

MANAGING STAKEHOLDER RELATIONS IN

PROTRACTED CRISIS SITUATIONS:

A Discourse Analysis of Corruption through the Goldenberg and

Anglo-Leasing Cases of Kenya

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Abstract

Crisis Communication frameworks are essentially restricted to Corporate Communications and Public Relations theory and are mainly developed for use in corporate settings. They therefore do not readily transfer to the public sector where "...the notion of crisis as process, the transnational dimensions of contemporary crises, the politicization of crises, [and] the increasing importance of the media..." exacerbates the complexity and longevity of these crises. (Rosenthal, 2003:129). To address this, I have chosen to conduct this study in the public sector, where the increased complexity and mutability of protracted crises and the ensuing impact on stakeholder relations provides an opportunity to extend debates in Crisis Communication and Stakeholder Relationship Management. To do this, I embark on an analysis of the Goldenberg and Anglo-Leasing corruption Cases of Kenya and explore the impact of the resultant crises on the relationship between the Government of Kenya (GoK), and the Bretton Woods Institutions (BWI), as a keys stakeholder group.

In what is a new approach to a study of this kind, I combine Computer-aided Corpus Linguistic Analysis (CLA) and Critical Discourse Analysis (CDA). Starting off with the CLA, I analyse select media texts, GoK reports and BWI reports, so as to: identify linguistic patterns within these texts; interpret what these patterns represent; and demonstrate how these representations lead to the emergence and mobilisation of concepts within the data. Secondly, I lift the study to the level of discursive practice, where my objectives are to: analyse the linguistic patterns over time; identify emerging and competing Discourses; explore what these Discourses represent as part of the GoK's sensemaking/giving efforts; and establish the impact on the relationship between the BWI and the GoK over time.

Ultimately, based on the findings of this study, I suggest an arena model as an alternative to conduit models of communication where the crisis takes centre stage and the organisation, the public, the media and other stakeholders become active participants in the crisis resolution process. I also make methodological contributions to Discourse Analysis by demonstrating that CLA can provide a more objective and standardised way of labelling discourses.

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Part I

Part I of this thesis includes the first four chapters, the aim of which is to set the scene for the study. I begin by providing an introduction to the topic, which includes the research questions, aims and objectives. I then embark on an overview of Kenya as the setting for the two chosen case studies: Goldenberg and Anglo-Leasing. I outline the relationship between the government of Kenya and the Bretton Woods Institutions (the World Bank and the IMF) over time, with reference to these two cases. Finally, I end this part of the thesis by providing an introduction to the various theoretical perspectives that underpin this study and an overview of the chosen methodological approach to the study.

CHAPTER 1

BACKGROUND TO THE STUDY

1.1 Introduction

In 2002, I joined the Corporate and Public Affairs Department of the Kenya Revenue Authority (KRA) as a Public Relations Officer and for the first time became exposed to public sector communications. In 2004, I was selected to represent my department in the reform and modernisation team at the Authority thus joining the government-wide initiative aimed at streamlining government processes for increased efficiency largely benchmarked on private sector standards.

At KRA for instance, we started to look at taxpayers differently. They became clients and we became Revenue Officers instead of tax collectors. For the first time, we started to view them in terms of their needs as opposed to our mandate to collect government revenue. We mapped stakeholder groups and planned communications aimed at fostering mutually beneficial relationships. We embarked on a countrywide reform and modernisation sensitisation program to ensure that all stakeholder groups understood KRA's new direction and by giving them a chance to air their concerns, made them feel part of the change.

Meanwhile, the newly formed Office of the Government Spokesman was taking root. Communications was being embraced by the government as an important tool in the country's development agenda. Public Relations tools were successfully being applied in the public sector and in the case of KRA, these played a key role in getting stakeholder support in the reform effort.

In spite of this success, I also witnessed firsthand the difficulties of achieving a perfect fit in the application of private sector communications practices in the public sector. In particular, dealing with issues and crises seemed to leave practitioners fumbling for appropriate crisis communications frameworks. The nature of crises in the public sector was such that issues were seldom discrete events. Instead, they often ran over a considerable length of time as they attracted a great deal of media attention and public interest.

