCAC is advanced by the United Nations Office on Drug and Crime (UNODC), while the implementation of AUCCPC is advanced by the Africa Union Advisory Board on Corruption (AUABC). At the national level, the Ethics and Anti-Corruption Commission (EACC) was established to provide leadership in combating corruption in Kenya.

Despite these efforts corruption remains a global, regional and national challenge effecting all nations and societies though on a different scale. In Kenya, the beginning of the problem is directly connected to the country's history, particularly during the period when the country was under colonialism. During this period, the colonialist system of governance was characterized by absolute looting of available natural resources with impunity and authoritarianism. When Kenya gained independence, the practice was diffused into the new self-governing state.

The new independent state did not fundamentally restructure and reconstruct the colonial state. Whereas corruption under the colonialist was characterized by looting of Kenya's natural resources, under the independent state, corruption has been characterized by looting of the national revenue, asset transfers and illicit procurement processes among others. Actually, nearly all acts of corruption that constitute the lack of integrity, transparency and accountability in public governance, characterize Kenya's public service today (Mbai 2003).

Over the years corruption has remained the utmost test to Kenya's development process. It has consistently declined the level of integrity in the undertaking of public business and continuously deteriorated the quality of public services. This situation has facilitated the steady rise in the cost of basic necessities, theft and misallocation of public resources, contributing to poor livelihood, slow economic growth and discourages and frustrates investment in Kenya (Kanyinga, 2009).

Corruption is therefore a thriving enterprise that continues unabated despite the policy and legal framework in place to combat it (Mbai, 2003). The rampant corruption in Kenya is also evidenced by the annual Auditor General's reports, which have exposed massive wastage and misuse of public resources.

The annual Corruption Perception Indexes (CPIs) by Transparency International (TI), also continue to rank Kenya poorly. For instance, in the latest report, Kenya was ranked 124 out of 179 countries globally (CPI, 2020). The World Bank's recent study dubbed, "Elite Capture of Foreign Aid: Evidence from Offshore Bank Accounts", reveals that the political elites in Kenya and their associates transferred a total of US\$3bn in secret offshore bank accounts, between 1990 and 2010 (World Bank, 2020).

The failure of the government to tame corruption and thrive human development has necessitated the rise of CSOs with the objective of fighting corruption. These CSOs normally operate as intermediaries between the people and the government. They usually work outside the government to manifest the will and interests of the people (Githinji, 2018). Their traditional role is to keep the government in check and to defend the people against excesses of the government (Kornhauser, 1959). They are a critical cog in the fight against corruption (Pawelke 2010). For instance, they have the potential to build a formidable anti-corruption partnership and successfully put the government on the spotlight to fight corruption (Schmidt, 2007).

In Kenya and other parts of the world, CSOs are known to undertake various anti-corruption activities among them: raising public awareness on the negative effects of corruption through information campaigns; carrying out diagnostic surveys on the prevalence of corruption & providing analyses & recommendations; conducting anti-corruption trainings, workshops; uncovering abuses and exposing corruption; providing expertise to and cooperating with government on designing and implementing anti-corruption strategies among others (Ralchev, 2004).

Unlike the government's effort in the fight against corruption which is funded by citizens through tax and loans (domestic and international), CSOs efforts in battling graft is fully funded by external sources. The two common sources of CSO funds in Kenya are International Development Agencies (IDAs) and Foreign Embassies (FEs). For CSOs to operate effectively, they require adequate resources from these sources.

However, the impact of external funding on the effectiveness of CSOs as anti-corruption actors remains indistinct globally. For instance, critics have argued that the accessibility of funds from these sources has played a great role in creating and increasing competition among the CSOs for such fund rather than creating and increasing competition to address the corruption problem. As a result of such competition, CSOs efforts to fight corruption individually are frustrated and ability to come together and fight corruption collectively is thwarted (Van de Walle, N., & Resnick, D. 2013). This situation has given room for corruption to thrive considering the failed attempts by the government.

On the other hand, Van De Walle (2013) argues that external funding has strengthened the role of CSOs as anti-corruption actors globally. For instance, that the availability of such funds, whether acquired through competition or not, makes CSOs more vocal and increases their capacity to oversight the state. Such oversight contributes to increased transparency and accountability in public service delivery.

These sentiments hold in many developing nations, where the ineffectiveness of watchdog agencies such as the Parliament and public anti-corruption institutions, is considered a critical aspect contributing to the increased corruption. Therefore, availability of funds from external sources increases CSOs capacity and ability to engage the government and demand for accountability through consistence advocacy for good governance, human rights and anti-corruption, among others. As such external funding for CSOs has a very positive dimension in the fight against corruption.

Despite the positive dimension of external funding on the functionality of CSOs, there does not seem to be a study that has examined the impact of external funding on the effectiveness of anti-corruption CSOs in Kenya. It's therefore against this background, considering the unwillingness and inability of the state to combat corruption, necessitating the emergence of CSOs to rectify the situation, that this study was conceptualized and assessed the influence of external funding on the effectiveness of CSOs in the fight against corruption. Specifically, the study assessed how funding from International Development Agencies (IDAs) and Foreign Embassies (FEs) has influenced the effectiveness of TI Kenya's efforts in the fight against corruption.

1.2. Statement of the Research Problem

Although Kenya has a robust anti-corruption eco-system comprised of commendable anti-corruption policies, legislations, institutions and commitments (national, regional and global), corruption continues to persist. As a result, Kenyans have benefitted little thus far. A number of factors are attributed to the continued scant success in the fight against corruption in the country. They include among others the following six factors;

First, insufficient political interest to combat corruption by the various post independent governments in Kenya. Successive governments have failed to provide adequate political leadership and commitment in the fight against corruption (Mabi 2003). For example, anti-corruption institutions have often been poorly funded and also held hostage by the political leadership. This factor manifests the state's unwillingness to genuinely combat corruption as it has created a gap between the legislative/policy/institutional framework and implementation.

Second, the deep state and the state capture problem. This has created a strong bond between politics and corruption. Through the bond the power elites have captured the state and repurposed the government machinery to serve personal interests rather than national interest. To overcome these challenges, the tentacles of the informal state (deep state) that are deeply entrenched in the formal state (constitutional state) must be cut off, impunity must be addressed and the independence and autonomy of government institutions guaranteed.

Third, the ineffectiveness of law enforcement and rule of law institutions such as the police, the judiciary, the Ethics and Anti-Corruption Commission and the Director of Public Prosecution among others. Fourth, the ineffectiveness of oversight institutions such as the Parliament; National Assembly and Senate among others.

Fifth, weak policy and legal framework, such as the Anti-Corruption and Economic Crimes Act, National Policy on Anti-corruption, Ethics and Anti-Corruption Commission Act, Witness Protection Act, Leadership and Integrity Act, Bribery Act, and the Political Parties Finance Act among others that have been watered down by legislators.

Sixth, the changing nature of corruption, with globalization and financialization entailing that organized crime and money laundering share the same financial infrastructure and, in some cases, leading to the merging of organized crime and corruption in politics.

The failure of the government to tackle corruption has made it one of the most significant challenges facing Kenya's development. It has created an adverse situation in which the citizens no longer trust their government and has discouraged serious investments by both local and foreigners. The Government failure has therefore necessitated the emergence of CSOs as the best alternative in the fight against corruption.

Among the leading CSOs involved in the fight against corruption in Kenya is Transparency International Kenya, an autonomous chapter of the global Transparency International movement that is guided by a vision of a corruption free world. In the same vein, TI-Kenya operations are guided by a vision of a corruption-free Kenyan society and aims to achieve this by implementing initiatives that promote good governance and social justice. While its engagement with the Government (national and county) and the private sector is mainly to advance anti-corruption policies and legislations, its engagement with individuals and groups is aimed at enhancing their capacity so that they can effectively engage in the war against corruption.

Unlike the government, TI Kenya's anti-corruption work is fully funded by external sources in the form of donations and grants. The two common sources of TI Kenya funds are; (1) International Development Agencies (IDAs) such as FORD Foundation, FOJO Media, Diakonia, GIZ, DFID, and DAI among others, and (2) Foreign Embassies (FEs) in Kenya such as the Embassy of Netherlands, the Embassy of Finland, the Embassy of Belgium and the Embassy of Japan.

However, the impact of these external sources (IDAs & FEs) on the effectiveness of TI Kenya in the fight against corruption is largely unknown. This is mainly because there does not seem to be a study that has examined the impact of external funding on the success of anti-corruption CSOs in Kenya. It is therefore against this background that this study was conceptualized and assessed the extent to which external funding, particularly from IDAs and FEs has influenced the effectiveness of TI Kenya in the fight against corruption.

1.3. Research Questions

The study sought to answer the questions: to what extent has external funding influenced the effectiveness of Civil Society Organizations in the fight against corruption.

The specific questions that guided the study are:

- i. To what extent has funding from International Development Agencies (IDAs) influenced the effectiveness of Transparency International Kenya in the fight against corruption?
- ii. To what extent has funding from Foreign Embassies (FEs) in Kenya influenced the effectiveness of Transparency International Kenya in the fight against corruption?

1.4. Objectives of the Study

The overall objective of the study was to assess the extent to which external funding has influenced the effectiveness of Civil Society Organizations in the fight against corruption in Kenya.

The specific objectives of the study were as follows.

- i. To establish the relationship between the extent of funding from International Development Agencies and the effectiveness of Transparency International Kenya in the fight against corruption.
- ii. To establish the relationship between the extent of funding from Foreign Embassies in Kenya and the effectiveness of Transparency International Kenya in the fight against corruption.

1.5. Justification & Scope of the Study

Despite the government's efforts for many years to combat the culture of corruption, the vice continues to thrive with devastating effects on governance and development. This has necessitated the emergence of CSOs as an alternative in the fight against corruption. Although many studies have focused on assessing the effectiveness of the government in combating graft, this study is different in that it assessed the effectiveness of CSOs. Specifically, the study sought to establish external funding (IDAs and FEs) influence on the effectiveness of TI Kenya in the fight against corruption.

The importance of this study is twofold as explained below;

First, the study is important in the sense that it sought to add value to the efforts by policy makers towards improving both the legislative and policy framework around the operations of CSOs engaged in advocacy work against corruption. This has the impact of improving the working environment of CSOs with external partners such as donors, and as a result, attract more resources to fight corruption.

Secondly, the study is important in the sense that academicians may find it useful while researching on the influence of external funding on the effectiveness of anti-corruption CSOs. This is particularly important for academicians seeking information on the influence of IDAs and FEs on the effectiveness of anti-corruption CSOs in Kenya. Such understanding is critical as a foundation for further research on the topic in the future.

1.6. Literature Review

This section reviewed the relevant literature on the problem of corruption, Civil Society Organizations (CSO) as anti-corruption actors and finally literature on the influence of external funding in the fight against corruption through CSOs. The literature reviews mainly focused on assessing the extent of influence that external funding has on the effectiveness of CSOs anti-corruption work in Kenya. Specifically, the literature review process sought to establish the relationship between the funding from International Development Agencies and the Foreign Embassies in Kenya and the effectiveness of Transparency International Kenya's anti-corruption interventions.

1.6.1. Understanding Corruption

Considering that corruption is a multifaceted concept, it escapes monolithic characterization and thus lacks a universal definition. However, its manifestation takes different forms, such as bribery, theft of state assets, embezzlement, illicit enrichment, trading in influence, diversion of state revenues, misappropriation, and abuse of functions, obstruction of justice, nepotism and patronage among others (UNCAC, 2004). These forms typify corruption as a devious plague with widespread destructive impact on the society. It negatively affects both the livelihood and development of a people and country, respectively.

Corruption is therefore a behavior, which digresses from the standard responsibilities of a public function because of personal interests, Nye (in Heidenheimer, 1970). Such behavior creates a relationship between a power-holder and a non-power holder. In such a relationship, the power-holder, is normally an office holder or is charged with certain responsibilities. The power-holder is however induced to take certain actions that favors the non-power holder in exchange for monetary or other non-monetary rewards that are not legally provided for. Such actions impede the fulfilment of public interests (Carl Friedrich, Heidenheimer, 1970).

Some of the common acts of corruption in public service globally include among others the following: diversion of government revenue by public officials, fraud such as inflation of contract sums, irregularities in accounting processes, bribery, unauthorized variation of contracts, and payment of ghost workers (Ubeku, 1991:41-43).

Since the concept of corruption is so pliable and therefore lacks an all embracing and universally acceptable definition, this study chose and used the TI's definition of corruption as "the abuse of entrusted power for private gain" (TI, 2021). This is premised on the notion that the Transparency International definition is broader enough to encompass all forms of corruption in all sector of the society and encompasses both public and private life (Wolfe and Gurgun 2000).

Although corruption is a problem affecting all nations, its negative effects is felt more in the developing countries and Africa in particular, where public resources are unduly converted into the ownership of political elites. Such actions according to the African Governance Report (AGRI) have aggravated poverty and unemployment in the developing countries.

Developing countries have attempted to address the problem by establishing Anti-Corruption bodies and legislations such as the EACC and ACECA respectively in Kenya. However, the results of such initiatives remain debatable mainly for not doing enough to reduce the levels of corruption on the continent (Khemani, 2009).

According to the Africa Governance Report, 2016, “corruption remains problematic in many African countries and thrives more when there is inadequate governance characterized by the lack of integrity, transparency and accountability, weak oversight institutions, limited enforcement mechanisms and insufficient capacity”. It weakens government institutions and creates adverse situation in which good governance, the justice system and human rights mechanisms are undermined. This has resulted into many citizens losing trust in their Governments across the African continent and has distorted the governance process (UNECA, 2016).

To combat corruption, several anti-corruption tools, mechanisms, and frameworks have emerged globally, regionally and at the national levels (Onuigbo, Richard & Eme, Okechukwu, 2015). These mechanisms are provided for in global conventions such as the global UNCAC, the regional AUCCPC and national ACECA. However, the successfulness of these mechanisms depends largely on the political willingness of states to act decisively in the fight against corruption.

Government employees are most corrupt in situations where they have substantial monopoly of power with little checks. As a result, therefore, in order to reduce corruption in any country, there is need to check and decrease the power of the state, limit the choices at the disposal of government officers and strengthen the control over civil servants. To achieve this, Klitgaard argues for a proactive civil society and free press to reduce corruption by effectively checking the state.

While Klitgaard makes rational arguments on what needs to be done by the civil society and the press to reduce corruption, he fails to show whether the civil society has been effective or not in reducing corruption. For instance, he does not show whether the civil society has been effective in checking governments’ excesses around the world. The effectiveness of civil society in the fight against corruption therefore remains an under-researched area.

This study therefore sought to address this gap by assessing the extent to which CSOs have been effective in reducing corruption, particularly in Kenya. The study assessed the contribution and effectiveness of Transparency International Kenya, with a particular focus on how external funding from both IDAs and FEs has influenced the organization’s effectiveness in the fight against corruption in Kenya.

1.6.2. Civil Society Organizations (CSO) as anti-corruption actors

In most circles, the civil society is generally referred to as the “third sector”, while the government and business form the other two sectors (Githinji, 2018). It is the space of voluntary association and activity that exist between the state and its citizens. As Hegel puts it, it is the lacuna that exist between the state and the individual (Ibid).

According to the radicals, civil society is the platform from which the status quo is contested and substitute ideas are conceived. This is because civil society function to strengthen and improve civilian oversight capacity over government’s action and/or inaction. In addition, civil society also functions to produce substitute ideas and policies, and organize collective action to influence politics, economics, and social relations.

The ecosystem of the civil society comprises different elements. One such element is the civil society organizations (CSOs) which are usually formal entities characterized by legal registration, dependent on external funding, and operate as intermediaries between the individual on one hand and the government on the other. Usually, they work outside the government to manifest the will and interests of the people (Githinji, 2018).

The traditional role of the civil society organizations is to keep the government in check and to defend the people against excesses of the government. It is this role that has kept the civil society and the government at logger head and more often find themselves on the opposite side of the table on most issues of national interest, (Karuti, 2015). However, Lee (2000) argues that the relationship between CSOs and government must not always be confrontational. That sometimes cooperation between them is crucial like during policymaking processes, while sometimes CSOs must play the role of critic and watchdog. He argues that regardless of the position taken by the CSOs (cooperative, critical, hostile), the government should always engage them in dialogue and also listen to their view (Lee 2000).

The participation of CSOs in battling graft is viewed by many as an opportunity to give the process more credibility, since governments which have entrenched corruption in public service are hardly believed to lead a genuine agenda in combating corruption. As a result, CSOs are considered to be more effective in monitoring and promoting the governance reform process (Bowser 2001).

In Southeast Europe (SEE), CSOs work on corruption include observation, review, and assessment of corruption practices, proposing and drafting indispensable legislations and measures to the government. In addition, they conduct public campaigns to sensitize the public on the negative effects of corruption and offer the requisite expertise and training initiatives to the government on combating corruption. They also provide directions to the community and independent skilled assistance in advancing public reforms (Ralchev 2004).

In Slovakia, the government entrusted a local CSO to prepare the first draft of the country's strategy to combat corruption. In addition, the CSO has always been invited by the government to monitor its implementation including public procurements and other government processes and decisions (Toichubaev 2001). In the Kyrgyz Republic, CSOs participated in the development of the overall national strategy. In addition, they usually take part in public hearings on local budgets, are involved in parliamentary sessions on various social issues, observe elections, training civil servants, and also examine new legislation including anti-corruption legislation among others (ibid).

As Andreas Pawelke (2010) opines, CSOs are a critical cog in the fight against corruption. For instance, that “they can put pressure on governments to fight corruption and to expose cases of corruption”. CSOs also have the potential to build a formidable anti-corruption partnership by providing links between both the international and national level public and private sectors actors (Schmidt, 2007). In addition, CSOs can also undertake various anti-corruption activities such as the following: raising public awareness on the negative effects of corruption through information campaigns; carrying out diagnostic surveys on the prevalence of corruption & providing analyses & recommendations; conducting anti-corruption trainings, workshops; uncovering abuses and exposing corruption; providing expertise to and cooperating with government on designing and implementing anti-corruption strategies (Ralchev, 2004).

The above analysis clearly manifests increased attention and a strong consideration by practitioners and academicians for a stronger civil society as a significant ingredient in the war against graft. In addition, the analysis demonstrates CSOs effectiveness in the fight against corruption by showing their success in implementing specific anti-corruption activities and achieving high impact. What is lacking is the data on how the availability of funding influences such CSOs effectiveness. The influence of external funding on anti-corruption CSOs therefore remains an under-researched area.