In addition, there was an opposition in parliament for the government to contend with, which further complicated matters. They were more often than not quick to highlight government shortcomings thus hastening the development of issues into crises. There was a strong voice in public debate as they sought to gain public support in a sector where public sentiment played a key role in determining who held public office and for how long. The government hence found it difficult to control the flow of information in crisis situations. The tendency was to engage in fire fighting as opposed to having a planned and proactive approach to crisis communications. As a result, government communications remained largely propagandistic in spite of the reform and modernisation efforts.

Ultimately, it was this that triggered my interest in government communications particularly in the area of crisis communications and stakeholder engagement in crisis situations. In conducting research in this area, I soon found that this needed to be more than an assessment of the application of Crisis Communications models in the public sector. Instead, I needed to first engage with the elements that constitute issues and the subsequent development of these into crises. Their newness and complexity also led me to engage with the sensemaking that went along with giving these occurrences meaning and sharing that meaning in the pursuit of understanding requisite in the formulation of appropriate crisis communication strategies.

In order to narrow down the scope of this study, I chose to research the issue of public sector corruption through two corruption related cases in Kenya with specific attention to the ensuing crises and how these impacted stakeholder relations. To demonstrate these relations, I concentrate on the relationship between the Government of Kenya (GoK) and the Bretton Woods Institutions (BWI): The International Monetary Fund (IMF) and the World Bank (WB). The two are important partners in Kenya's development agenda and hold a position of prominence in the donor community.

At one level then, I conduct an inductive, phenomenon driven study which facilitates sense making (Eisenhardt, 1989; Eisenhardt and Graebner, 2007). Borrowing from the fields of Corporate Communications and Sensemaking/giving, I combine twin lenses in looking at the manner in which groups and individuals discursively construct their world through sense making and sense giving mechanisms, as well as through the language used in describing and categorising and responding to emerging issues and crises in society.

At another level, I take a different look at the relationship between Donor Recipient Countries (DRCs) like Kenya and the Donor Community (DC) depicted in this study by the BWI. I consider that this relationship has been the subject of research in the fields of Developmental Economics and Politics, but these studies have centred on donor conduct in DRCs, and the fairness (or lack thereof) of the conditionalities often tied to the loans, grants, and technical support that the DC gives these countries. In particular, there have been numerous studies about the conduct of the BWIs in DRCs (See, Stiglitz 2001 and 2002; Ryrice 1995; World Bank 1982). Whereas these studies are important, and more so in understanding both the positive and negative impact of donor aid in DRCs, studies that concern themselves with the role played by DRCs in shaping their relationship with the DC have not as yet been conducted.

By locating this study in the field of Corporate Communication, I introduce a shift in thinking, whereby the focus is on how organisations foster robust, mutually beneficial relationships with key stakeholders. Focus then, is not on DC conduct in DRCs, but rather, the building and maintaining of relationships in times of crisis in what is not just a one-way or even a two-way process, but is instead, a complex process involving both parties as well as others such as the media and civil society whose role is quite significant. Stakeholder relationships are seldom straightforward, and neither is fostering an environment that allows for stakeholder collaboration. This is the mainstay of Corporate Communications and it is particularly important during times of crisis and other unforeseen events.

To explore this new angle, the study specifically renders itself to a critical analysis of the relationship between the Government of Kenya (GoK) and the Bretton woods Institutions (BWIs) in the wake of what are arguably two of the largest and best known incidents involving corruption, in the history of the Republic of Kenya. These are commonly referred to as: The Goldenberg Affair and the Anglo-Leasing Affair.

1.2 Aims and Objectives of the Study

The research problem in this study renders itself to a critical and in-depth exploration of the authoring of accounts regarding the Anglo Leasing and the Goldenberg cases by the BWIs, the GoK, and the media. The aim is to establish their contribution to the ensuing discourses, more so with regard to the issue of corruption, and then explore how these discourses shaped the relationship between the GoK and the BWIs.