This study therefore sought to address this gap by assessing the extent to which external funding has influenced the effectiveness of anti-corruption CSOs. The study particularly focused on assessing the extent to which external funding from IDAs and FEs has influenced Transparency International Kenya's effectiveness in the fight against corruption.

1.6.3. External funding

The United States Institute of Peace study indicates that external funding for civil society organization has been rising steadily and that the increased support has become a trending theme of high-level discussions and policy statements (USIP, 2015). Riddell in his work that questions the effectiveness of foreign aid, argues that since its inception, the impact of foreign aid remains disputed globally. On one hand, proponents for foreign aid argue that it is working effectively and that it is necessary and therefore it should be increased. On the other hand, those who criticize the effectiveness of foreign aid argue that it does not work and therefore it is not needed (Riddell, 2007).

Despite the assertion by Riddell, USIP established in its 361 special report that little attempts have been made so far to critically examine the influence of external funding that is tied to the goals of social and political transformation. Such as influence on accountability, democratic development and human rights. With such little attempts globally, comes difficulty in obtaining the evidence on how external funding can be used effectively to support civil society whose goals align with international norms such as anti-corruption (USIP, 2015).

Van De Walle (2013) on the impact of external funding on the effectiveness of CSOs, argues that external funding strengthens CSOs functionality. He asserts that democracy assistance is important, mainly because it increases the voice and capacity of civil society organizations to oversight the state. As a result, CSOs are enabled to effectively advocate for enhanced vertical accountability in any country, particularly in Africa.

Van De Walle further contents that such donor assistance cannot be wished away since it determines the very existence of a wide array of civil society organizations and their activities. Such activities may include but not limited to advocacy for good governance, human rights, proper electoral governance, and anti-corruption, among others. As such donor funding to CSOs has a very positive dimension by fostering a diversity of viewpoints on relevant social, economic, and political issues in Africa (Ibid).

For instance, in 2019, USAID launched a five-year, \$7 million activity dubbed “assistance to Citizens in the Fight Against Corruption” for civil society organizations in Bosnia and Herzegovina (BiH). The facility aimed at improving the credibility of CSOs and at increasing citizens’ engagement in battling graft. The facility was a response to the widespread corruption in BiH despite the many anti-corruption reforms and measures put in place by the government. It was therefore expected that the facility would guarantee the existence of anti-corruption CSOs in BiH for at least 5 years, and additionally and most importantly enhance the CSOs credibility as anti-corruption actors and their capacity to work more closely with the government in putting in place effective anti-corruption legislations and policies.

These sentiments are echoed by World Bank’s underlining of the importance of external funding to civil society organizations. That such support enables CSOs to empower citizens’ participation in shaping development policies and in ensuring that public services delivery is of high quality. In addition, WB also points out that such support enables CSOs to focus on strengthening government accountability in states with restrictive political systems.

On the other hand, critics of the influence of donor funding on CSOs effectiveness, have argued that the availability of such funds only increases competition among the CSOs for the available donor resources and not the competition to address the problem for which the funds have been made available. As a result, such competition obstructs CSOs from taking a concerted position on issues of major national importance such as fighting corruption, thereby potentially reducing their effectiveness at influencing government policies on key governance issues (Van de Walle, N., & Resnick, D. 2013).

In addition, critics argue that what currently constitutes external funding to CSOs is normally targeted assistance that focuses on fewer CSOs. Such targeted entities they argue do not necessarily constitute the main non-state actors that effectively organize citizens to advance reforms. For instance, that the citizens' calls for change in Egypt and Tunisia did not come from externally funded CSOs.

Critics have further argued that the beneficiaries of external funding are not all CSOs or deserving CSOs, but mainly a clique of civil society organizations that know and have the expertise to respond well to international agendas. Such CSOs have developed their capacity to understand donor language, rhetoric and procedures. As a result, such CSOs are mainly preoccupied with satisfying their external funder, since they are accountable only to them, rather than advancing solutions to local problems that they were initially organized to address.

Considering the disputed influence of external funding on the effectiveness of CSOs globally, this study delved into examining this dispute in Kenya. This is because there is inadequate data on the influence of external funding on the effectiveness of anti-corruption CSOs in Kenya. The study therefore focused on assessing how external funding has influenced the effectiveness of CSOs in Kenya. Particularly, the study examined the extent to which external funding from IDAs and FEs has influenced TI Kenya's effective in the fight against corruption.

1.7. Theoretical Framework

Georg Wilhelm Friedrich Hegel theory on Civil Society

Hegel was a German philosopher (1770 – 1831). Hegel's thoughts on civil society are expressed in his work dubbed "Philosophy of Right" (1821). In this work, he describes what he refers to as an "ethical life" to mean the "right order in the world", and that such comprises the family, civil society, and the state. He defines a family as the marriage between a man and a woman and their offspring. Such a family dissolves when the children are grown, get married and begin their own families. The state, he argues, exists for the actualization of the freedom of the individual and is charged with the responsibility of protecting the rights of the individual. It is governed by a constitution that provides for the Crown, the executive, and the legislature. On civil society, Hegel argues that it is the space/lacuna that exist between the state and the individual. This space is characterized by an association of individual's freedom, rights, interests, and desires.

In Hegel's ethical life, the state is superior, totalitarian in nature and has absolute control over the individual. He admires this kind of state and describes it as an embodiment of objectivity and rationality, with the ability, capacity, and responsibility to champion for the freedom of the individual and protection of the individual's rights. Considering that human rights, freedom, and needs are dynamic, it is therefore according to Hegel, the state's mandate to guarantee them so that the individual is happy and enjoys a better livelihood.

However, the experience has been different characterized by the failure of the state to guarantee individuals rights and freedom. Rather than protect the individual, the state is seen engaging in excesses and bad governance at the detriment of the individual. For instance, according to the global economic crime survey report for Kenya by Price Water House Cooper's, Kenya has shifted from the "big three" to the "big five" in reference to the types of frauds committed by the Kenyan state at the expense of its citizens. The five types of economic crimes include asset misappropriation, accounting fraud, bribery and corruption, procurement fraud and cybercrime. The prevalence of a conducive environment for such crimes to sprout in the country is a function of the state, and deliberate deterrence to quality public service delivery for the benefit of its citizens. As a result, citizens access to basic necessities and enjoyment of basic freedoms and rights is limited (pwc 2014).

In addition to PWC's report, Transparency International (TI), the global movement, normally releases annual reports dubbed, "Corruption Perceptions Index" (CPI). The report is published by measuring the perceived levels of public sector corruption in each country. The index scores on a scale of zero (highly corrupt) to 100 (very clean). TI's report for 2020, shows that the Kenyan state is not improving in its efforts to combat corruption. That Kenya only managed to score 28 points out of the possible 100 points is a clear manifestation of a state that is failing in serving its citizens by robbing them of their taxes. This in essence means that the state is doing very little to improve public service delivery and thus preventing the poor from accessing life-saving and welfare-enhancing services such as health care, food, shelter, education, clean water and protection under the law (Mbaku, 2007).

It's this growing failure of the state to protect and advance the welfare of the individual that Hegel opines, necessitated the emergence of civil society as a space between the individual and the state, with the mandate of ensuring that citizens' interests and rights are taken seriously by the state, and also foster greater civic duty. In essence, civil society exists as a consolidated and powerful platform through which the individual can air their grievances, check the state, and prevent the emergence of dictatorship.

Civil society, therefore, is a realm independent of the state where citizens associate according to their own interests and desire, and a crucial sphere of struggle against state tyranny. For instance, in Kenya, the civil society has been at the forefront in the fight for electoral justice. In addition, the civil society has always monitored, documented, and exposed both historical and contemporary cases of corruption and human rights violations by the state. Furthermore, it was the civil society that was at the forefront in the fight for democracy and the clamor for constitutional change. All these efforts by the civil society in Kenya have been conducted with much success for the benefit of the individual and against the excesses of the Kenyan State.

Although there is a growing attention on the contribution of CSOs in checking state excesses, the subject area has not been sufficiently researched. For instance, the data on the contribution of CSOs in battling graft and promoting citizens' welfare is inadequate (Pawelke 2010). In addition, factors that influence the effectiveness of CSOs in checking the government excesses such as external funding, remains under- researched. This constitutes the gap that the study sought to address.

The study therefore adopted this theory to assess the effectiveness of Civil Society Organizations in checking government excesses. Specifically, the study used this theory to establish the extent to which external funding from IDA and FEs has influenced the effectiveness of TI Kenya in the fight against corruption.

The choice of the theory was informed by its strong emphasis on the superiority of the state and as an embodiment of objectivity, with the responsibility to champion for the freedom of the individual and protection of the individual's rights. However, with the failure of the state to live up to its expectation, the Civil Society emerged with the responsibility to check the state and ensure that it lives up to its expectation. The study therefore assessed the extent of CSOs effectiveness in checking the state excesses. In addition, the study also assessed the extent to which external funding particularly from IDAs and FEs has influenced Transparency International Kenya's effectiveness as an anti-corruption CSO.

1.8. Definition and Operationalization of Key Concepts

The following terms and concepts are not only frequently used in the study but also form the basis around which most of the discussion revolve around.

1.8.1. External funding

The study operationalized external funding as, donor funding for local CSOs from sources outside Kenya. This study assessed two sources; International Development Agencies and Foreign Embassies.

1.8.2. International Development Agencies (IDA)

The study operationalized International Development Agencies as global aid organizations with the key mandate of providing international development aid or assistance. They are mainly from the developed nations and provide aid in developing nations to either or both the state and non-state actors.

1.8.3. Foreign Embassies in Kenya

The study operationalized Foreign Embassies as diplomatic mission of other countries from around the world that are based in Nairobi, Kenya.

1.8.4. Civil Society Organizations (CSOs)

The study operationalized Civil Society Organizations as Non-Governmental Organizations (NGOs), usually characterized by formal and legal registration as stipulated by the county's policies and legislations. These organizations depend wholly on external funding to conduct their mandate. In addition, they exist as intermediaries between the individual and the state.

1.8.5. Corruption

The study operationalized corruption as the abuse of entrusted power for private gain. This definition is advanced by Transparency International – the global movement.

1.8.6. Effectiveness of Civil Society Organizations

The study operationalized effectiveness of civil society organizations as the capacity and ability of the CSOs to successfully plan and execute specific anti-corruption activities.

1.9. Operationalization of Variables

To establish the relationship between the independent variables and the dependent variable, the study first identified two independent variables; the International Development Agencies (IDAs) and Foreign Embassies (FEs) in Kenya, and one dependent variable; the effectiveness of Transparency International Kenya in the fight against corruption.

For the independent variables, the study assessed the amount of donations for anti-corruption projects remitted to Transparency International Kenya by both the International Development Agencies (IDAs) and Foreign Embassies (FEs) in Kenya. For the dependent variable, the study assessed the effectiveness of Transparency International Kenya to implement specific anti-corruption activities based on the amount received from both IDAs and FEs.

It is this analysis that helped the study to explain the influence of funding from both International Development Agencies (IDAs) and Foreign Embassies (FEs) in Kenya on the effectiveness of Transparency International Kenya in the fight against corruption.

1.10. Research Hypothesis

The study identified and tested the following two hypotheses.

- i. There is a positive relation between the funding from International Development Agencies (IDAs) and the effectiveness of TI Kenya in the fight against corruption.
- ii. There is a positive relation between the funding from Foreign Embassies (FEs) and the effectiveness of TI Kenya in the fight against corruption.

1.11. Research Methodology

1.11.1 Study design

The study employed an exploratory research design. Exploratory research is designed as flexible research that enables the researcher to obtain in-depth understanding of an issue, situation, or a phenomenon. Such flexibility is important for it ensures the generation of new ideas and provides more insights and conclusions about the issue, situation, or a phenomenon. It's on this basis that the study considered exploratory research as the most appropriate design through which to obtain information on the effectiveness of Transparency International Kenya in the fight against corruption, and particularly how funding from International Development Agencies (IDAs) and Foreign Embassies (FEs) has influenced the organization's effectiveness.

1.11.2. Target Population

The target population for this study comprised individuals with actual information regarding funds received by Transparency International Kenya from both International Development Agencies (IDAs) and Foreign Embassies (FEs) in Kenya. In addition, these individuals had the ability to describe how such funds influenced the effectiveness of TI Kenya in the fight against corruption.

The study therefore used purposive sampling technique to identify the target population. They included the immediate former and the current Executive Director of TI Kenya. 5 representatives of IDAs from the Open Society for East Africa (OSEA), Germany Corporation – GIZ, FORD Foundation, Diakonia and HIVOS. 3 representatives of FEs from the Embassy of Denmark, the Embassy of Finland, and the Embassy of Netherlands. The 5 IDAs & 3 FEs were selected because of their long-standing partnership and financial support not just to TI Kenya but also to other anti-corruption efforts in the country. They are also the most visible supporting anti-corruption work in the SCO sector. In addition, the study also sampled 3 representatives of state institutions (Judiciary, DPP and EACC), 1 representative of the media, 9 representatives of Civil Society Organizations, and 7 former TI Kenya staff. The specific individuals representing these institutions were directly involved in either project administration or implementation of TI Kenya's anti-corruption work.

The selection of these individuals was premised on the positions that they held in their respective institutions, which by no doubts gave them the advantage to access and provide information which greatly enriched this study. The number selected from each institution was determined by the need for representativeness, accessibility, and availability to participate in the study. The total sample size for this study was therefore 30 respondents.

1.11.3. Sources of Data

The study utilized both primary and secondary sources of data. Primary data was collected from sampled respondents. Secondary data was collected from existing literature such as books, journals, magazines, newspapers, internet websites, articles, previous research findings, and other documentations with relevant information.

1.11.4. Data Collection Tools

In the collection of primary data, the study used two different types of tools, namely, a structured questionnaire with closed ended questions and an interview guide. While the structured questionnaire was used for self-administration by the interviewees, the interview guide was used for face-to-face interviews with the interviewees. In the collection of secondary data, the study used documentary review method to collect data from articles, journals, books, newspapers, internet, and magazines, among others.

1.11.5. Data Analysis

The study utilized both quantitative and qualitative data analysis methods.

Qualitative data was analyzed using content analysis. Through this process, information from documents and the responses from the various interviews was categorized based on common patterns that emerged from the different sources. The data results from this analysis are presented in a narrative format.

Quantitative data was analyzed using both descriptive and inferential statistics. These two methods were very helpful in the description and in the comparison of quantitative data collected from the different sources. The data results from this analysis are presented in graphical format and charts, among others.

The study established cross cutting patterns through description and used comparison to determine how external funding influenced the effectiveness of CSOs in the fight against corruption. From the analysis, the study drew conclusions and recommendations on the extent to which external funding from International Development Agencies and Foreign Embassies has influenced the effectiveness of Transparency International Kenya in the fight against corruption. It is these conclusions and recommendations that contribute to new knowledge and influence the development of national public policies.

CHAPTER TWO: THE FIGHT AGAINST CORRUPTION IN KENYA

2.1. State of corruption in Kenya

Corruption is perhaps the most dominant narrative in Kenya's public socio-political and economic discourse (Macharia, 2016). Political contestants at virtually all levels of government campaign and win elections on the platform of their promises to fight corruption. Religious leaders shout about it on the pulpits, and even school children stage plays during drama festivals that condemn corruption. Therefore, combating corruption has remained an important policy issue since independence. Although the fight against corruption was initially opposed by the government as a foreign donor nuisance, it was slowly accepted as a local challenge to the development of the country and therefore required urgent redress. Despite its domination of political competition rhetoric, corruption remains endemic in Kenya, even after a number of regime changes (OSIEA, 2015).

According to Transparency International (TI) ranking, Kenya is perceived as a corrupt country. In the latest ranking, Kenya scored 31 points and was ranked at position 124 out of 179 countries. Kenya is therefore the 2nd most corrupt country in East Africa, with just 55 countries scoring worse on the TI's Corruption Perceptions Index (CPI, 2020). President Uhuru Kenyatta has continually declared "zero tolerance" on graft, going as far as firing cabinet secretaries named in corruption scandals, but there has been little in the way of convictions of corrupt senior government officials (KHRC, 2019).

The Ethics and Anti-corruption Commission (EACC) normally conducts annual anti-corruption surveys. For instance, in 2017, the EAAC conducted the National Ethics and Anti-corruption survey covering all the 47 counties with 5,977 respondents and 15 key informants. The survey aimed at measuring progress in combating graft and unethical practices in Kenya. The finding revealed that despite the Commission's efforts to address corruption and unethical conduct, the problem continues to afflict both the public and private sectors threatening the attainment of Vision 2030 as well as the ideals and values embedded in the Kenya Constitution (EACC, 2017).

The survey established the following as widely noticed acts of corruption by service seekers in public offices; delays in service provision (40.6%), bribery (39.1%), putting self-interest before public interest (32.9%), criminal activities such as fraud, theft and embezzlement (31%), discrimination (30.7%) and lateness (28%). Although over 38.9% of the service seekers experienced some form of corruption, the survey shows that 61.7% did nothing about it. The service most prone to corruption according to the survey was application and/or collection of birth certificates, followed by registration, collection or renewal of a national Identification Card (ID), seeking medical attention and seeking of employment. The survey further established that bribes were most paid at the chief's office, followed by police stations, registrar of persons offices, county health departments, ministry of lands, ministry of health and huduma centers respectively (Ibid).

Following the persistent experiences of unethical leadership in Kenya, despite the good anti-corruption infrastructure, TI Kenya also conducted a survey to examine citizens' perceptions and understanding of ethical leadership in Kenya. The survey was undertaken in 2021 among 1,004 respondents. The survey established that although 87% of respondents were active in politics as demonstrated by their participation in past elections, only 16% of respondents were registered members of political parties in Kenya (TI Kenya, 2021).

The majority of the respondents 75%, expressed desire for ethical leadership by indicating that a person convicted, accused or under investigation for corruption should not be allowed to contest for a leadership position in Kenya. They however argued that this would not happen in 2022 general election since most of the institutions mandated to fight corruption and promote ethical leadership were compromised by corrupt candidates on their way to contesting in elections. It is on this basis that 68% of the respondents indicated that they were not satisfied with the way the government was fighting the problem of corruption. On whether they would accept a bribe, 59% of respondents indicated that they would willingly accept a bribe from a politician, irrespective of whether the bribe would influence one's voting decision or not (TI Kenya, 2021).

The state of affair manifests a negative image of the country in the war against corruption. As such the state has engaged global, regional and national level efforts to combat corruption as explained below.

2.2. Anti-Corruption efforts at the global level

According to the realist believe, human rights issues such as corruption are subservient to issues of power and survival, and as such they play no role in influencing political decision-making processes among nations (Morgenthau 1948; Donnelly 2000). However, without a global authority or institutions to check nations' pursuit of power and survival in international relations, the international system will remain in a state of anarchy (Roy 1993). It's on this basis that liberalism argues for the emergence of independent institutions across the globe to prevent the emergence of anarchism and suggests that human rights issues including anti-corruption influence and make important contributions in international politics and in the relations among nations (Keohane & Nye 1977; Falk 2000).

The need for a global authority that prevents the emergence of a state of anarchy in the international system resulted to the emergence of some form of global governance in the form of the United Nations. In addition, the world has experienced the emergence of specific norms that guide the relations among nations on different issues such as security, labor, environment, human rights and anti-corruption among others. The global anti-corruption norm including its emergence and development is greatly discussed by McCoy and Heckel in the article 'The emergence of a Global Anti-corruption norm' (McCoy and Heckel, 2001).

McCoy and Heckel identified the first factor that led to the establishment of the anti-corruption norm as the changing global political environment characterized by the processes of liberalization, coming to an end of the cold war and democratization process across the globe. This factor allowed nations to implement global obligations under international treaties smoothly and also increased the demand for anti-corruption efforts globally. The second factor; social interactions and information revolution. This factor intensified interactions among nations and spread information widely on the causes, costs and strategies to combat corruption. As such many nations started to sign and implement new international treaties against corruption. The third factor; internal processes within the nation states. Such processes included the emergence of various anti-corruption actors such as the civil society mainly comprised of non-governmental organizations such as Transparency International and free and independent media that conducted investigations on corruption in their respective countries (McCoy and Heckel (2001).

The success in the development of a global norm against corruption is largely attributed to the rise of anti-corruption institutions (governance framework) internationally, regionally and at state levels. Such comprises both state and non-state actors and largely contributed in the enactment and adoption of anti-corruption conventions, researches, policy statements, recommendations and codes of conduct (Brademas & Heimann 1998; Camdessus 1998; Rose-Ackerman 1999). Some of the key players in the development of the global anti-corruption norm include UN, IMF, EU and WB among others (Khaghaghordyan, 2017).

Some of the key anti-corruption mechanisms that have shaped the fight against corruption include among others the UNCAC, 2005 at the global level and the AUCPCC, 2003 at the regional level. The common strategy among these conventions is that they all provide for methods to avert corruption in the respective membership states. Additionally, they also require member states to criminalize corrupt practices. According to Khaghaghordyan:

“All conventions and international treaties provide for measures to prevent corruption, e.g. calling on States to develop and maintain an anti-corruption body, standards for the recruitment of the public sector personnel, codes of conduct for public officials, measures to prevent money laundering, means to promote civil society, and higher accounting and auditing standards in the private sector.....However, many provisions in these conventions are not obligations, but merely recommendations and many states are reluctant to follow those recommendations” (Khaghaghordyan, 2017).

2.2.1. The United Nations Convention against Corruption

The UNCAC is the first legally binding global instrument against corruption (Webb 2005), and was adopted as an attempt to establish a worldwide framework against corruption (Heimann & Dell 2006). The convention’s provisions comprehensively address corruption by providing measures to combat corruption at both state and international levels of governance.

The convention is grounded on four key pillars; international cooperation against corruption, anti-corruption prevention, criminalization of acts of corruption, and asset recovery. As a result, states parties to the convention have over the years voiced their willingness and desire to resist corruption, and additionally taken practical steps to combat corruption along the four pillars by doing among other the following; establishment and operationalization of national anti-corruption bodies such as EACC in Kenya, enforcement of codes of conduct for public officials and promotion of public participation in the fight against corruption. In addition, state parties have also established and operated appropriate public finance management and public procurement systems, adopted anti-corruption policies and practices, and established public reporting mechanisms.

The strength of the convention lies in its comprehensiveness in addressing the problem of corruption since it has a broader mandate than any other anti-corruption initiative. In addition, although, the convention does not have the power to enforce its provisions, it gives the UN the mandate to encourage civil society actions and to dedicate resources for combating corruption with robustness. Furthermore, the convention has a review mechanism, which includes an implementation review group established to ensure effective implementation of the convention. Through the review process, the review implementation group identifies challenges that states face in the implementation of the convention, identifies good practices for replication in other nations and finally considers technical assistance required by particular state parties so as to enable them implement the convention without difficulties.

The key challenge faced in the implementation of the convention is mainly the temptation by states to initiate many anti-corruption reforms concurrently since according to Mungiu, UNCAC is implementation-demanding document, encompassing the most advanced laws and procedures (Mungiu-Pippidi et al. 2011). In addition, some countries ratify the convention, not that they are ready to undertake the implementation of anti-corruption provisions but due to pressure from either international community or donors. As such they ratify the convention but fail to implement it accordingly.

2.3. Anti-Corruption efforts at the regional level

Acts of cross-border corruption in the Africa region include among others collusion between business enterprises and government officers within the international supply chain, money laundering, and bribery in international transactions (AGRI 2005). According to the Mo Ibrahim Foundation (2014), corruption costs Africa over 148 billion U.S. dollars per annum, equivalent to 50% of Africa's tax revenue and 25% of its GDP. This revelation manifests the entrenchment of corruption not only in the public sector but also its prevalence in the private sectors in Africa. Such reports have been instrumental in exposing corruption as a societal problem that goes beyond the confines of national boundaries. As such efforts to combat corruption must have targets beyond the national boundaries.

It is therefore of paramount importance to view corruption as a broader phenomenon that requires the efforts of all sectors in the region so as to successfully combat it. Its impact particularly in the public sector has been calamitous since it affects the entire livelihood of the people. It is against this understanding that Kenya has joined forces with other countries to fight corruption collectively.

These regional mechanisms play an important role in strengthening the fight against corruption not just in Kenya but also among the neighboring countries in the region (OSIEA, 2015). They provide an avenue for better collaboration in the fight against corruption. Some of the key strategies for the regional mechanisms include; Information sharing – they provide platforms and avenues for information sharing in relation to cross border crimes such as Illicit Financial Flows. Identification of winning strategies – they allow for nations and their respective anti-corruption agencies to share success stories on winning strategies in the fight against corruption.

Strengthen good governance – they create a wider agency for increase awareness and commitments for transparent and accountable governance in the running of public business. Promote an end to internal conflicts – these mechanisms provide the avenue for education on how internal conflicts between communities leave affected countries vulnerable to manipulation from individuals and corporations thriving on weak oversight and governance structures. As such, they enhance the understanding on the catastrophic nature of conflicts and the importance of ending them and preventing their re-occurrence (TI Kenya, 2018).

2.3.1. The African Union Convention on Preventing and Combating Corruption

The AUCPCC was enacted with the objective to avert, identify, penalize and eliminate corruption and unethical practices in Africa. The convention covers extensively the various forms of corruption as discussed in the literature review section. It underscores the importance of seeking African solutions to the problem of corruption in the region and signifies a common understanding among the member states to combat corruption collectively. For instance, it calls on African countries to establish bodies that deal with corruption exclusively such as the EACC in Kenya and for African countries to enact laws that deal with the various forms of corruption such as bribery and asset recovery.

Some of the successes include development of anti-corruption laws, legislations and institutions across many countries in the region. Anti-corruption deliberations at the regional level have also been instrumental in enabling countries put in place effective anti-corruption measures. For instance, some states have acted on recommendations of Mbeki's Panel on Illicit financial flows from Africa such as Rwanda which has introduced a special unit on mispricing. In Nigeria, repatriation of \$800 million stolen money from Swiss Bank. In Uganda, a court ruled in favor of the Ugandan government against an oil company, which generated around \$40 million revenues of capital gain tax.

The different regional mechanisms therefore, complement each other and provide different strategies to combat corruption. The African Union for instance, declared 11th July as the "African Anti-Corruption Day". The Day is dedicated to giving prominence to the anti-Corruption fight on the Continent and to commemorate the adoption of AUCPCC.

Despite the concerted efforts towards combating the culture of corruption at the Africa regional level and the East Africa regional level, corruption continues to thrive not just in Kenya but across the region.

2.4. Anti-Corruption efforts at the national level

The origin of the problem of corruption in the country can be traced back to Kenya's history, particularly during the period when the country was under colonialism. During this period, the colonialist system of governance was characterized by absolute looting of available natural resources with impunity and authoritarianism. When Kenya gained independence, the practice was diffused into the new self-governing state, since the independent state did not fundamentally restructure and reconstruct the pre-independent state (Berman, and Lonsdale, 1992).

Whereas corruption under the colonialist was characterized by looting of Kenya's natural resources, under the independent state, corruption has been characterized by looting national revenue, asset transfers and illicit procurement processes. According to Mbai, almost virtually all the unethical practices such as bribery, corruption, patronage, embezzlement and influence peddling, characterize how the public business is undertaken in Kenya (Mbai, 2003).

Over the years' corruption has therefore remained the utmost test to Kenya's development process. It undermines public policy processes and the rule of law mechanisms. In addition, it is the reason for misallocation of resources, contributing to slow economic growth and discourages and frustrates investors (Kanyinga, 2009).

Evidence of the prevalence of corruption in Kenya has been provided by both internal and external voices and indices. For instance, the World Bank's recent study dubbed, "Elite Capture of Foreign Aid: Evidence from Offshore Bank Accounts", reveals that the political elites in Kenya and their associates transferred a total of US\$3bn in secret offshore bank accounts, between 1990 and 2010. On the other hand, internal voices have mainly been through both state and non-state actors. State actors have included the EACC and OAG among others, while non-state actors have mainly included the local civil society organizations and media among others.

Kenyan have over the years witnessed a surge in scale and in the number of publicly reported scandals as a result of corruption. Such scandals are a testament of how pervasive corruption is in Kenya's public sector. Some of the major scandals that have characterized corruption in Kenya include Goldenberg, Anglo-leasing, NYS, KEMSA and Chicken Gate among others.

2.4.1. The role of the state in the fight against corruption in Kenya

The state has the key mandate to promote good governance by effectively fighting corruption in governance. The successfulness of the state is grounded in the creation of an environment that promotes the fight against graft. An enabling environment is the basic requirement and is characterized by the general framework of anti-corruption policies, legislations and institutions in the country. It enables all anti-corruption actors (state and non-state) to be more vibrant and therefore thrive and flourish in their efforts to combat corruption.

Kenya has put in place several measures to enable and strengthen the fight against corruption. They include facilitation of the process of adoption of a new constitution with clear provisions on anti-corruption, establishment of anti-corruption institutions, enactment of anti-corruption policies & legislations, and convening of multi-stakeholder forums against corruption.

a) The Legal system

The promulgation of CoK on 27th August 2010 had far reaching implications on the governance of Kenya's public affairs at all spheres of live. Key to these are the new systems, values and principles to tackle corruption, protection of human rights and the devolved system of governance among other progressive innovations and provisions. For instance, Article 1 of CoK provides for the sovereignty of the people. The provisions indicate that all sovereign power belongs to the people of Kenya and that it shall be exercised at both the national and county levels of governance either directly or indirectly. The importance of this provision is grounded on the understanding that all those who exercise state power, do so on behalf of the citizens. As a result, they are all accountable to the people.

The Constitution enshrines radical provisions such as the national values and principles of governance in Article 10. These values and principles bind all state organs, state officers, public officers and all other persons whenever they make or implement any public policy decisions. They include among others; good governance, integrity, transparency and accountability; rule of law, democracy and participation of the people; human rights, non-discrimination and social justice among others. It's these values and principles of governance together with sovereign power of the people in Article 1 that lays the ground for anti-corruption in Kenya.

The constitution also provides for a higher threshold for state officers aimed at strengthening integrity in leadership. For instance, Article 73 indicates the guiding principles of leadership and integrity to include among others; that the selection of government officers is premised on proficiency and integrity, while elections for the same shall be free and fair. It also indicates that state officers shall be objective and impartial in making public decisions. Such decisions shall be free from corruption. Article 75 provides for the conduct of state officers. For instance, that a state officer shall behave in a manner that avoids any conflict between personal interests and public/official duties, compromising any public/official interest, and demeaning the public office (COK, 2010).

The constitution also provides for devolved system of governance in chapter eleven. The devolved system is designed to address marginalization and spur development at every corner of the country. It also enhances inclusivity by allowing the citizens to take charge of their development initiatives at their local levels. It also envisions timely and efficient delivery of public services, equitable distribution of public resources and seeks to eliminate political patronage normally witnessed at the national level and which promotes corruption.

Article 174 of the CoK expresses the aims of devolution including combating corruption; promotes democratic and accountable exercise of power, and stresses the need for the involvement of the people in public policy decisions.

The constitution further provides for prudence in public finance management. This is aimed at sealing all the loopholes that many result into budget leakage and wastage of public resources. Article 201 provides for principles of public finance to guide public finance management in the country. They include among others the following; openness, accountability and public participation in financial matters. In addition, the article indicates that public money shall be used in a prudent and responsible way, and that financial management shall be responsible, and fiscal reporting shall be clear. The implementation of these principles is a good strategy to counter corruption by increasing scrutiny of the budgeting process and avoid manipulation of the budgeting decisions with intent of facilitating corruption at a later date.

In addition to the constitution, Kenya has also witnessed legislation overdrive, especially after the 2002 general elections. This has resulted to the enactment of a number laws to address graft. Although such initiatives have succeeded in criminalizing acts of corruption, in providing redress mechanisms and in creating rights and obligations, they have not reduced corruption substantially.

Some of the legislation against corruption in Kenya include the following;

Table 1: Key anti-corruption laws in Kenya

Laws/Policies
Constitution, chapter six on leadership and integrity, 2010
Anti-Corruption and Economic Crimes Act (2003)
The Kenya Companies (Amendment) Act, 2017
Public Procurement Regulations, 2006
Proceeds of Crimes and Anti-money Laundering Act (2017)
Witness Protection Act, 2006
Leadership and Integrity Act, 2012
The Bribery Act, 2016
The Public Finance Management Act, 2012
Ethics and Anti-Corruption Commission Act, 2015
Public Procurement
Conflict of Interest Bill, 2019
The Public Officers Ethics Act (2003)

Author: EACC

Despite the progressive constitution and accompanying anti-corruption laws, the problem of corruption in Kenya has grown immensely (Byrne, E., Arnold & Nagano, 2010). This situation has frustrated both citizens and the civil society, leading them to take advantage of the expanded democratic space to publicly voice their concern against high levels of corruption in the country (Jarso, 2010).

b) Institutional Framework

The constitution establishes several state commissions and independent offices aimed at fostering the realization of the novel constitutional promises. These offices are mainstreamed within the different sections of the Constitution and also specified in Chapter 15. Some of the commissions and independent offices play a very important role in the fight against corruption, particularly in safeguarding prudent, transparent and accountable use of public resources.

Article 229 of COK provides for the Office of the Auditor General (OAG) to promote good governance and accountability in the management of public resources in Kenya. It audits and reports the use of public resources by all entities funded from public funds. The OAG has been particularly important in unearthing the deepening and widening corruption in the country. Through its annual reports, the OAG has exposed massive wastage and misuse of public resources. Although the OAG reports have been lauded for revealing massive graft in government, the recommendations to seal corruption loop holes in public service has fallen on deaf ears. The concerned government institutions have repeatedly ignored the OAG recommendations. If the OAG recommendations were to be implemented, the country would witness a reduced level of corruption in public service delivery (IEA, 2019).

The EACC is established under Article 79 of the Constitution and Section 3 (1) of the Ethics and Anti-Corruption Commission Act, 2011. It is mandated to combat and prevent corruption, economic crime and unethical conduct in Kenya through law enforcement, prevention, and public education, promotion of standards and practices of integrity, ethics and anti-corruption. It is the commission's responsibility to enforce the Anti-Corruption and Economic Crimes Act, (ACECA), 2003, which is the principal law that provides for the investigation, prosecution and adjudication of corruption and economic crimes in Kenya. In addition, the commission administers Chapter 6 of the constitution of Kenya on Leadership and Integrity. Some of the key roles of EACC include; investigation of reports related to corruption, tracing and recovery of assets, development of anti-corruption partnerships, and prevention, public awareness and education.

Some of the key activities undertaken by the EACC include; integrity verification - through this function, the EACC undertakes vetting of persons seeking appointment to public office so as to ensure that those appointed uphold personal integrity and bring honor and dignity to the nation and to the office that they hold. The EACC also enforces the code of leadership and integrity – through this function, the EACC ensures that state officers commit to the code. The commitment binds them to uphold integrity and to desist from engaging in corrupt acts while exercising public authority. The EACC also has a responsibility to oversight declaration of income, assets and liabilities – through this function the EACC uses declarations to detect and investigate corruption and economic crimes.

In addition, the EACC also regulates bank accounts – through this function, the EACC reviews and approves foreign bank accounts for government officers with the aim of ensuring that such accounts are not used for laundering proceeds of corruption.

Even though progress has been made in establishing good anti-corruption infrastructure comprised of good laws and institutions, Kenya has benefited little thus far. There remains a gap between the legislative/policy framework and implementation. This gap is manifested through inadequate funding of anti-corruption institutions such as the EACC and frequent political interference both in the functioning of these institutions and the laws that would have rendered them most effective. In addition, the EACC does not have prosecutorial powers, which is vested with the director of public prosecutions (DPP).

c) Multi-stakeholder forums against corruption.

The state has over the years convened a multi-stakeholder forum against corruption with the view of collectively identifying the best strategies to tackle corruption in Kenya. These forums have been attended by representatives of both public and private sector.

For instance, in 2016, the government convened an anti-corruption forum at State House through which serious deliberations and assurances were made by the government on a better way forward to combat corruption in Kenya. In 2018, the government launched a multi-sectoral initiative against corruption, bringing together private & public sector, civil society & international partners.

The government representatives included; EACC, the judiciary, the AG, the DPP, the director of criminal investigation, central bank of Kenya, the executive led by the president, and the parliamentarians led by the speaker of the national assembly. In 2019, this initiative convened a national conference against corruption, which was also attended by the president. This conference led to sectoral commitments against corruption. The international partners present at the conference committed to supporting Kenya's anti-graft war and the implementation of the commitments.

Despite the hype and high caliber personality participation, the country is yet to implement the resolutions reached at the forums. Kenyans hoped that the televised forums would put forth compact strategies to commence the end of corruption in the country. However, the most notable event at the forums was the president's expression of frustration in his purported attempt to battle corruption. He seemed to indicate that he had done all his best yet corruption continued to persist, implying his incapability to provide successful leadership in battling corruption in the country. Echoing similar frustrations, was former CJ Dr. Mutunga during a newspaper interview told Dutch newspaper NRC Handelsblad that Kenya had become a bandit economy where corruption pervaded all levels of the Kenyan society. He argued that Kenya was being run by criminal cartels who get protection from politicians.

d) International commitments and partnerships

In an effort to successfully combat corruption in Kenya, the Government has established international partnerships with other governments and/or global mechanisms against corruption. While some take the form of multilateral commitments, others are bilateral arrangements. For instance, in 2016, the government of Kenya participated in the London Anti-Corruption Summit and made significant commitments that if implemented would go a long way in strengthening good governance initiatives in Kenya.