Therefore, I begin by asking:

- How did the various parties discursively represent the cases?
- Are these discursive representations similar or different (over time) and how, if at all, did existing and emerging discourses interact with one another?
- What do these discursive similarities and differences represent?
- What impact (if any) do these representations have on the ongoing relationship between the Government of Kenya and the Bretton Woods Institutions?

Based on these understandings, I then contend with the following research problem:

How do institutions make sense of and give sense to protracted crisis situations and what are the effects of the ensuing discourse(s) on stakeholder relations?

Thus, in what is essentially a new approach to a study of this nature, my main objective is to combine computer aided Corpus Linguistic Analysis with Critical Discourse Analysis in exploring the use of Corporate Communications approaches to Crisis Communication Management in the public sector.

With regard to Corpus Linguistic Analysis, my objective is to analyse select media texts, GoK reports and BWI reports on the Goldenberg and Anglo-Leasing corruption cases of Kenya, so as to:

- Identify linguistic patterns within these texts
- Interpret what these patterns represent
- Demonstrate how these representations lead to the emergence and mobilisation of concepts within the data

Following on from the Corpus Linguistic Analysis, I then lift the study to a more macro level, where my objectives are to:

- Analyse the linguistic patterns in and across three contextual vignettes context
- Identify emerging and competing Discourses within and across these vignettes
- Explore what these Discourses represent as part of the GoK's sensemaking/giving efforts with regard to the Goldenberg and Anglo-Leasing cases, and their impact on the relationship between the BWI and the GoK over time

Ultimately, based on the findings of the study, I endeavour to make a contribution to Corporate Communication literature whilst giving due consideration to organisational Sensegiving/Sensemaking, in addition to making recommendations for practice.

1.3 Defining Corruption

In order to effectively discuss the issue of corruption, it may be imperative to define what it means, taking into considerations the various viewpoints on the issue that may colour this definition.

The Oxford English Dictionary defines corruption as “**...dishonest or fraudulent conduct by those in power , typically involving bribery...[or]... the action or effect of making someone or something morally depraved**” (Oxford Dictionaries Online). Simple and succinct, this definition depicts corruption as a moral issue and focuses attention on abuse of power.

In agreement, Transparency International (a global civil society whose reports are quoted by both the GoK and the BWI) defines corruption as “...**the abuse of entrusted power for private gain**”. (Transparency International Website).

Transparency International (TI) goes on to categorise corruption into:

(a) *"according to rule": "Facilitation payments, where a bribe is paid to receive preferential treatment for something that the bribe receiver is required to do by law..."*

(b) *"against the rule": "...a bribe paid to obtain services the bribe receiver is prohibited from providing."* (Transparency International Website).

In this case, the TI categorisation is restricted to bribery although the main definition is broader. Again, power is an important consideration in this definition.

The World Bank defines corruption as “...**the abuse of public office for private gain**.” The Bank further clarifies this definition by noting that while it “... does not include wholly private sector corruption, it does include the interface between private and public sectors without which much private sector corruption could not occur.” (World Bank Website, *Anticorruption* [Online] 20/03/2009).

Bribery, Theft, Patronage, and Influence peddling are given as examples of these interfaces. This definition is in tandem with the TI definition with the exception that it is specific to public office with the private sector only being included only if an interface with the public sector exists.

In contrast, the Gok has a more far reaching definition of corruption as found in the Anti-Corruption and Economic Crimes Act of 2003 which states that:

“corruption” means —

- (a) an offence under any of the provisions of sections 39 to 44, 46 and 47;*
- (b) bribery;*
- (c) fraud;*
- (d) embezzlement or misappropriation of public funds;*
- (e) abuse of office;*
- (f) breach of trust; or*
- (g) an offence involving dishonesty —
 - (i) in connection with any tax, rate or impost levied under any Act; or*
 - (ii) under any written law relating to the elections of persons to public office;**

The act then goes on to define a separate category of corruption as follows:

“economic crime” means —

- (a) an offence under section 45; or*
- (b) an offence involving dishonesty under any written law providing for the maintenance or protection of the public revenue;*

(GoK, 2003: 5-6)

Sections 39 and 44 referred to above deal with influencing someone through bribery, with Section 44 dealing specifically with the tender process. Section 46 is concerned with abuse of office, whilst section 47 says that anyone dealing with property that is deemed to have been acquired through corruption is also guilty of corruption. Section 45 which is specifically tied to economic crimes gives a list of offences which range from illegal acquisition or destruction of public property to failure to pay taxes and carrying out projects without planning.

In trying to cover everything, one gets the sense that the definition by the GoK somehow covers nothing. Whereas the TI and BWI definitions may be too succinct, the GoK definition may be too broad, perhaps even too ambitious. Therein lays the problem. The BWI and the TI have kept it simple, basing their definition on the dictionary meaning of the word. The GoK definition is so wide that it leads to a proliferation of terms just to make sense of it.

Ultimately, there is no standard definition between the GoK and the BWI (whose definition is close to that of civil society). As such, I favour the Oxford dictionary as a basis for a working definition, predominantly because it has not gone through GoK and BWI institutional discourse in its formulation.

For this study then, I define *corruption* as the **dishonest or fraudulent conduct, and/or abuse of office by those in power, typically involving bribery.**

1.3.1 Culture and Corruption

Corruption may be attributed to the “...cultural basis of socioeconomic and political organizations, pressures from the extended family and friends, and the lack of distinction between person and property.” (Osei-Hwedie B & K in hope and Chikulo 200:41) See also (Douglas, 1977:389 and 403).The argument here is not that certain cultures encourage corruption, for indeed most cultural values include honesty and fairness, which society would ordinarily seek to uphold. Instead, the discrepancy lies in defining what constitutes corruption and what doesn't. This might explain the approach taken by the GoK in defining corruption, whereby the culture is such that it is common practice to give gifts as tokens of appreciation which may be confused for issuing bribes. In a bid to differentiate between gifts and bribes, Rose-Ackerman proposes the following model:

	Quid Pro quo	No explicit quid pro quo
Payment to Principle	Price	Gift
Payment to Agent	Bribe	Tip

Table 1.1: Payments by clients to customers (adopted from Rose- Ackerman 1999:93)

In her argument, Ackerman suggests that the presence or absence of a quid pro quo in relation to the receiver (principle or agent) may be used as a premise to distinguish gifts from bribes. She does however agree that the quid pro quo may be vague and that even when an item or money is given as a gift, it may influence the receiver to look upon the giver favourably or otherwise.

Thus, although the quid pro quo may not be explicit at the gift-giving moment, the giver may draw upon it as some form of social capital at an opportune moment, in which case the quid pro quo becomes explicit in retrospect. This opportune moment may or may not have been taken into consideration by the gift-giver at the point of giving.

In addition, in cultures with a dominant collectivist ideology (such as Kenya) the difference between gift-giving and bribery may not be clear. As such, Ackerman (1999) argues that the issue might be one of perception, in which case certain practices may be viewed as corruption in some cultures whilst generally accepted as the norm in others. Where such discrepancies exist, those practices perceived by outsiders to be tantamount to corruption should be legalised and accounted for, but where they are found to be costly to the general economy of the country as well as the well being of its citizens, then there is a need for change.

This may be simplistic but it does draw attention to the notion that the perception of the existence of corruption is perhaps as important as the actual existence of it.

1.4 The African Context

That corruption is an issue of concern in Africa is not in question. In fact, it "... has come to the fore as a problem of concern expressed by Western donor countries and international organizations." (Hope and Chikulo, 2000:x).

In agreement, the Africa All Parliamentary Group in their 2006 report, states that,

...the continent has developed a particularly bad reputation for corrupt practices. The reigns of Presidents such as Mobutu of Zaire and Abacha of Nigeria are some of the world's most infamous kleptocracies. The whole continent has suffered from this reputation which reduces business confidence and investment.