In 2018, the Kenyan President (Uhuru Kenyatta) and the Swiss president (Alain Berset), signed an agreement, which requires Switzerland to return assets held in Swiss banks by corrupt individuals from Kenya. Such agreements underpin the government's commitment to address illicit financial flows as a corruption problem in Kenya.

2.4.2. The role of non-state actors in the fight against corruption in Kenya

2.4.2.1. The Media

The Kenyan media has to a reasonable extent played an effective role as a whistle-blower of corruption in government. In most instances, the media has been the first institution to raise the red flag and provide information to the public about corruption scandals. This role has enabled it to supplement other anti-corruption actors, such as investigative and prosecuting agencies.

The media, for example, helped unravel mega financial scams that have cost Kenyan taxpayers billions of shillings including the Goldenberg scandals (in which public funds were stolen to pay for non-existent gold exports), and the Anglo Leasing scandal in which dubious security tenders were awarded to shadowy contractors with the sole aim of siphoning taxpayers' cash. The National Youth Service scam in which funds were wasted on dodgy projects and the aforementioned Ministry of Health theft are just some of the more recent mega corruption exposes.

In October 2016, the Business Daily newspaper for instance obtained and publicly shared the audit documents that revealed the loss of an estimated Ksh5 billion from the Ministry of Health. The leaked audit report detailed systematic theft of public funds by Ministry officials and suppliers through manipulation of the government accounting system, diversion of funds, and double payment for goods (Murumba, 2016).

Despite all the public revelations in the media, action on powerful officials behind the scandals has always been feeble and underwhelming. More often than not, high profile officials have merely stepped aside when the furor became too loud only to be later let in through the backdoor such as appointments to boards of State corporations. Although tens of corruption suspects have been arraigned and charged in court in 2015, there were 79 corruption cases in court (KNBS, 2016) – to date most of the cases quietly fizzle out as high-profile suspects use well perfected delay tactics to evade justice.

Threat to national security is used as a smokescreen to gag the media, which is forcefully intimidated when it tries to cover security-related stories – a term that is purposely broad and vague. More pernicious is the threat of defamation suits. The landmark case here is *Biwott v. Clays Limited*, where the plaintiff, then a very powerful minister in former president Daniel arap Moi's administration, claimed that his reputation was irreparably damaged by the defendants in a UK-published book titled *Dr. Iain West's Casebook*. The publication alleged that the minister was widely suspected of being the most corrupt of Moi's ministers, and had participated in the murder of his cabinet colleague, Dr. Robert Ouko (Jarso, 2010).

In what was later condemned as a repressive judgement, the High Court awarded Mr. Biwott a colossal sum of Ksh30 million in damages. It was the highest award for an unliquidated claim in Kenya's history, and it encouraged others to seek for similar exorbitant court awards.

The precedent set by the high awards chills the resolve of investigative journalists, and even though the freedoms laid out in the 2010 Constitution should in theory provide a remedy, a lot has always depended on the discretion and attitude of the judiciary. The new constitutional dispensation could make a difference only if the judiciary actively discourages frivolous defamation suits and restrains itself from making outrageous awards, in the interest of freedom of expression and of the media (Jarso, 2010).

But not all attacks on the media are external. By virtue of the public platform they hold, and their ability to shape the public agenda, the media itself is powerful and politicians are always keen to exploit that power and influence. In a multi-party-political set-up, as is the case in Kenya, there is intense competition for public attention, which rises sharply around election time.

The media landscape is relatively concentrated, particularly in print and television. There are just three main national daily newspapers; the Daily Nation, The Standard and The Star. There are about five big TV stations; Citizen, KTN, NTV, KBC and K24. By contrast radio is highly fragmented. In such a narrow landscape, and in a country that is deeply entangled in corruption and patronage networks, there is a high incentive for politicians, businesspeople and other powerful individuals to want to influence the tone and slant of media coverage.

a) The media and commercial interests

Advertisers represent a powerful influence that many media organizations are understandably reluctant to anger. In many cases, the biggest advertisers also happen to be government and government owned enterprises which the media is supposed to keep a close focus on. Even private companies that are increasingly buying ads are often financially linked to the state. For instance, KCB, is the country's biggest lender by assets and wields the biggest advertising budget among all banks, and has the state as its leading investor.

Treasury on the other hand is a major shareholder in the telecommunications firm Safaricom, the biggest and most profitable company in the country. Big corporate and government agencies often dangle their advertising budgets in attempts to influence any coverage concerning them. Sometimes the big advertisers explicitly demand the killing of negative stories touching on them. The overwhelming pressure on editors and other decision makers in the newsrooms leads to a form of censorship that is unknown to the public, according to Tom Rhodes, writing for Committee to Protect Journalists (Rhodes, 2014).

If the Kenyan government, whose advertising budget accounts for nearly one third of all media revenue, was for example to freeze all advertising in independent media, that would signal tough times ahead for the fourth estate. For the majority of news organizations in the country, advertising revenue accounts for the bulk of running costs. For others it is the sole income stream. That means financial considerations override the inclination for aggressive reporting that might alienate clients.

Most media owners in Kenya have arguably put commercial outcomes above the public interest, in the classic normative sense of the function of the media. "They only focus on issues of public concern in the media as long as it bears profits" according to Harun Mwangi, CEO of the Media Council of Kenya as quoted by Rhodes. Many media owners also have strong political links themselves. For instance, the former president Daniel Moi owned controlling interest in the Standard Media Group.

The tension between money-making and news-making has blurred the lines somewhat between journalism and PR, sometimes quite significantly. Writing in his personal blog, the Daily Monitor's Don Wanyama regrets that editors are now expected to reach sales targets and initiate money-making projects. "So, beyond being bogged down with the pressure of delivering good stories, editors must think about special projects that will yield extra revenue for the paper." The Daily Monitor is a Ugandan publication owned by Nation Media Group.

An editorial decision may be made for instance, to cut free space for an article or advert that brings in money instead of a feature on education or health. Many journalists now spend time writing supplements, advertorial material that is packaged to look like news but is paid for by advertisers. It doesn't help that journalists do not enjoy any job security whatsoever. Because of the pressures of making the books balance, it is not uncommon for news organizations to frequently restructure and lay off staff in the interest of meeting the bottom line.

It has been argued that the Kenyan media is so highly compromised that it has lost the moral authority to credibly investigate and report on corruption (Mudhai, 2007). In its rawest form, corruption in the media takes the form of 'brown envelope' journalism, where junior reporters are bribed to influence the coverage of certain stories.

Kenya's Code of Conduct for Election Coverage is explicit that elections are a particularly vulnerable time, providing one of the toughest ethical tests for media practitioners (MCK, 2007). The premise here is that journalists are poorly paid, which makes them vulnerable to exploitation. However, a news outlet's priorities, editorial direction and tone of coverage is more often set by the better paid senior editors. It means that a corrupt politician would have more success and would be more cost-effective targeting senior editors for inducement, instead of handing over small gifts to lowly reporters who do not have the final say on story publication.

In conclusion, though the Kenyan public considers the media as technically competent, public support for its independence is neither overwhelming nor growing. It means that the media has some work to do in regaining the trust of the public, which is imperative if it is to do the work of holding authorities to account.

Furthermore, digital disruption means that the mainstream media no longer holds a monopoly on public attention. It is not uncommon to hear people saying they don't watch local news or buy newspapers anymore. Beyond the shrill daily headlines, there is a desperate need for the media to go the extra mile and provide context, analysis and explanation on corruption.

2.4.2.2. Civil Society Organizations

The Kenyan civil society has done well in agitating for effective and efficient anti-corruption policies, laws and institutions. However, these efforts have been thwarted by the political leadership determined to undermine their implementation. Considering that laws are only but a process and not a solution to the corruption problem in Kenya, CSOs have also put in place strategies to constructively engage the political leadership in dialogues aimed at attaining their genuine support in the fight against corruption. The solution therefore lies with the country's real power and leadership.

Previous attempts to fight corruption have focused more on top-down approach. Needless to say, most of the good laws generated are unknown by majority of Kenyan populace. In fact, most local dialects do not have a translation for the word "corruption". CSOs therefore have a responsibility to enlighten the public on the concept corruption, anti-corruption strategies including their rights and obligation to monitor the delivery of public service and prudence in public expenditure. Solution to the corruption problem can therefore also be found by CSOs empowering the citizens and organizing them to effectively oversight the state in the delivery of public services.

CSOs therefore have contributed in the fight against corruption by doing among others the following; advocacy for anti-corruption policies and legislations, undertaking anti-corruption researches, empowering the citizens to demand for transparency and accountability, undertaking public interest litigations, checking government excesses, and capacity building the governments at both the national and county levels to put in place and implement anti-corruption processes and measures. Some of the notable CSOs in Kenya that have played major role in advancing the anti-corruption agenda include among others the following.

a) Transparency International Kenya (TI Kenya)

TI Kenya has over the years remained the face of anti-corruption among the civil society actors in Kenya. However, there also exists other civil society organizations in the country that undertake anti-corruption work as part of their programmatic work. The only difference is that while all TI Kenya's programs are on anti-corruption, the other CSOs work on many other issues such that anti-corruption is only but one of their projects.

TI-Kenya is one of the autonomous chapters of the global TI movement. Therefore, the organization's work is closely linked to the global movement work. It's the global movement that normally conducts the annual Corruption Perception Indexes (CPIs). Countries score between 0 and 100, where the lesser the score the more corrupt a country is perceived to be and vice versa.

For the last 10 years, Transparency International has ranked Kenya poorly. In the organization's latest report, Kenya scored 31 points out of the possible 100, and was number 124 out of the 179 countries in which the survey was conducted (CPI, 2020). The organization also indicated that Kenya's current score shows that the country improved by 4 points since 2012. This is a 4-point positive change in a period of 10 years. A clear manifestation of a low performing country in the fight against corruption, and underscores the need for urgent action to combat the vice.

Table 2: Kenya's corruption perception index ranking 2012 – 2020

Year	CPI Score out of 100%	Global Rankings
2020	31	124
2019	28	137
2018	27	144
2017	28	143
2016	26	145
2015	25	139
2014	25	145
2013	27	136
2012	27	139

Author: TI

b) The Africa Centre for Open Governance (AfriCOG)

The AfriCOG is one of the CSOs in Kenya that aims at addressing corruption and the general governance problem in the country. The overarching purposes of AfriCOG's anti-corruption activities include among others; to strengthen transparency, integrity and accountability in public sector governance. AfriCOG does this by building the capacity of Kenyans to be permanently vigilant against graft, conducting researches with quality recommendations, holding the government accountable for both action and inaction, and through advocacy for good governance among other initiatives.

So as to attain these objectives, AfriCOG partners with other CSOs such as TI Kenya. In addition, the organization's reports and policy briefs have played a key role in stimulating policy discussions and supported evidence-based advocacy against corruption.

Some of the key anti-corruption researches that AfriCOG has published in the recent times include among others; Highway Robbery: "Budgeted Corruption" as State Capture. A case study of infrastructure spending under the Jubilee Administration". The study investigates Budgets and expenditure in three key infrastructure sectors namely; electricity, roads and water, with the aim of understanding the extent to which there is systematic deviation of project choice from public finance management (PFM) value for money norms, and whether that divergence can be construed to be "exit lanes" for budgeted corruption.

Such researches constitute AfriCOG's strategy for exposing and naming of the structures and operations of a corrupt state. It therefore enlightens the public and enhances their vigilance in the governance process, particularly the budgeting process as a venue for corruption (AfriCOG, 2020).

In 2019, AfriCOG published a study dubbed State Capture: "Inside Kenya's Inability to Fight Corruption". The study assessed Kenya's failed history of anti-corruption reforms and campaigns, and established that the reasons for Kenya's failure in the fight against corruption lies in the phenomenon of 'state capture'; a political project in which a well-organized elite network constructs a symbiotic relationship between the constitutional state and a parallel shadow state for their own benefit (AfriCOG, 2019).

In addition to the two reports, AfriCOG has also published reports such as; citizens perception survey on the implementation of the constitution, (2016), citizens perception survey on the direction of the country and corruption, (2016), public procurement in Kenya's counties, (2015), the annual governance report, (2012, 2013 & 2014), delivering on devolution? Evaluating county budgets 2013-2014, among others.

c) The Kenya Human Rights Commission (KHRC)

The KHRC has actively participated in the fight against corruption by implementing a cocktail of anti-corruption activities, including contributing to anti-corruption policy and legislative discussions with the government.

In 2016, the KHRC led a number of CSOs among them; Transparency International Kenya, Katiba Institute, Sauti Ya Wanjiku, Pawa 254, Inter-Religious Council of Kenya, and the Civil Society Reference Group in petitioning the president to decisively deal with corruption. In the petition, the CSOs demanded that the president should either act on corruption effectively or to resign if he was unable to do so.

Through the petition, the KHRC rebuked the continued entrenchment of the culture of impunity and the insufficient political interest in battling graft in the country. The organization argued that the country was publicly witnessing an increasing and worrying escalation of corruption scandals with little or no consequences for perpetrators.

In the same year, the KHRC organized a peaceful anti-corruption demonstration at Uhuru Park's Freedom Corner. However, the police brutally dismissed the demonstrators by firing tear gas and water cannons at them. In addition, the peaceful and unarmed anti-corruption demonstrators were beaten up and some were arbitrarily arrested before being released hours later without any charges.

In an effort to increase public consciousness on the corrosive effects of corruption and heighten the people's capacity to engage and demand for accountability, the KHRC has implemented people centered empowerment initiatives. For instance, the publication and dissemination of simplified versions of the auditor general reports aimed at increasing the people's access to and understanding of pervasive gross imprudence in government expenditure as well as the government failure to provide the necessary supporting documents for monies spent (KHRC, 2019). Such gross imprudence of monies that were initially allocated for the delivery of public goods and services, directly undermines the citizens' right to lead a happy, fulfilled and dignified life.

CSOs' contribution in the war against graft cannot therefore be understated. They have provided a platform from which to question the status quo, they have established joint collective action against corruption, they have conducted insightful researches on the corruption problem in the country, they have monitored and documented the problem and possible solutions, and they have supported effective institutions such as the office of the auditor general, and undertaken successful advocacies. In a nutshell, CSOs are a crucial link in the anti-corruption chain ranging from lawmaking, awareness-raising, acting as a watchdog to bringing corruption cases to court.

CHAPTER THREE: DATA ANALYSIS AND PRESENTATION

3.1. Introduction

This chapter presents data analysis and research findings on the influence of external funding on the effectiveness of CSOs in the fight against corruption. Data was collected through administration of questionnaires and oral interviews. The chapter is divided into five major sections. The first section presents a summary description of the respondents' profiles. This is important because it shows the representativeness, relevance and suitability of the respondents, premised on their understanding of the donor - CSOs funding environment, but more important understanding of TI Kenya work and its donors for the specific activities undertaken by the organization.

The second section, presents data analysis and research findings on the respondents' assessment of the corruption problem in Kenya. This sections also covers their assessment of the effectiveness of both the government and CSOs in the fight against corruption. Finally, it shows the effect of corruption to citizens' livelihood and impact on public service delivery.

The third section, discusses external funding from a general perspective. Specifically, the section identifies and examines the two key features of external funding to the Civil Society Organizations. In addition, an assessment of how each of the two features impacts CSOs effectiveness is undertaken. The two features discussed are the models of external funding and the channels of external funding. The fourth section discusses the determinants of civil society effectiveness in a general purview. Three key determinants are identified and briefly examined. They include; the government, the donor and CSO partnerships.

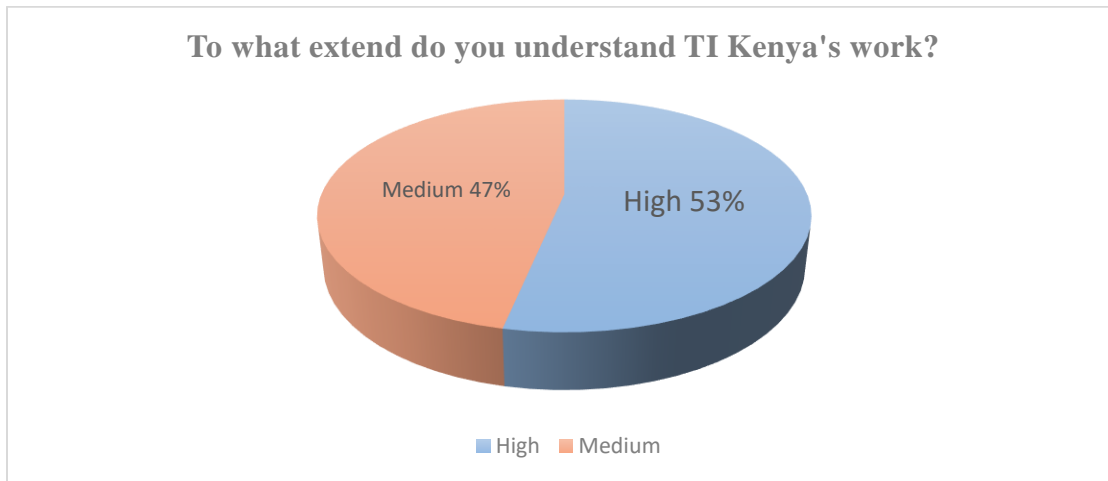
The final section, presents data analysis and research findings for the two hypotheses of the study. The section includes an overview of both the dependent and independent variables of the two hypotheses. The section presents the results of the data analysis and conclude with a summary of the finding on the impact of donor funding on the effectiveness of TI Kenya. The chapter ends with the general conclusion on the influence of external funding on the effectiveness of Civil Society Organizations in the fight against corruption.

3.2. Respondent's profile

The questionnaire was administered to 30 respondents. This translated to a response rate of 100% since the target population was 30 individuals. In terms of gender distribution, 60% of the respondents were male, while 40% were female. The target audience were drawn from the following organizations; International Development Agencies, Foreign Embassies, State Institutions, Civil Society Organizations, Media and former TI Kenya staff.