(Africa All Party Parliamentary Group, 2006:16)

The World Bank President James Wolfensohn shares this view and in an address to the World Bank Board of Governors in 1997, he declared that corruption in Africa has reached "... cancerous proportions". (Wofenshon in Kempe and Chikulo [Ed], 2000:17). Also in agreement, Transparency International (TI) asserts that,

The combination of abundant natural resources, a history of autocratic and unaccountable government, as well as conflict and crisis throughout the continent have posed particular challenges to governance and the fight against corruption in Africa to the point that several countries have become virtually synonymous with graft.

(Transparency International Website, [Accessed 12/02/2011])

Based on these arguments, corruption emerges as a major issue of concern, more so as it often has a deleterious economic effect. "It breeds inefficiency and waste; aggravates the budget deficit problems; drives away foreign investors; and leads to economic contraction and collapse" (Ayithey G.B.N in Hope & Chikulo 2000:105).

Thus, corruption slows down economic growth meaning that poverty eradication becomes an uphill task for governments, and social problems like crime increase as the gap between the rich and the poor grows. This in turn makes corrupt states unattractive to both local and foreign investors.

In order to break out of this carousel, many African states have initiated various anti-corruption mechanisms. However, many of these initiatives are donor driven and are often structured on Western understandings and interpretations of corruption. African states generally embrace these initiatives mainly because they are a precursor to aid, but their effectiveness has been questioned (Stiglitz, 2002; Ackerman, 1999; Bond, 2006). Further, the Commission for Africa¹ in its 2005 report, warns against the “...rush to offer pre-packaged solutions from the developed world”. (Commission for Africa, 2005:23)

This suggests that perhaps the solution lies in these African states taking ownership in determining the most appropriate approach to corruption. In this spirit, the Federation of African Public Relations Associations (FAPRA) held a conference dubbed ‘Unlocking Africa’s Potential’ in June 2005 and in a communiqué issued at the end of the conference, called upon African Public Relations practitioners to “... support the dismantling of legacies of corruption, political patronage, and bad governance...[and to]... play a leading role in telling the African story the African way...”. (FAPRA, 2005:1)

¹ The Commission for Africa was set up by Tony Blair in early 2004. The Commission had seventeen members, nine of which were from Africa, all working in their individual and personal capacities.

This African story cannot assume a universal understanding of the issues facing the continent. It must make sense of them first, and then formulate effective home-grown strategies to deal with these issues, while at the same time keeping stakeholders adequately informed.

In spite of this rather gleam outlook, McKinsey Global Institute reports that the economic growth in Africa has been robust at an average growth of 4.9% per year in real GDP across the continent, from the year 2000 to 2008. Backing this trend, the McKinsey Global Institute also found that “...the rate of return on foreign investment is higher in Africa than in any other developing region.... Telecommunications, banking, and retailing are flourishing. Construction is booming. Private-investment inflows are surging.” (*McKinsey Quarterly*. June, 2010)

With Africa emerging as an important player in global economics, locating this study in an African context is both timely and useful. However, Africa is a large continent, and the ‘African Context’ can be difficult to define. Not only are there over 50 states in the continent, but most states are home to different tribes, each with their own culture and language. As such, in order to make the study more manageable, I chose to concentrate on one African state without compromising the quality of the research. Therefore, the chosen state had to present data that was rich enough for meaningful observations and consequent contributions to theory and practice.

1.5 The Choice of Kenya

Transparency International (TI) publishes an annual Corruption Perception Index, ranking “...more than 150 countries by their perceived levels of corruption, as determined by expert assessments and opinion surveys” (Transparency International, 2007). The index has consistently placed Kenya among the world’s most corrupt countries and is often a point of reference in media reports and donor rhetoric with regard to the perceived high levels of corruption in Kenya.

For instance, in 2004, Kenya was ranked 131 out of 145 countries. In 2005 it was 145th out of 158, and in 2006 it was ranked 144 out of 163. The ranking is such that the least corrupt country starts at the top, taking the number one slot, and the most corrupt country takes the bottom slot. Below is a graph showing the Corruption Perception Index (CPI) for Kenya in the period between 1996 and 2007.

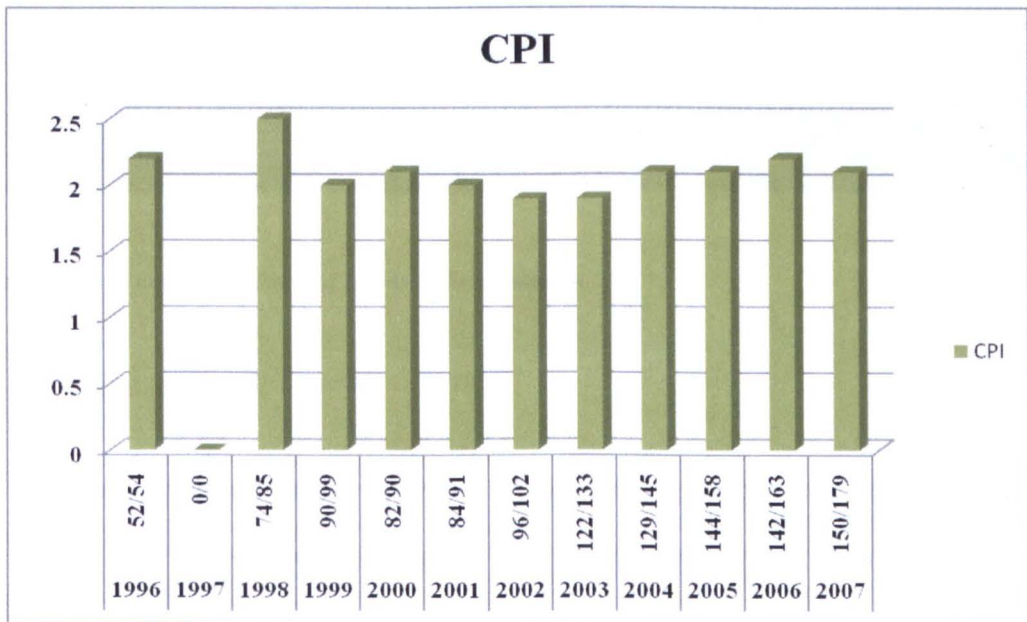


Figure 1.0.1: Corruption Perception Index for Kenya (Based on TI findings)

This perception of high levels of corruption in Kenya may not be totally misplaced. The ubiquity of corruption (or perhaps the talk about corruption) in Kenya is easily visible in the numerous ‘corruption’ or ‘anti-corruption’ signs which are to be found in many public areas, from the airports, to government offices and even universities.



Figure 1.0.2: Sign outside Ministry of Lands Offices, Nairobi

Source: kikulacho.com/page/5/ [Accessed 17/01/2011]

So great is the need to be seen to be doing something about corruption that things do get taken a little too far. For example, figure 1.0.3 shows a picture taken on the ferry from Mombasa to Likoni, at the coast of Kenya.



Figure 1.0.3: Anti-Corruption Suggestion Box - Likoni - Mombasa

Taken by Heather Vine [Source]: BBC Online [Accessed on 29/01/2009]

To add to this ubiquity, in September 2001, Eric Wainaina (an internationally acclaimed local musician) released a song entitled '*Nchi ya Kitu Kidogo*', which loosely translated means 'the land of small bribes'. The song depicts Kenya as a country where people are often forced to pay bribes, even for basic services like medical treatment and "...has virtually become an alternative national anthem". (BBC online, 18/09/2001). In response, the Kenya government and civil society has put a great deal of effort in educating the public about the issue of bribe giving and bribe taking.

In contrast, the type of corruption that takes place in the high echelons of power - the kind of corruption that the signs and posters in public places do not address, is more difficult to deal with. This is the corruption that involves large amounts of money, and often has major economic consequences. It is also difficult to police, as those involved wield great power and influence. This is the type of corruption that has been of great concern to donors and other economic partners, and is what Goldenberg and Anglo-Leasing are all about.