As a result of working for these organizations, the 30 respondents engaged TI Kenya directly. They therefore had a clear understanding of TI Kenya as an anti-corruption organization and the specific donors that funded TI Kenya to undertake specific anti-corruption activities. As displayed in the figure below, majority of respondents (53%) had a high understanding of TI Kenya work, while a minority (47%) had a medium understanding of TI Kenya.

Figure 1: Respondents' understanding of TI Kenya Work



Source: Survey data, 2021

While 37% of respondents were in the top management of their respective organizations while engaging TI Kenya, a majority of the respondents (63%) were in the middle level management. Such positions enabled them to acquire actual data in terms of funding and activities undertaken by TI Kenya.

3.3. Corruption in Kenya.

A four-point Likert scale was utilized to assess the respondents' perception of the problem of corruption in Kenya. The scale ranged from 1 to 4 with 1-point mark being allocated to strongly disagree, 2-point mark being allocated to disagree, 3-point mark being allocated to agree while 4-point mark being allocated to strongly agree. Since the range of scale run from 1 to 4, it generated 3 as the difference between the two extremes (1&4). By dividing 3 (difference between the two extremes) by the 4-point marks, the scale generated 0.75 as the interval, which was used to develop the following allocation keys. Strongly disagree was allocated the range 1 – 1.75, disagree was given the range of 1.75 – 2.5, agree was given a range of 2.5 – 3.25, and strongly agree was given a range of 3.25 – 4.

Table 3: An assessment of corruption problem in Kenya

Issue	Mean	Standard Deviation
Kenya has excellent anticorruption laws, policies and institutions	3.23	0.568
The government has shown sufficient political will in the fight against corruption	1.57	0.568
The Government is an effective anticorruption player in Kenya	1.80	0.761
Civil Society Organizations are effective anticorruption player in Kenya	3.00	0.525
Corruption is on the rise in Kenya	3.70	0.466
Corruption is a big impediment to the social, economic and political well-being of Kenyans	3.97	0.183
Corruption has deteriorated public service delivery in the country	3.87	0.346

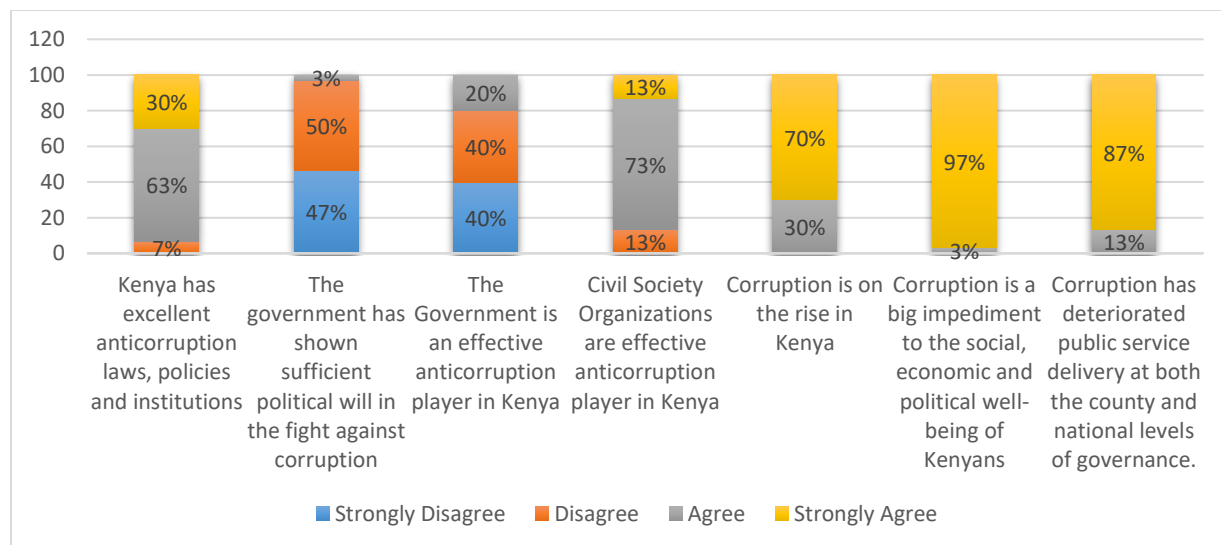
Source: Survey data, 2021

According to the above table, corruption remains a problematic challenge facing Kenya. The assessment confirmed that corruption is on the rise in the country with a mean score of 3.70. This is surprising considering that respondents also indicated that the country has an excellent anticorruption ecosystem comprised of good laws, policies and institutions (mean of 3.23). While it is expected that any country with good laws would record a decline in levels of corruption, Kenya's case is the opposite.

This situation could be attributed mainly to the revelation that the government has not shown sufficient political will in the fight against corruption (mean of 1.57). In the same vein, respondent indicated that the government of Kenya was not an effective anticorruption player. This aspect scored a mean of 1.80.

The government’s ineffectiveness was largely attributed to its lack of demonstration that it had sufficient political will in the fight against corruption. For Instance, respondent argued that budgetary allocations to anti-corruption institutions was inadequate. This hampered their capacity to carry out their work effectively. Such work included education, prevention, investigation, and prosecution and adjudication functions. Lack of resources also ensured inadequate staffing of such institutions. In addition to inadequate resources, respondents also indicated that the government always interfered with the functioning of anti-corruption institutions. As a result, such institutions lacked the independency to functions freely and, in the process, lost credibility and legitimacy in the eyes of the public. In summary, the gap between enactment of good laws and the lack of their implementation rendered the government an ineffective player in the fight against corruption.

Figure 2: An assessment of corruption problem in Kenya



Source: Survey data, 2021

Additionally, the assessment revealed that corruption was the biggest threat to citizens' livelihood. 97% of the respondents confirmed that corruption was a big impediment to citizen's social, economic and political well-being. This was followed by another 87% who indicated that corruption was responsible for the deterioration of public service delivery at both the county and national levels of governance. For instance, respondents mentioned the steady rise in cost of basic necessities such as fuel, electricity, health care, shelter, education and clean water among others as some of the consequences of highly entrenched corruption in the public sector in Kenya.

Unlike only 20% of the respondents who agreed that the government was an effective anti-corruption player, 86% of the same respondents either agreed or strongly agreed that Civil Society Organizations are effective anticorruption player in Kenya. Despite the fact that the war against corruption is far from being won, respondents indicated that the contribution of CSOs was instrumental in a number of ways. For instance, that CSOs have been at the center stage in the clamor for constitutional change which resulted in the 2010 constitution. It's a progressive constitution with clear provisions that sets the ground for good governance and good leadership in the conduct of public business. In addition, CSOs have also pushed the government to enact several anti-corruption laws on one hand while on the other capacity building the public to identify and confront corruption.

3.4. Models and Channels of external funding for CSOs

The United Nations Development Programme (UNDP) observes that historically civil society seeking funding for their own activities developed proposals and submitted to donors. Donors therefore supported civil society by responding to such proposals. However, in the recent times, most donors have made the support for CSOs an integral part of their own donor agencies' democratic governance strategy. As a result, and through the strategy, donors make funds available for CSOs in two broad ways. First, as challenge funds where CSOs are required to apply, and second, the donors chose CSOs that are to receive their fund (UNDP, 2012).

The donor support for CSOs is therefore a tactic to balance the governance equation by ensuring adequate focus on both the supply and the demand side of governance. The supply side is characterized by supporting the government's capacity not only to deliver public goods and services but also to be more responsive and accountable to the citizens. On the other hand, the demand side is characterized by supporting CSOs and enhancing the citizens' capacities to hold the government to account.

The donor support for CSOs is therefore premised on the need to strengthen the demand side of the governance process, aimed at attaining and securing democratic governance across the globe. In a democratic state, citizens' freely and meaningfully participate in the day-today public decision-making processes and as a result increases the state's accountability (ibid).

3.4.1. Models of external funding

There are two key models of external funding i.e., core funding and project or programme funding. For a CSO to sustain effectiveness, there is a need to ensure a balanced mix between the two models of funding. The choice of a funding model depends to a greater extent on its relevancy to the context and development objectives that the donor wishes to achieve by working with the respective CSO or CSOs (Nijs & Renard 2009).

3.4.1.1. Core funding

Core funding is also commonly known as general budget support, strategic funding, operating grant, core budget support or un-earmarked funding. In some countries such as the United States, it's referred to as unrestricted funding, while in Eastern Europe it's referred to as institutional funding (Karlstedt, 2015). Such different names referring to the same thing is likely to results into different definitions of core funding. The study however defines core funding as a funding model through which donors support CSOs with free money that they can use for any purpose as long as it leads to the realization of the CSOs mission and vision (INTRAC 2014).

This model is ideal for CSOs that have structural, strategic and expert capacity to manage donor funds efficiently and effectively. In other words, the CSOs policies, internal systems and governance process must be integrated with core funding. Such funds can be utilized on staff salaries and trainings, communications, project costs, facilities, and equipment among others.

In principle therefore, donor's choice of a CSO to support through this model is based on whether the donor supports the CSO's vision and mission (Karlstedt, 2015).

Most CSOs prefer core funding to project funding because of various reasons. First core funding ensures predictability; for instance, when such funds are provided under multi-year agreements, CSOs are able to plan for years and therefore invest in their staff development and guarantee job security. Second, core funding enhances CSOs full ownership and ensures flexibility in the identification of priorities and implementation of projects. This is because donors transfer the responsibility for managing the funds and prioritization of activities to implementing CSOs. This is to say core funding allows CSOs to prioritize projects and pursue their own defined long-term strategic plans, objectives and goals (OECD 2011).

Core funding therefore encourages investment in organizational development which include investment in internal capacity and growth. It is also seen as the best to stimulate collaboration among CSOs and strengthens relations between the donor and the CSOs. In addition, core funding promotes innovation since it encourages risk-taking (GSDRC 2015). In a nut shell core funding therefore enables CSOs to thoroughly analyze the problem they seek to address and to design the best solutions to address those problems without any external conditionality. As a result of such analysis, CSOs remain true to their own mission and mandate (Cabrera, 2011).

According to one of the respondents;

“Core funding is the real deal; it enables the organization to grow wholly by sharpening both administrative and operational functions of the organization. On one hand the organization is able to utilize the funds to strengthen internal excellence, while on the other enhance successfulness in the implementation of specific anticorruption activities. It is the preferred model of funding simply because it improves CSOs effectiveness”.

3.4.1.2. Project funding

This is the most widespread model of external funding to CSOs and the most appropriate model for supporting small CSOs with limited organizational and professional capacity. To fund CSOs, donor issue Calls for Proposals (CfP), which comprise donor identified priorities and objectives and CSOs respond by applying with projects that seek to attain the provided objectives (Ostojic & Fagan 2014). CSOs are therefore required to design deliverables and achieve impact according to the donor conditions and objectives.

Ostojic and Fagan (2014) observe that while some donors assist CSOs in the development of projects when they respond to their Call for Proposals (CfP), other donors' issue 'blind calls' and as a result CSOs are required to respond with fully developed projects that must fit in the donor pre-defined priorities and criteria. While responding to CfP particularly blind calls, most CSOs are forced to twist practices, objectives and wording so as to better fit those provided in the donor guidelines. In the process, sometimes CSOs shift focus from their traditional mission and objectives to those being pursued by the donor. The twist at the application stage continues to the implementation, monitoring and evaluation stages. Since project funding are normally short term, such conditions pull most CSOs away from achieving their long-term objectives (Cherif 2017).

Unlike most CSOs, most donor prefer project funding for a number of reasons; first, this model enable donors to achieve specific development objective. This is because they are able to fund short term initiatives that tackle specific issues premised on the understanding that they define what they fund while CSOs work remains to implement their objective. Second, this model enables donors to fund a larger number of CSOs and therefore attain bigger impact compared to core funding where they fund fewer CSOs. Lastly, since donors define priorities, they are able to exercise substantial control of the implementing CSOs objectives (Ostojic & Fagan 2014).

Project funding therefore does not guarantee ownership and predictability in CSO operations. For instance, when donor priorities change CSOs that depend on project funding are likely to face crisis in funding unless they adopt to those new priorities and re-invent themselves so as to become attractive to the donor.

Considering the fact that donor priorities are constantly changing, CSOs that constantly change their objectives and mission to align with the new donor priorities are most likely to lose their legitimacy, credibility and undermine their effectiveness. Such CSOs especially if they are governance and human rights advocacy CSOs are also likely to be labeled ‘donor-driven CSOs’ since they are more concerned about pursuing donor interests and not national or local interests (Parks 2008).

3.4.2. Channels of external funding

There are various ways through which donors channel their funds to CSOs. The main channels include among others funding through the government, funding through intermediary CSOs and lastly funding CSOs directly (UNDP, 2012).

3.4.2.1. Funding through the Government

Funding CSOs through the government is the least utilized channel of funding among donors funding CSOs in the developing world (Tomlinson, 2013). In Kenya for example, a study of Kenyan CSOs indicated that 90% of their funding come from external sources and that only 1% of CSO funds come through the government of Kenya. In Uganda more than 80% of funding come from external sources while 3% and 17% of CSOs funds come from private contributors and businesses respectively.

Funding through the government is therefore not a commonly utilized channel in the south. Some donors like the World Bank and UNDP however, still channel their mainstream funding to CSOs through national governments. This technique is mostly utilized by the multilaterals, whose decentralized and autonomous way of working may not guarantee them knowledge of the exact amount channeled to CSOs through their country offices. This is so because most of the multilaterals work with CSOs is also implemented by the government’s social development/affairs departments. Such work is strongly linked to the demand side of governance, which is classic CSOs work (Giffen & Judge 2010).

According to one of the respondents;

“Funding through the government should be discouraged. This is because most the developing nations are reluctantly undergoing the democratization process. As a result, any funding that promotes democracy or political accountability will be misused. Such nations are likely to undermine the independency and effectiveness anti-corruption CSOs”.

3.4.2.2. Funding through intermediaries

Funding through intermediaries is the arrangement through which donors mostly in the developed world fund their domestic CSOs which in turn fund the local CSOs mainly located and with operations in the developing world. Through this mechanism, domestic CSOs are normally funded with the requirement that they must work with local CSOs in the programme Countries, which are mainly located in the developing world (UNDP, 2012).

This mechanism is utilized by both the multilaterals and the bilateral. Unlike historically where domestic CSOs in the developed world were the major beneficiary of such funding, in the recent times such funding seems to target larger and strategic coalitions and consortia with operations in the developing world. The mechanism places more emphasis on the creation of real partnership between CSOs in the South and those in the North. It is also preferred because it reduces fragmentation and duplication of work among the CSOs on one hand while on the other reduces transaction costs of the donors (Giffen & Judge 2010).

Donors use various criteria to select an intermediary. They consider among others; the credibility of the intermediary with the state in which the funding is to be utilized, and the capacity of the intermediary to effectively and efficiently manage the funds including accountability systems in place. In addition, they consider the ability of the intermediary to empower the local CSOs in the project countries. The most common intermediaries include among others; umbrella organizations, United Nations Country Offices, International Non-Governmental Organizations (INGOs), private organizations, and consortia (Tembo 2007).

Funding through intermediaries is therefore likely to enhance CSO effectiveness. This is mainly because of a number of reasons that include among others the following. Most intermediaries have strong relations in project countries and as a result they are likely to use those relations to strengthen anti-corruption partnerships. Most intermediaries have higher technical capacities that they are likely to use and empower CSOs in the project countries. As one of the respondents indicated, TI Kenya has benefited a lot from periodic trainings conducted by these intermediaries.

3.4.2.3. Direct funding

Direct funding is the framework through which donors channel their funds directly to CSOs. Such donors chose to manage such funds either from their headquarters mainly located in the developed countries or through their offices located in the developing countries. For International Development Agencies, most of their funds are managed through their country offices while for Countries, most of their funds are managed through their local embassies (UNDP, 2012).

Direct funding is the most preferred channel by the bilateral. Some of the advantages of direct funding is that it makes communication and consultation easy and quick. As a result, decision making on work plans or budgets realignment are always timely so as to for example tackle the most pressing or emerging anti-corruption issues. Such a channel of funding therefore strengthens relations between the donor and CSOs making them more efficient and effective.

3.5. Determinants of CSO effectiveness

Over the years, studies have shown that the evaluation of CSOs' effectiveness is extremely difficult and problematic especially for those involved in governance and human rights work compared to those involved in service delivery work (Giffen & Judge 2010). With this understanding and the need to assess the influence of donor funding on the effectiveness of CSOs, this study operationalized effectiveness of CSOs as the ability and capacity to successfully implement specific anti-corruption activities.

The effectiveness of CSOs depends on various factors, key among them the donor, the government and finally CSOs partnerships (OECD, 2009). Effectiveness of CSOs is therefore not an individualistic endeavor (depending on one factor such as funding) but a collective one (depending on a number of factors). While the study focused on assessing the donor as a determinant, it does not push the importance of the government and CSOs themselves to the periphery. They are all important factors but play different roles towards making CSOs an effective actor.

3.5.1. The government

The government influences the effectiveness of CSOs mainly through creation of either an enabling or disabling environment for CSOs operations. An enabling environment is the basic requirement for CSOs effectiveness and characterizes the general nature of governance in any country. It creates the opportunity for CSOs to be more vibrant and therefore thrive and flourish in what they do.

Some of the things that the government can do so as to create an enabling environment for CSOs include among others development and implementation of a general rights-based policy and legislation framework, and a framework of policies and legislations that are CSOs specific.

A general right based framework would include policies and legislations that guarantee not just CSOs but citizens the following; freedom of the press, rights to seek legal recourse, rights to peaceful assembly, rights to access to information, rights to expression and rights to association among others. A CSOs specific framework would include policies and legislations that promotes multi-stakeholder dialogue on issues that CSOs seek to address, CSOs transparency, CSOs corporate social responsibility and philanthropy, and CSOs accountability including on taxation issues among others.

Therefore, the capacity of CSOs to function effectively requires Government to put in place an enabling legal, policy and regulatory framework. The importance of an enabling environment to CSO effectiveness was stressed at the Fourth High Level Forum on Aid Effectiveness (HLF4) in 2011 when countries agreed to implement their commitment to create an enabling environment for CSO (Tomlinson 2013).

A general enabling legal framework is therefore likely to assure maximization of CSO effectiveness by among other issues; allowing independent relationships with diverse stakeholders. This would include one on one partnerships with both donors and with other CSOs locally and internally (ibid).

3.5.2. CSOs Partnerships

According to the UNDP (2013) partnership is a word utilized to describe CSO associations in governance and development. While some of these relationships are long term others are specific time bound subcontracts defined by consented legal status.

Partnerships between and among CSOs influences their effectiveness by creating collaborations and pooling together resources and efforts so as to better achieve individual objectives collectively and in a much better way. Such collaborations could take different forms such as national and/or international partnerships, networks and coalitions.

It is therefore the responsibility of CSOs themselves to establish and ensure high quality partnerships and networks so that they can increase their effectiveness collectively. However, the coordination and sustainability of such CSO efforts (partnerships and networks) to a larger extent depends on the availability of donor funding (Ingelstam and Karlstedt, 2007).

CSOs therefore in their own capacity as actors have the ability to increase their effectiveness in their various fields by working together on common agendas. Partnerships enables CSOs to be more effective in a number of ways. For instance, through partnership they are able to maximize each CSOs comparative advantage and therefore reduce unproductive competition, avoid duplication of functions and as a result minimize wastage of both time and financial resources.

Partnership therefore adds value to CSOs functionality in a big way. It strengthens solidarity among CSOs tackling a particular problem both at the national and at the international levels of collaboration. In addition, CSOs are also able to collectively raise funds to address a common problem using a shared method. Furthermore, through partnerships, stronger CSOs are able to capacity built their weak ones and therefore enhance their capacity to address a particular problem.

3.5.3. The Donor

The donor is an important determinant of CSOs effectiveness. The influence is manifest in different ways key among them through donor terms and conditions for funding. These conditions define what is commonly referred to as the model of funding for CSOs. While some donors prefer direct funding for projects and programmes undertaken by CSOs, other donors prefer a more comprehensive model of funding which involves strengthening CSOs as a whole. Such a model is commonly labeled core funding.

Core funding has its own advantages which enhances CSOs to be more effective. For instance, it goes beyond funding a particular activity to creating the opportunity for capacity development of CSOs which is lacking in direct projects or programs funding model. In addition, core funding enables CSOs to pursue their own priorities while project funding is more inclined to pushing CSOs to pursue donor interests (Uggla, 2004)

3.6. The influence of external funding on TI Kenya's effectiveness

3.6.1. Overview

A four-point Likert scale was utilized to assess the influence of external funding on the effectiveness of CSOs in the fight against corruption using TI Kenya as a case study. The scale ranged from 1 to 4 with 1-point mark being allocated to strongly disagree, 2 points mark being allocated to disagree, 3-point mark being allocated to agree while 4-point mark being allocated to strongly agree. Since the range of scale run from 1 to 4, it generated 3 as the difference between the two extremes (1&4). By diving 3 (difference between the two extremes) by the 4-point marks, the scale generated 0.75 as the interval, which was used to develop the following allocation keys. Strongly disagree (never influences) was allocated the range 1 – 1.75, disagree (rarely influences) was given the range of 1.75 – 2.5, agree (influences) was given a range of 2.5 – 3.25, and strongly agree (Always influences) was given a range of 3.25 – 4. The allocated keys are applied and utilized in the consequent Likert scale analysis.

This section therefore presents data analysis and research findings for both objective 1 and 2. Objective 1 sought to establish the relationship between the extent of funding from International Development Agencies and the effectiveness of Transparency International Kenya in the fight against corruption. On the other hand, Objective 2 sought to establish the relationship between the extent of funding from Foreign Embassies in Kenya and the effectiveness of Transparency International Kenya in the fight against corruption.

The independent variable in this case was therefore the International Development Agencies for objective 1 and Foreign Embassies for objective 2. To assess their influence, the research examined the amount of funding that TI Kenya obtained from the 2 broad category of donors (IDAs & FEs). Specifically, the research sought to establish their percentage contribution to TI Kenya's total annual income, and whether a higher annual income enhanced TI Kenya effectiveness for both objective 1 and 2. In addition, the research also examined the different models used by both IDAs and FEs to fund CSOs activities and operations and how such models contributed to CSOs effectiveness.

While the research assessed the two independent variables as expounded above, it only had one dependent variable; the effectiveness of TI Kenya in the fight against corruption. CSOs effectiveness as already explained in the definition of concepts section, refers to the capacity and ability of CSOs to undertake specific anti-corruption activities successfully. For both objective 1 and 2, effectiveness was therefore a measure of the number and nature of specific anti-corruption activities implemented successfully by TI Kenya as a result of funding from both IDAs and FEs.

Therefore to determine how funding from IDAs and FEs had influenced TI Kenya successes in combating corruption, the research sought information on how an increase in funding impacted on TI Kenya's ability and capacity to implement the following 6 activities; research on corruption, anti-corruption policies and legislations, public awareness campaigns & citizens' empowerment including keeping the government in check, development and management of anti-corruption partnerships & coalitions, internal organization & management and finally strengthening integrity and ethics in the management of public business.

3.6.2. Transparency International Kenya annual income

The table below shows TI Kenya annual income for period between 2012 and 2020. In addition, the table also indicates the percentage contribution of both IDAs and FEs to TI Kenya annual income for each of the same period.

Table: 4 TI Kenya annual income

Year	2019- 2020	2018- 2019	2017- 2018	2016- 2017	2015- 2016	2014- 2015	2013- 2014	2012- 2013
Total Income in Millions	159.6	209.2	156.4	140.1	149.6	169.1	181.5	210.3
IDAs & FEs % of total income	90%	92%	93%	90%	92%	93%	98%	100%

Source; TI Kenya annual reports

An assessment of TI Kenya annual income for the last 8 years shows that the percentage of funding from IDAs and FEs has remained above 90%. As observed from the table above, the percentages keep varying from one year to another. In 7 out of the 8 years, the percentage increase or decrease has translated into an increase or a decrease of the total annual income respectively. Between 2012 and 2020, TI Kenya received funding from many IDAs compared to the number of Embassies. This funding has contributed immensely to TI Kenya’s ability and capacity to successfully execute anti-corruption activities and also to strengthen its internal operation as an anti-corruption actor.

3.6.3. Influence on anti-corruption research

The funding from both IDAs and FEs strengthens and expands TI Kenya capacity and ability to conduct anti-corruption researches, unearth its negative impact to the society and provide recommendation on how to effectively combat it. This is according to 96.6% and 97% of the respondents who indicated that the availability of funding from IDAs and FEs respectively enables TI Kenya to successfully undertake anti-corruption research initiatives.

Such researches generate new information and more evidence for use in creating anti-corruption awareness and empowerment, strengthen anti-corruption policies and legislations and ensure that relevant advocacy strategies are put in place.

An assessment of TI Kenya annual income revealed that when TI Kenya had more annual income compared to the previous years, it was able to undertake more quality researches. For instance, during the year 2019/2020, TI Kenya had a total annual income of ksh. 209,197,437 comprised of 78% funding from IDAs and 14% funding from FEs. During the year TI Kenya undertook more quality researches compared to the year 2015/2016, when it had an annual income of ksh. 149,645,356 comprised of 45% funding from IDAs and 36% funding from FEs.

The finding shows that an increase in funding, increases the budgetary allocation for research and increases the capacity and ability of TI Kenya to successfully undertake quality anti-corruption researches in the different sectors of the society. This is therefore a demonstration of the existence of a positive relation between the extent of funding from both IDAs and FEs and the effectiveness of TI Kenya in the fight against corruption.

Some of the key researches conducted by TI Kenya include the following;

The East Africa Bribery Index (EABI); the annually conducted research has been important in revealing the bribery experiences of citizens while seeking public service. The research increases awareness and additionally highlights appropriate recommendations to deal with the bribery problem. The County Governance Status report (CGSR); this research is also conducted annually aimed at revealing the status of governance in the counties by focusing on transparency, accountability, integrity in the delivery of government services. In addition to creating awareness about the persistence of the problem of corruption the report also makes recommendations on how to improve county governance.

In addition to the annual researches, TI Kenya also undertakes periodic researches on need basis. For instance, to strengthen implementation of chapter 6 of COK, TI-Kenya undertook a study on jurisprudential gaps in the application of the Chapter.

The study identified gaps, best practices and made recommendations on how the chapter can be implemented effectively. TI Kenya has also conducted many researches to improve most of the anti-corruption policies and legislations in Kenya, including the hotly debated law on political parties' campaign finance. In addition, availability of adequate funds enables TI Kenya to respond to emerging governance issues such as the research on the extent of Transparency and Accountability by the state in responding to the COVID-19 pandemic.

Considering the important role that TI Kenya plays in the fight against corruption in Kenya, state institutions sometimes do engage the organization to assist in enhancing their anti-corruption efforts. For instance, in 2016, the Judiciary engaged TI Kenya to undertake a corruption mapping for the Judiciary and to develop a plan of action out of it. The corruption mapping resulted into a report which identified the major areas within the judiciary that corruption and unethical practices were rampant. In addition, the Governance and Anti-Corruption (GAC) strategy was developed as an action plan to address corruption in the Judiciary. External funding therefore positively influences the effectiveness of TI Kenya's research work.

3.6.4. Influence on anti-corruption policies and legislations

The funding from both IDAs and FEs improves TI Kenya's capacity and ability to successfully advocate for anti-corruption policies, legislations and institutional frameworks. This is according to 96.7% and 96% of the respondents who indicated that the availability of funding from IDAs and FEs respectively enables TI Kenya to successfully advocate for effective anti-corruption policies and legislations. The policy and legislative advocacy is aimed at contributing to the development of an enabling environment for the fight against corruption in Kenya.

An assessment of TI Kenya annual income revealed that when TI Kenya had more annual income compared to the other years, it was able to undertake more successful advocacy for anti-corruption policies and legislations. For instance, during the year 2012/2013, TI Kenya had a total income of ksh. 210, 330,000 comprised of 24% funding from IDAs and 60% funding from FEs. During the year TI Kenya undertook more quality advocacy for anti-corruption policies and legislation including participating in their drafting compared to the 2016/2017, when it had an annual income of ksh. 140,000,000 comprised of 54% funding from IDAs and 36% funding from FEs.

The finding shows that a decrease in funding, decreases the budgetary allocation for the advocacy for anti-corruption legislations and policies and decreases the capacity and ability of TI Kenya to successfully initiate, convene and participate in the formulation, drafting, review and enforcement of anti-corruption policies and legislations for the national government and county governments. This is therefore a demonstration of the existence of a positive relation between the extent of funding from both IDAs and FEs and the effectiveness of TI Kenya in the fight against corruption.

Some of the key anti-corruption policies and legislations that TI Kenya has supported in the formulation/drafting and reviewing include among others; Bribery Act Regulations, Beneficial Ownership Regulations 2020, the debt policy and borrowing framework 2019, Election Campaign Financing (Amendment) Bill, 2019, Public Audit Act, 2015, Health Bill, 2017, Forest Conservation and Management Act, 2016, Access to Information Act Regulations, whistle blower policy and a draft bill, and Elections Act, 2011 among others.

3.6.5. Influence on public awareness campaigns and citizens' empowerment

The funding from both IDAs and FEs enhances TI Kenya's capacity and ability to conduct anti-corruption public awareness campaigns, trainings and workshops. Such campaigns are conducted as avenues through which citizens' capacity is built so that they are empowered for effective civic engagement, including the demand for political accountability, and for quality public service delivery. This is according to 93.4% and 94% of the respondents on funding from IDAs and FEs, who indicated that the availability of funding from IDAs and FEs respectively enables TI Kenya to successfully empower citizens so that they can keep the government in check.

An assessment of TI Kenya annual income revealed that an increase in funding enabled TI Kenya to reach and empower more citizens, built more accountability movements and strengthened civilian oversight in the country.

For instance, a comparison of the 2 years immediately before COVID-19 reveals the following; during the year 2017/2018, TI Kenya had a budget of Ksh. 156.4 million, comprised of 68% funding from IDAs and 25% funding from FEs, and reached approximately 8.8 million people by conducting 32 radio shows. However, during the year 2018/2019, TI Kenya had a bigger budget of Ksh. 209.2 million, comprised of 78% funding from IDAs and 14% funding from FEs, and reached approximately 11.5 million people. This was through 2 press releases, 6 media articles, 17 social media campaigns, and 31 radio talk shows & 4 TV talk shows. The notable difference in the number of people reached and the different activities conducted is a reflection of availability of funds. With more resources TI Kenya conducted more activities and reached more people and as a result was able to increase the number of knowledgeable citizens who can recognize acts of corruption and actively participate in the fight against corruption.

The finding shows that an increase in funding, increases the budgetary allocation for the anti-corruption public campaigns and citizens' empowerment initiatives, and increases the capacity and ability of TI Kenya to successfully empower the public to actively check government excesses. This is therefore a demonstration of the existence of a positive relation between the extent of funding from both IDAs and FEs and the effectiveness of TI Kenya in the fight against corruption.

In addition, to public campaigns, TI Kenya has also established and supported civic movements on different anti-corruption thematic areas. These civic movements are spread across the country and are divided into regions namely; coast, western, Nairobi and rift valley regions. TI Kenya has built their capacity to effectively engage local county governments. For instance, trained them on how to draft and submit petitions and memorandums, analyze county budgets & budgetary process, and analyze the auditor general's reports among others. External funding therefore positively influences the effectiveness of TI Kenya to conduct anti-corruption awareness and to empower the citizens to check government excesses.

3.6.6. Influence on anti-corruption partnerships, networks & coalitions

The funding from both IDAs and FEs enhances TI Kenya's capacity and ability to convene nascent anti-corruption partnerships, networks and coalitions. Such partnerships have acted as avenues through which collective anti-corruption actions are undertaken, and as the ground from which CSOs challenge the status quo, impunity and build new anti-corruption alternatives. This is according to 93.3% and 90% of the respondents on funding from IDAs and FEs, who indicated that the availability of funding from IDAs and FEs respectively enables TI Kenya to successfully develop and manage anti-corruption partnerships, networks and coalitions.

An assessment of TI Kenya annual income revealed that when TI Kenya had more annual income compared to the others years, it was able to establish and maintain more formidable partnerships and coalitions. For instance, during the year 2013/2014, TI Kenya had a total income of ksh. 181, 495, 615 comprised of 42% funding from IDAs and 56% funding from FEs. During the year TI established nascent partnerships and networks compared to the year 2015/2016, when it had an annual income of ksh. 149,645,356 comprised of 45% funding from IDAs and 36% funding from FEs.

The finding shows that a decrease in funding, decreases the budgetary allocation for partnership development and management and decreases the capacity and ability of TI Kenya to successfully establish and maintain active partnerships and coalitions. This is therefore a demonstration of the existence of a positive relation between the extent of funding from both IDAs and FEs and the effectiveness of TI Kenya in the fight against corruption.

The availability of external funding has therefore enabled TI Kenya to create formidable partnerships in the fight against corruption and as a result widen and deepen anti-corruption efforts. These partnerships have also been instrumental in the push for a stronger watchdog role, demand the operationalization of the Public Benefits Organizations (PBO) Act and Service Charter, strengthen civic and political education, and push for the reclaiming of all public spaces, advocacy for naming and shaming of public officers involved in corruption and dissemination of global standards of transparency and accountability.

For instance, when TI Kenya realized that the government was not sharing information about its response to the COVID-19 pandemic in Kenya, yet millions of shillings was being spent, it partnered with five other CSOs to advocate for transparency and accountability in the management of the COVID-19 situation. The partnership enabled the organizations to build synergy by leveraging on each other's strengths. It also enabled them to share more information on the management of the COVID-19 pandemic to many Kenyans and as a result improved CSOs monitoring of the situation in country. In addition, the partnership widened the spread of information about the situation and on calling on the government to be more transparent and accountable. TI Kenya partners were; Kenya Legal Aid Network (Kelin), Center for Rights Education and Awareness (CREAW) and Katiba Institute among others.

To strengthen the advocacy for enhanced integrity and accountability within the police service, TI Kenya established a working partnership with the National Police Service. Through the partnership TI Kenya convened dialogue sessions with the various departments such as the Critical Infrastructure Protection Unit (CIPU), Internal Affairs Unit (IAU) and the Security of Government Buildings (SGB). The dialogues discussed governance and corruption issues within the police and included participation from CSOs and the citizens.

In the education sector, TI Kenya works through Elimu Yetu Coalition to advance policy reforms and advocate for accountability in the management of the sector. In the health sector, TI Kenya convened CSOs under the Beyond Zero anti-corruption campaign coalition through which CSOs consolidated efforts to fight corruption in the sector. In addition, TI Kenya has also partnered with the media to undertake investigations and to publicize anti-corruption stories. To enhance the ability of journalists to report on anti-corruption issues, TI Kenya partnered with Article 19, Constitution and Reform Education Consortium (CRECO), DW Akademie, and Kenya Correspondents Association. As a result of the partnership, the Reporting on Good Governance in Kenya initiative (RoGGKenya) was developed as a one-stop shop for journalists to obtain exclusive fact-based follow-up reports on governance issues in Kenya. External funding therefore positively influences the effectiveness of TI Kenya's in developing and managing effective anti-corruption partnerships and networks.

3.6.7. Influence on internal organization & management

The funding from both IDAs and FEs enables TI Kenya to build and improve its internal organizational wellbeing and strengths, so as to remain dynamic & resilient, enhance institutional relevant & effectiveness and ensure excellence and sustainability as an actor against graft in Kenya. This is according to 90% and 93% of the respondents, who indicated that the availability of funding from IDAs and FEs respectively plays an important role in improving the functionality of the following aspects of TI Kenya internal organization and management; policies, systems & structures, human resource & governance, research, resource mobilization and communication among others.

An assessment of TI Kenya annual income revealed that when TI Kenya had more annual income compared to the previous years, it was able to improve and strengthen its internal organization and management. For instance, during the year 2018/2019, TI Kenya had a total income of ksh. 209,197,437 comprised of 78% funding from IDAs and 14% funding from FEs. During the year TI enhanced its internal capacity more compared to the year 2014/2015, when it had an annual income of ksh. 169,102,201 comprised of 48% funding from IDAs and 44% funding from FEs.

The finding shows that an increase in funding, increases the budgetary allocation for institutional development and strengthening and increases the capacity and ability of TI Kenya to successfully develop and maintain a good internal organization framework. This is therefore a demonstration of the existence of a positive relation between the extent of funding from both IDAs and FEs and the effectiveness of TI Kenya in the fight against corruption in Kenya.

TI Kenya's internal organization framework is comprised of internal systems, policies and structures that supports and ensures adaptability, efficiency, effectiveness and sustainability. As a result of external funding, TI Kenya has been able to develop the following internal policies; conflict of interest policy, whistle blower policy, anti-fraud policy, confidentiality policy, resource mobilization policy and gender policy among others. The organization has also been able to train its staff on quality management systems so as to ensure that its activities are in line with the expectations of its beneficiaries, partners and donors.

To ensure that the organization continues to function optimally even with the COVID-19 pandemic, the organization acquired requisite online platforms such as teams and zoom, and automated its financial and human resource systems. Without funding, TI Kenya would not have been able to put in place such important policies or adopt to the COVID-19 situation and implement its activities successfully.

Internal organization also involves engagement of quality and highly qualified individuals as staff, consultants and board members. This is the human resource function of TI Kenya. With an increase in funding, TI Kenya has been able to strengthen its human resource aspect by doing among others the following; recruitment of quality staff in every programme, periodic training of staff on emerging anti-corruption strategies, coordination, administration and management of projects, including monitoring and evaluation. In addition, TI Kenya has been able to put in place an assessment framework for the institution through which staff performance is assessed bi-annually. The organization has also been able to put in place a mechanism that takes care of staff welfare and support. To ensure that the organization is well governed and its oversight mechanism is strengthened, TI Kenya has recruited quality board members who meet on quarterly basis. As a result, increase in funding enables TI Kenya to develop the capacity and ability to successfully undertake key anti-corruption projects and is also prepared to take on new anti-corruption projects not only in Kenya but globally. The organization is therefore well governed and well oversighted.

3.6.8. Influence on strengthening integrity and ethics in governance

The funding from IDAs and FEs has enabled TI Kenya to conduct capacity building workshops, conferences and seminars through which public and state officers are trained on the management of ethics and integrity. The development of appropriate anti-corruption strategy involves an assessment of the existence anti-corruption mechanism for each institution at the national level of governance and for the respective county governments, identify what has worked and what has not worked and then single out areas that require strengthening. It is therefore through such trainings that TI Kenya offers capacity support to public institutions and government in general.

An assessment of TI Kenya annual income revealed that when TI Kenya had more annual income compared to the other years, it was able to influence the establishment of effective transparency and accountability frameworks and mechanisms. For instance, during the year 2012/2013, TI Kenya had a total income of ksh. 210, 330,000 comprised of 24% funding from IDAs and 60% funding from FEs. During the year TI supported the development of more transparency and accountability mechanisms compared to the year 2010/2011, when it had an annual income of ksh. 99,390,000 as funding from both IDAs and FEs.

The finding shows that an increase in funding, increases the budgetary allocation for supporting the development of transparency and accountability mechanisms in government and increases the capacity and ability of TI Kenya to successfully influence the strengthening of integrity and ethics in public governance. This is therefore a demonstration of the existence of a positive relation between the extent of funding from both IDAs and FEs and the effectiveness of TI Kenya in the fight against corruption.

Some of the state and public officers trained include among others the following; Siaya & Bungoma counties in 2019, Kisumu County in 2017, the Executive and County Assembly of Busia County in 2016. National Police Service in 2018, Teachers Service Commission in 2015, National Environmental Management Authority (NEMA) in 2015, Judges, magistrates and court registrars in 2015, National Assembly through the Africa Parliamentary Network Against Corruption (APNAC), 2018.

3.7. IDAs influence on TI Kenya effectiveness in the fight against corruption

This section relates to objective 1 and therefore sought to establish the relationship between the extent of funding from International Development Agencies (IDAs) and the effectiveness of Transparency International Kenya in the fight against corruption.

An assessment of TI Kenya annual income for the last 8 years shows that the percentage of funding from IDAs has been increasing. As observed from the table below, the IDAs' percentage increase does not necessarily translate into an increase of the total annual income but an increase of its share of the total annual income.

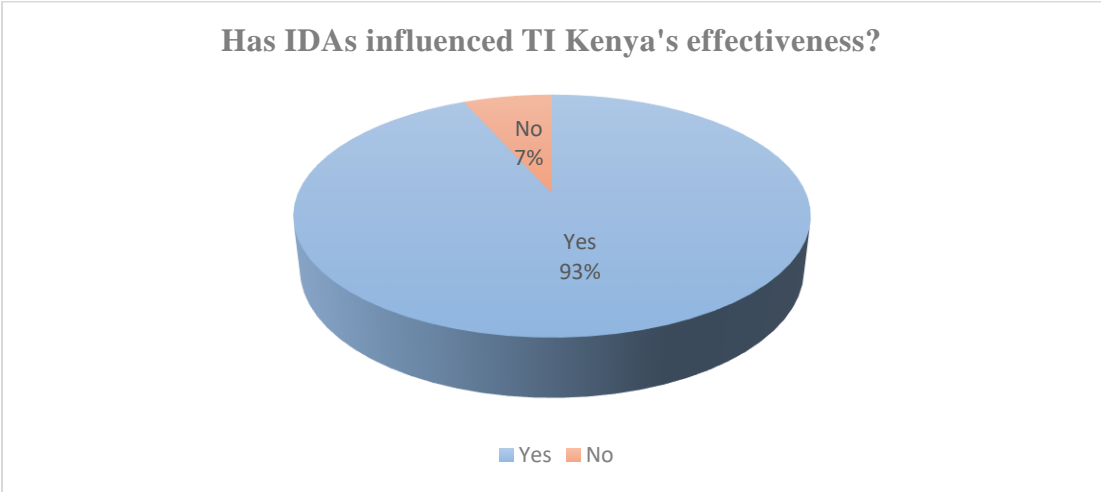
Between 2012 and 2020, TI Kenya received funding from many IDAs compared to the number of Embassies. This funding has contributed immensely to TI Kenya’s ability and capacity to successfully execute anti-corruption activities and also to strengthen its internal operation as an anti-corruption actor. The table below shows TI Kenya annual income and the percentage contribution from IDAs;

Table 5: IDAs % share of TI Kenya annual income

Year	2019-2020	2018-2019	2017-2018	2016-2017	2015-2016	2014-2015	2013-2014	2012-2013
Total Income in Millions	159.6	209.2	156.4	140.1	149.6	169.1	181.5	210.3
IDAs % of total income	79%	78%	68%	54%	56%	48%	42%	24%

Source; TI Kenya annual reports

Figure 3: IDAs influence on TI Kenya effectiveness



Source: Survey data, 2021

A majority of the respondents (93%) agreed as compared to (7%) who disagreed that the funding from IDAs has influenced TI Kenya work in the fight against corruption over the years. The majority who agreed cited a plethora of reasons to explain their avowal. Such included among others the following;

Funding from IDAs has enhances TI Kenya's capacity and ability to develop and implement robust anti-corruption programmes and campaigns, that have remarkably contributed positively in the fight against corruption. For instance, such funding has been instrumental in supporting TI-Kenya in advocating for policy, legislative and institutional frameworks to support the government's anti-corruption efforts. It has also been helpful in advancing civic awareness, empowerment and oversight efforts including the development and dissemination of practical tools for citizens to actively participate in anti-corruption efforts. Such tools include social accountability tools, platforms to report corruption and e-databases with information on corruption such as concluded corruption cases and simplified public audit information among others.

According to one respondent;

“It is the funding from IDAs that enabled TI Kenya to conduct a successful Red Card Campaign prior to the 2017 general elections. The campaign involved naming and shaming 20 powerful politicians and educating the public that the 20 were unfit to vie for public office based on the provisions of chapter 6 of the constitution on leadership and integrity. TI Kenya also engaged leaders of political parties and asked them to specifically deny the 20 nomination certificates. TI Kenya also engaged and asked IEBC not to clear the 20 aspirants. The 20 names were also shared with EACC with recommendation that they should not be cleared to run for office on integrity grounds. Actually, it is after TI Kenya meeting with EACC, that later on the EACC also issued a list of 106 individuals that should not be cleared to run for office since they had a track record of misuse of public finances and resources. All the 20 individuals in the TI Kenya list were included in the EACC list of 106”.

Funding from IDAs has also enabled TI-Kenya to broaden, deepen and accelerate its anti-corruption interventions. For instance, the organization has been able to build broader and sustainable partnerships and engagements with both state and non-state actors.

In addition, it has been able to strengthen anti-corruption interventions as well as build the capacity of various actors to tackle corruption. The funding has further enabled TI Kenya to undertake ambitious, groundbreaking research thus lending impetus in the fight against corruption. Such researches have strengthened the organization's ability to carry out effective advocacy and public interest litigations. For example, the conceptualization and undertaking of the annual Bribery Index, the documentation of whistle-blower narratives such as 'the True Story of David Muniyakei', collaboration with media in investigating and publicizing anticorruption stories among others.

The respondents who disagreed opined that TI-Kenya is part of a global movement whose strategies, methods and tools are defined by the global movement's secretariat. While most of the strategies, methods and tools are tested in many jurisdictions and actually work, there are others that may not necessarily work in the context within which TI-Kenya operates. In addition, funding from IDAs is mainly pegged to specific thematic areas which in effect limits the scope of anti-corruption work to those specific areas. Experience has shown that a change in a host Country's foreign policy can also have a major effect in the inflows for anti-corruption work depending on the level of comfort that the government in power has with good governance generally.

According to one respondent:

"A lot of IDAs transited their funding from core funding to project based funding. The new model pays little or no attention at all to supporting internal organizational capacity development for TI-Kenya. There are instances where you are given funds minus salary support and yet you are expected to deliver on the project. Such situations are likely to undermine TI Kenya effectiveness in the fight against corruption"

Table 6: IDA influence on the effectiveness of TI Kenya

Influence of funding from IDAs to the effectiveness of TI Kenya in fighting Corruption	Mean	Standard Deviation
Increase in funding strengthens and expands TI Kenya research on corruption, unearthing its negative impact to the society and provide recommendation on how to effectively combat it.	3.50	.572
Increase in funding improves TI Kenya advocacy for effective anti-corruption policies, legislative and institutional frameworks.	3.47	.571
Increase in funding increases TI Kenya ability to capacity built and empower the citizens for effective civic engagement, including the demand for political, social and economic transparency and accountability, and also the demand for quality public service delivery	3.50	.630
Increase in funding enhances TI Kenya position as a convener for nascent and formidable anticorruption partnerships and networks through which collective anticorruption actions are undertaken, and as the ground from which to challenge the status quo, impunity and build new alternatives	3.37	.615
Increase in funding strengthens TI Kenya position to keep the government in check and to defend the people against excesses of the government by among other initiatives, pressurizing the government to fight corruption and to expose cases of corruption.	3.30	.651
Increase in funding improves TI Kenya capacity to conduct anti-corruption public awareness campaigns, anti-corruption trainings & workshops, & to provide independent expert assistance to both the state & the private sector	3.47	.629
Increase in funding enables TI Kenya to engage quality and highly qualifies individuals as staff and consultants.	3.47	.629
Increased funding enables TI Kenya to promote integrity, transparency and accountability in the management of public institutions.	3.43	.626
Increase in funding enables TI Kenya to build and improve its internal organizational wellbeing and strengths, so as to remain dynamic, relevant, resilient and effective player in the fight against corruption.	3.40	.675

Source: Survey data, 2021

As shown in the table above, all respondents strongly agreed that funding from IDAs always influences the effectiveness of TI Kenya in the fight against corruption. Two aspects shared the highest mean score of 3.5 to reinforce the need for continuous and increased funding as it strengthens and expands TI Kenya research on corruption, unearthing its negative impact to the society and provide recommendation on how to effectively combat it. Also, increase in funding increases TI Kenya ability to capacity built and empower the citizens for effective civic engagement, including the demand for political, social and economic transparency and accountability, and also the demand for quality public service delivery.

In summary, the finding shows that an increase in funding from IDAs, increases the annual income kitty, which enables TI Kenya to allocate adequate funds for different anti-corruption activities and internal operations. Such increase therefore increases the capacity and ability of TI Kenya to make successfully contribution in the fight against corruption. This is therefore a demonstration of the existence of a positive relation between the extent of funding from IDAs and the effectiveness of TI Kenya in the fight against corruption.

3.8. Foreign Embassies influence on TI Kenya effectiveness in the fight against corruption

This section relates to objective 2 and therefore sought to establish the relationship between the extent of funding from Foreign Embassies in Kenya and the effectiveness of Transparency International Kenya in the fight against corruption.

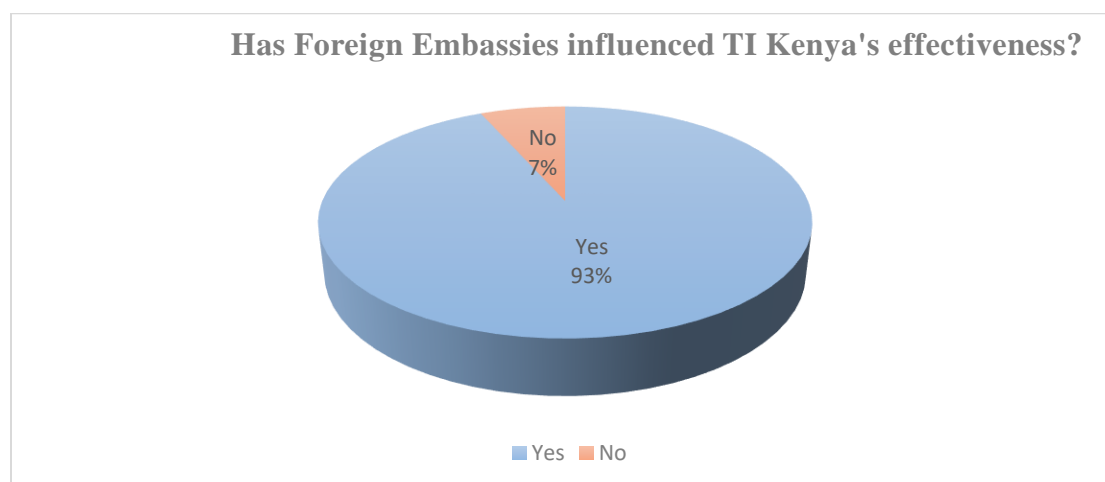
An assessment of TI Kenya annual income for the last 8 years shows that the percentage of funding from Foreign Embassies in Kenya has been decreasing. As observed from the table below, the Foreign Embassies' percentage decrease does not necessary translate into a decrease of the total annual income but a decrease of its share of the total annual income. Between 2012 and 2020, TI Kenya received funding from fewer Foreign Embassies compared to the number of IDAs. This funding has contributed immensely to TI Kenya's ability and capacity to successfully execute anti-corruption activities and also to strengthen its internal operation as an anti-corruption actor. The table below shows TI Kenya annual income and the percentage contribution from Foreign Embassies in Kenya;

Table 7: FEs % share of TI Kenya annual income

Year	2019-2020	2018-2019	2017-2018	2016-2017	2015-2016	2014-2015	2013-2014	2012-2013
Total Income in Millions	159.6	209.2	156.4	140.1	149.6	169.1	181.5	210.3
FEs % of total income	11%	14%	25%	36%	36%	44%	56%	60%

Source; TI Kenya annual reports

Figure 4: FEs influence on TI Kenya effectiveness



Source: Survey data, 2021

A majority of respondents (93%) agreed as compared to (7%) who refuted the assertion that the funding from FEs influenced the effectiveness of TI Kenya in the fight against corruption. Those who agreed with the statement gave a myriad of reasons to support their position. Some of the reasons include;

TI-Kenya is not self-sustainable and therefore still heavily dependent on donor funding without which its work will be completely punctured. Without the funding from FEs the organization would not manage to operate normally nor conduct some of its signature activities such advocacy and research or speak up whenever there are corruption allegations and demand for transparency, accountability and investigations.

In addition, the funding from various embassies has enabled TI Kenya to undertake new projects which have been critical in supporting TI Kenya to effectively fight corruption. For instance, the A4T project which continues to promote integrity in the education sector and others such as the SADES funding from the American Embassy supports the democratization processes in the country and participation of citizens in the fight against corruption.

According to one respondent:

“Funding from FEs enhances TI Kenya credibility as a reliable and an effective anti-corruption actor. This is because of the reputation of the FE home country’s democratic and governance status and in advancing good governance characterized by transparency, accountability and integrity globally. This has enabled the organization to position itself as the premier organization championing anti-corruption issues and the go to organization as far as anti-corruption policies and activities are concerned. For instance, it has enabled the organization to build an effective institutional capacity, created networks and implemented its activities successfully. In addition, it is only FEs that have offered TI Kenya core funding/grants over the years.”

The funding from foreign embassies has also broaden TI Kenya capacity to undertake quality research, enabled implementation of new and more strategic projects, and improved advocacy capacities as well as strengthening legislative, policy and institutional frameworks for the government to battle corruption. In addition, the funding has enhanced TI Kenya capacity to check government excesses, foster partnerships with other likeminded organizations, and improve collective actions against corruption.

The 7% who disagreed, gave the following reasons to support their position; they argued that in most cases TI Kenya is faced with the requirement by the FEs to align its anticorruption projects with the embassies home government’s strategy, which may not be the most effective in Kenya and as a result stifling TI Kenya’s innovation, creativity and effectiveness. In addition, they argued that owing to the complex nature of corruption in the country, coupled with the understanding that corruption is skyrocketing, FEs would only render TI Kenya ineffective if they don’t transition from project to core funding.

Core funding, they opined enhances TI Kenya’s internal capacity and ability to select relevant and appropriate projects based on the local context. In addition, FEs missions are very concerned about the relations between their countries and the host countries. As a result, a strong anti-corruption push supported by foreign missions easily unsettles the relationship and, where the foreign policy of the host country changes as a result, the foreign missions also align appropriately.

Table 8: FEs influence on the effectiveness of TI Kenya

Influence of funding from Foreign Embassies to the effectiveness of TI Kenya in fighting Corruption	Mean	Std. Deviation
Increase in funding strengthens and expands TI Kenya research on corruption, unearthing its negative impact to the society and provide recommendation on how to effectively combat it.	3.53	.571
Increase in funding improves TI Kenya advocacy for effective anti-corruption policies, legislative and institutional frameworks.	3.50	.572
Increase in funding increases TI Kenya ability to capacity built and empower the citizens for effective civic engagement, including the demand for political, social and economic transparency and accountability, and also the demand for quality public service delivery	3.50	.630
Increase in funding enhances TI Kenya position as a convener for nascent and formidable anticorruption partnerships and networks through which collective anticorruption actions are undertaken, and as the ground from which to challenge the status quo, impunity and build new alternatives	3.47	.681
Increase in funding strengthens TI Kenya position to keep the government in check and to defend the people against excesses of the government by among other initiatives, pressurizing the government to fight corruption and to expose cases of corruption.	3.30	.750
Increase in funding improves TI Kenya capacity to conduct anti-corruption public awareness campaigns, anti-corruption trainings and workshops, and to provide independent expert assistance to both the state and the private sector	3.47	.681

Increase in funding enables TI Kenya to engage quality and highly qualifies individuals as staff and consultants.	3.43	.679
Increased funding enables TI Kenya to promote integrity, transparency and accountability in the management of public institutions.	3.40	.621
Increase in funding enables TI Kenya to build and improve its internal organizational wellbeing and strengths, so as to remain dynamic, relevant, resilient and effective player in the fight against corruption.	3.47	.629

Source: Survey data, 2021

On the issue of Foreign Embassies funding to TI Kenya, all the respondents strongly agreed that FEs influence the effectiveness of TI Kenya in battling graft. Two aspects had the highest mean of 3.50: Increase in funding improves TI Kenya advocacy for effective anti-corruption policies, legislative and institutional frameworks, and, ability to capacity built and empower the citizens for effective civic engagement, including the demand for political, social and economic transparency and accountability, and also the demand for quality public service delivery.

In summary, the finding shows that an increase in funding from Foreign Embassies, increases the annual income kitty, which enables TI Kenya to allocate adequate funds for different anti-corruption activities and internal operations. Such increase therefore increases the capacity and ability of TI Kenya to make successfully contribution in the fight against corruption in Kenya. This is therefore a demonstration of the existence of a positive relation between the extent of funding from Foreign Embassies and the effectiveness of TI Kenya in the fight against corruption.

3.9. Conclusion

The success of TI Kenya in the fight against corruption is largely dependent on the availability of financial resources. As such IDAs and FEs being the major funders of TI Kenya do greatly influence the effectiveness of the organization by either availing adequate funds or vice versa. The more the funding the more activities TI Kenya is able to undertake and contribute to combating corruption in the country. Availability of funds from both IDAs and FEs has made TI Kenya a formidable anti-corruption actor. The organization’s effectiveness is attributed to its contribution in the development of anti-corruption laws and policies.

It has also undertaken successful researches that has unearthed the problem of corruption and provided evidence to all other actors involved in the fight against corruption.

The effectiveness of TI Kenya in the fight against corruption is also influenced by contextual variables other than external funding. Some of the contextual variables include; strong anti-corruption partnerships, strong anti-corruption laws and its global stature in the fight against corruption. TI Kenya's absorption capacity of funds from both IDAs and FEs was also singled out as an issue that is likely to influence the organization's capacity to undertake specific anti-corruption activities effectively. However, absorption was tied to advocacy processes which in most cases take long and may not always follow the time frames of projects.

The research also shows that the short-term funding from both IDAs and FEs focused on projects has the potential of weakening CSOs long-term planning and holistic approaches to combating corruption effectively in Kenya. Core funding was therefore the preferred model of funding since it allows for both organizational growth and contributes to enhanced capacity and ability to successfully implement specific anti-corruption activities over a longer period of time and in consideration to the local context.

CHAPTER FOUR: SUMMARY, CONCLUSION AND RECOMMENDATIONS.

4.1. Summary

The principal purpose of this study was to assess the extent to which external funding has influence on the effectiveness of Civil Society Organizations in the fight against corruption – a case of Transparency International Kenya. In order to attain this objective, it was necessary to make a determination of what ‘the effectiveness of Civil Society Organizations’ in the fight against corruption means and how to measure ‘the influence of external funding’ on the effectiveness of Civil Society Organizations.

Therefore, an assessment of ‘the influence of external funding on the effectiveness of CSOs’ and the effectiveness of CSOs in the fight against corruption’ was of great importance and is augmented in the literature review section.

So as to determine the influence of external funding on the effectiveness of CSOs, the study identified various aspects of external funding that characterizes both funding from International Development Agencies and the funding from Foreign Embassies. These aspects were assessed and an establishment of their impact on CSOs effectiveness defined. First, the study assessed the two models of external funding; core funding and project or programme funding. It was established that project/programme funding enhanced the capacity of CSOs to successfully implement specific projects or programmes and achieve specific objectives according to donor prioritization and interests. On the other hand, core funding enhances the ability and capacity of CSOs not only to successfully implement specific projects and programmes and to achieve specific objectives, but also to successfully build the internal capacity of the respective recipient CSOs. In addition, core funding enabled CSOs to prioritize objectives according to their own interest and that of the local community in reference to the local context and for a longer period. Core funding therefore strengthened CSO effectiveness more compared to project funding.

In addition to the two models, the study also assessed the different channels through which external funding reaches CSOs. It established that both International Development Agencies and Foreign Embassies utilized three channels in funding CSOs. The three; funding through the government, funding through intermediaries and finally funding CSOs directly. The choice of a channel of funding was found to be a prerogative of the donor. Unlike funding through the government which is least common and least preferred among the CSOs, funding through intermediaries and direct funding were found to be the most common used channels of funding.

In order to provide for the possibility of measuring the extent of influence of external funding on the effectiveness of CSOs in the fight against corruption, an evaluation criterion was developed and the research was conducted. The criteria comprised of identification of six different aspects of TI Kenya activities and operations, and an assessment of whether an increase in funding from either IDA or FEs resulted into their successful implementation.

The research was conducted through administration of questionnaires as amplified in the research methodology section. The selected six aspects of TI Kenya activities and operations define the organization's mission and the mandate that the organization pursues. As an anti-corruption organization TI Kenya is defined by what it does and whether it does so successfully. The study therefore selected the main features of TI Kenya activities and operations.

The six aspects of TI Kenya activities and operations that were selected for the research include; capacity to conduct quality researches on the problem of corruption and make effective anti-corruption recommendations, capacity to conduct advocacy for effective anti-corruption policies, legislative and institutional frameworks, capacity to promote ethics, integrity, transparency and accountability at both the national and county levels of governance, ability to conduct anti-corruption public awareness campaigns and empower the citizens for effective civic engagement (oversight the government and demand for political transparency, accountability & quality public service delivery), ability to build and improve its internal organizational wellbeing and strengths so as to remain relevant, effective and engage quality and highly qualified individuals as staff and consultants, and finally ability to develop and manage nascent and formidable partnerships, networks and coalitions through which to undertake collective anti-corruption actions.

The results of the analysis on each of the six areas of TI Kenya activities and operations showed that the influence of external funding was positive and strong. This tends to suggest that external funding should continue and/or increase for CSOs in the fight against corruption in Kenya. However, it should be noted that the successes of CSOs is not just a function of adequate external funding, but also a function of the government. For CSOs to attain and maximize effectiveness, the government should also put in place an enabling policy, legislative and institutional framework that allows CSOs to operate and implement their activities efficiently and successfully.

4.2. Conclusion

The study was guided by two specific objectives. The first objective; To establish the relationship between the extent of funding from International Development Agencies and the effectiveness of Transparency International Kenya in the fight against corruption. The second objective; To establish the relationship between the extent of funding from Foreign Embassies in Kenya and the effectiveness of Transparency International Kenya in the fight against corruption.

Regarding the first objective, an assessment of the relationship between the extent of funding from IDAs and TI Kenya's effectiveness in the implementation of activities around the six identified anti-corruption areas revealed a positive relation. The findings showed that an increase in funding improved TI Kenya's capacity and ability to successfully implement the six anti-corruption activity areas. For instance, the findings showed that funding from IDAs enabled TI Kenya to expand and strengthen its research, partnership, capacity development, citizens' empowerment, documentation, and media collaboration in investigation and advocacy components.

In addition, the findings also showed that the funding from IDAs aided TI Kenya to undertake recruitment of qualified personnel to steer key projects, advance civic awareness as well as development and dissemination of tools geared towards fighting corruption. Furthermore, the funding facilitated building of broader and sustainable partnerships and engagements with both state and non-state actors aimed at strengthening anti-corruption interventions and built the capacity of various anti-corruption actors.

Regarding the second objective, an assessment of the relationship between the extent of funding from Foreign Embassies in Kenya and TI Kenya's effectiveness in the implementation of activities around the six identified anti-corruption areas revealed a positive relation. The findings showed that an increase in funding improved TI Kenya's capacity and ability to successfully implement the six anti-corruption activity areas. For instance, the findings revealed that funding from foreign embassies broadened research, initiated new projects, and reinforced advocacy as well as strengthened legislative and institutional frameworks to battle corruption. Also, funding from embassies enables TI Kenya the capacity and ability to successfully check government excesses, fostered partnerships with other likeminded organizations, and improved its internal excellence and credibility as anti-corruption player.

4.3. Recommendations.

Based on the findings of the study, the researcher adduced the following recommendations:

Short term

- I. Considering the various models of funding, donors should prioritize the model that gives CSOs more ownership, more flexibility and more predictability in the choice, development, implementation and evaluation of projects, and organizational operations. This means that donors need to shift from project funding which is their most preferred model of funding to core funding which is the CSOs' most preferred model of funding. In such a situation, both the organizational and professional capacity of CSOs to manage core grants should be built if lacking. Core funding is preferred because of its ability to build the capacity of CSOs not just to effectively implement measurable and short-term projects but also because it builds the organization's internal capacity so as to undertake its mandate effectively over a longer term as a whole entity. It expands CSOs focus and does not limit CSOs scope of action.

Medium term

- II. Since donor priorities and objectives are constantly changing, the same should not be the reason for donors to compel advocacy CSOs to adopt their new priorities and objectives especially if they are outside such CSOs' core mandate. This is so because donors have a history of approaching their favorite CSOs and encouraging them to accept new funding, even if such CSOs do not have experience in the new areas of funding or even if the activities that

they are funding are outside the CSOs' stated mission and vision. If donors continue to force CSOs to change their priorities so as to comply with the changing donor priorities then such situation is likely to undermine CSOs independence, legitimacy and effectiveness.

- III. Advocacy CSOs receive funding from donors to pursue mainly reforms and government accountability in their countries. When such reforms are successfully, some donors like taking credit publicly as a way of justifying their budget allocation and a demonstration of impact. This is something that donors should refrain from as it is likely to create political backlash against such CSOs. Considering that reforms and accountability will always attract political opposition by the pro-status quo, opponents of such reforms are likely to use such actions by donors to justify the accusation that advocacy CSOs are being used by donors to advance foreign interests and therefore undermine the reform process in totality. In addition, such claims by donors and subsequent accusations by political opponents are also likely to undermine CSOs credibility as autonomous actors and therefore emasculate their influence in both national and local political environment, and also enfeeble their effectiveness in fostering reforms and political accountability in the country.

Long term

- IV. The effectiveness of CSOs in the fight against corruption is not just a function of external funding. While external funding plays an important role in sharpening CSOs effectiveness, other actors such as the government plays an equally important role in enhancing CSOs effectiveness. The government influences the effectiveness of CSOs mainly through creation of an enabling environment for CSOs operations, which is characterized by a general framework of good policies, laws and processes. This is the basic requirement for CSOs effectiveness and characterizes the general nature of governance in any country. It creates the opportunity for CSOs to be more vibrant and therefore thrive and flourish in what they do.

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APPENDICES

Appendix 1: Survey Questionnaire

Please note that the information you provide will be used for the purpose of this study only.

Kindly tick or mark appropriate answers in the blank spaces provided.

Section I: General Information

1. Gender?

- Male Female

2. How long have you worked in this organization?

- 5 years and below
- 6- 10 years
- Over 10 years

3. What is your position in this organization?

- Top Management
- Middle level management

4. To what extent do you understand Transparency International Kenya and its anticorruption work?

- High
- Medium
- Low

5. Which of the following institutions have you represented in your engagement with Transparency International Kenya?

- International Development Agencies (IDAs)
- Foreign Embassies (FEs) in Kenya.
- Worked for Transparency International Kenya.
- The Ethics and Anti-Corruption Commission (EACC).
- The Office of the Director of Public Prosecutions (ODPP) .
- The Judiciary
- The Africa Parliamentary Network against Corruption (APNAC)
- The Civil Society Organization

- The Academia []
- The Media

Section II: assessment of the corruption problem

6. Using a Likert scale of 1-4, with **1** being **strongly disagree**, **2** being **disagree**, **3** being **agree** and **4** being **strongly agree**, kindly rate your assessment of the corruption problem in Kenya.

Statement	Scale			
	1 (Strongly Disagree)	2 (Disagree)	3 (Agree)	4 (Strongly Agree)
Kenya has excellent anticorruption laws, policies and institutions				
The government has shown sufficient political will in the fight against corruption				
The Government is an effective anticorruption player in Kenya				
Civil Society Organizations are effective anticorruption player in Kenya				
Corruption is on the rise in Kenya				
Corruption is a big impediment to the social, economic and political well-being of Kenyans				
Corruption has deteriorated public service delivery at both the county and national levels of governance.				

Section 111: The influence of funding from International Development Agencies to the effectiveness of Transparency International Kenya in the fight against corruption

7. Using a Likert scale of 1-4, with **1** being **strongly disagree**, **2** being **disagree**, **3** being **agree** and **4** being **strongly agree**, kindly rate your assessment of the following statements in regard to the influence of funding from International Development Agencies to the effectiveness of Transparency International Kenya in the fight against corruption.

Statement	Scale			
	1 (Strongly Disagree)	2 (Disagree)	3 (Agree)	4 (Strongly Agree)
Increase in funding strengthens and expands TI Kenya research on corruption, unearthing its negative impact to the society and provide recommendation to effectively combat it.				
Increase in funding improves TI Kenya advocacy for effective anti-corruption policies, legislative and institutional frameworks.				
Increase in funding increases TI Kenya ability to capacity built and empower the citizens for effective civic engagement, including the demand for political, social and economic transparency and accountability, and also the demand for quality public service delivery.				
Increase in funding enhances TI Kenya position as a convener for nascent and formidable anticorruption partnerships and networks through which collective anticorruption actions are undertaken, and as the ground from which to challenge the status quo, impunity and build new alternatives.				

Increase in funding strengthens TI Kenya position to keep the government in check and to defend the people against excesses of the government by among other initiatives, pressurizing the government to fight corruption and to expose cases of corruption.				
Increase in funding improves TI Kenya capacity to conduct anti-corruption public awareness campaigns, anti-corruption trainings and workshops, and to provide independent expert assistance to both the state and the private sector				
Increase in funding enables TI Kenya to engage quality and highly qualifies individuals as staff and consultants.				
Increased funding enables TI Kenya to promote integrity, transparency and accountability at both the national and county levels of governance.				
Increase in funding enables TI Kenya to build and improve its internal organizational wellbeing and strengths, so as to remain dynamic, relevant, resilient and effective player in the fight against corruption.				

8. Has the funding from International Development Agencies (IDAs) influenced the effectiveness of Transparency International Kenya in the fight against corruption?

Yes No

If yes, explain your answer

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If no, explain your answer

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Section IV: The influence of funding from Foreign Embassies in Kenya to the effectiveness of Transparency International Kenya in the fight against corruption

9. Using a Likert scale of 1-4, with **1** being **strongly disagree**, **2** being **disagree**, **3** being **agree** and **4** being **strongly agree**, kindly rate your assessment of the following statements in regard to the influence of funding from Foreign Embassies in Kenya to the effectiveness of Transparency International Kenya in the fight against corruption.

Statement	Scale			
	1 (Strongly Disagree)	2 (Disagree)	3 (Agree)	4 (Strongly Agree)
Increase in funding strengthens and expands TI Kenya research on corruption, unearthing its negative impact to the society and provide recommendation to effectively combat it.				
Increase in funding improves TI Kenya advocacy for effective anti-corruption policies, legislative and institutional frameworks.				

Increase in funding increases TI Kenya ability to capacity built and empower the citizens for effective civic engagement, including the demand for political, social and economic transparency and accountability, and also the demand for quality public service delivery.				
Increase in funding enhances TI Kenya position as a convener for nascent and formidable anticorruption partnerships and networks through which collective anticorruption actions are undertaken, and as the ground from which to challenge the status quo, impunity and build new alternatives.				
Increase in funding strengthens TI Kenya position to keep the government in check and to defend the people against excesses of the government by among other initiatives, pressurizing the government to fight corruption and to expose cases of corruption.				
Increase in funding improves TI Kenya capacity to conduct anti-corruption public awareness campaigns, anti-corruption trainings and workshops, and to provide independent expert assistance to both the state and the private sector				
Increase in funding enables TI Kenya to engage quality and highly qualifies individuals as staff and consultants.				
Increased funding enables TI Kenya to promote integrity, transparency and accountability at both the national and county levels of governance.				
Increase in funding enables TI Kenya to build and improve its internal organizational wellbeing and strengths, so as to remain dynamic, relevant, resilient and effective player in the fight against corruption.				

10. Has the funding from Foreign Embassies (FEs) in Kenya influenced the effectiveness of Transparency International Kenya in the fight against corruption?

Yes No

If yes, explain your answer

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If no, explain your answer

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Appendix II: Interview Guide

The study utilized the following questions to guide interviews with respondents:

- 1) What is your overall assessment of the corruption problem in Kenya?
- 2) How has corruption impacted Kenya's social, economic and political governance?
- 3) In your opinion, is Kenya's anti-corruption ecosystem sufficient enough to effectively combat corruption?
- 4) Has the government shown sufficient political will in the fight against corruption?
- 5) What is the contribution of the civil society in the fight against corruption in Kenya?
- 6) How can the role of civil society in the fight against corruption be improved and strengthened?
- 7) Does Kenya (government and non-governmental actors) require external assistance in the fight against corruption?
- 8) What are some of TI Kenya's anticorruption interventions that you know?
- 9) In your opinion, which of these anticorruption interventions would you say have been most effective in combating corruption?
- 10) What are some of TI Kenya's interventions that have been funded by International Development Agencies (IDA)?
- 11) What are some TI Kenya's interventions that have been funded by Foreign Embassies (FEs) in Kenya?
- 12) In your opinion does the level of funding from FEs influence the effectiveness of TI Kenya in the fight against corruption?
- 13) In your opinion does the level of funding from IDAs influence the effectiveness of TI Kenya in the fight against corruption?
- 14) How does an increase or a reduction in funding from IDA influence the effectiveness of TI Kenya in the fight against corruption?
- 15) How does an increase or a reduction in funding from FEs influence the effectiveness of TI Kenya in the fight against corruption?
- 16) Would you recommend an increase or a reduction in anticorruption funding from external sources to civil societies in Kenya?

Appendix III: Introduction Letter

Dear Respondent,

My name is Paul Annan. I am a final year student at the University of Nairobi undertaking a Master of Arts Degree in Political Science and Public Administration. I am required to submit as part of my course, a research project entitled “The influence of external funding on the effectiveness of civil society organizations in the fight against corruption – a case study of transparency international Kenya”. The study will principally assess the impact of funding from International Development Agencies (IDAs) and from Foreign Embassies (FEs) on the effectiveness of Transparency International Kenya’s efforts in the fight against corruption.

Your organization has been selected for study.

I will appreciate if you assist me by responding to a set of questions in the attached questionnaire. The information you provide will be treated with utmost confidentiality and will solely be used for academic purposes. Thank you.

Yours faithfully

Paul Annan