Aside from the issue of corruption, another reason for choosing Kenya is its history which is similar to that of many countries in the region. This includes its colonial heritage and the struggle for independence. Being one of the earliest countries in Africa to gain independence, Kenya has a longer history of self governance than most and has had both a single party and a multiparty political system. Thus, in narrowing the study to Kenya I felt that the country provided a rich enough environment in which to conduct a study whose findings could be cascaded to most sub-Saharan countries facing similar challenges.

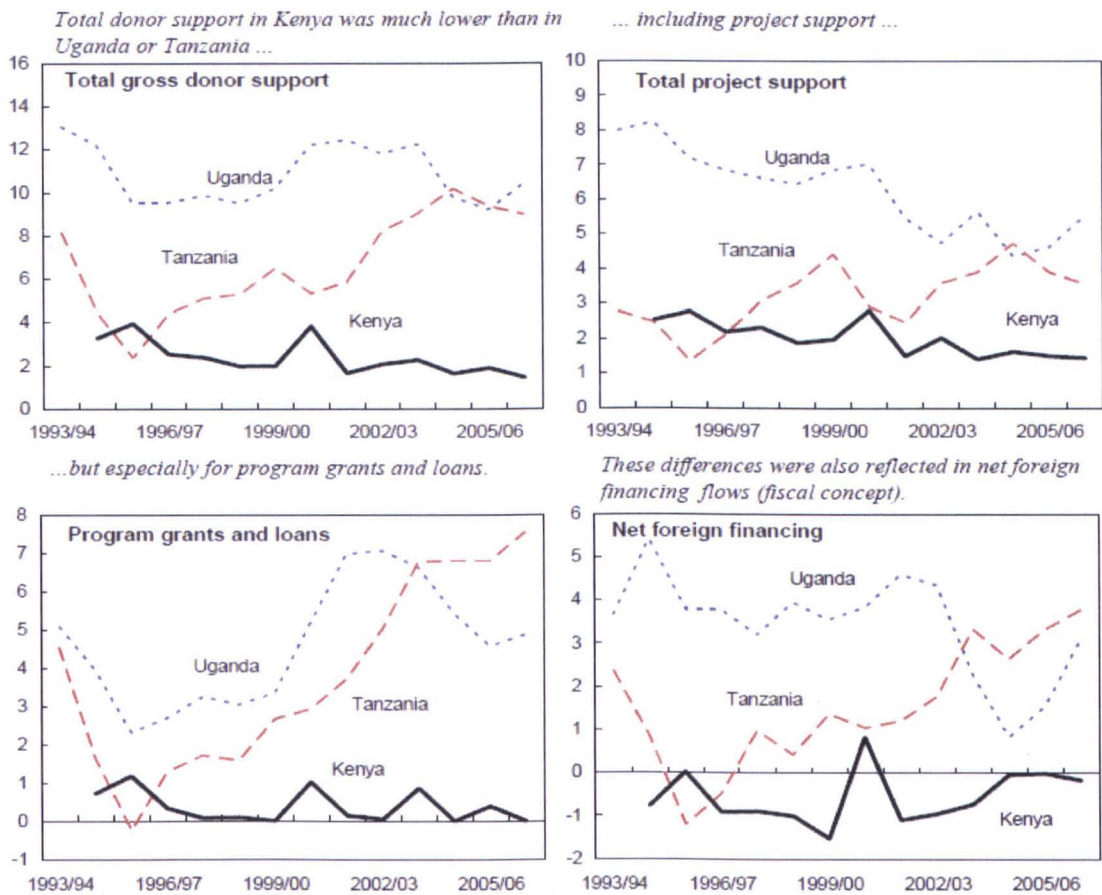
1.6 The International Monetary fund and the World Bank

Kenya's relationship with the Bretton Woods Institutions (BWIs) ² dates back to 1964 soon after the country attained its independence from the British government in 1963. Since then, the BWIs have played an arguably critical role in the country's development agenda. On the one hand, they grant financial AID and provide technical assistance for various development projects, as well as assisting the Government of Kenya (GoK), in financing its annual budget deficit. On the other, the BWIs partner with the GoK in formulating and implementing economic and socio-political policies in keeping with the tenets of Structural Adjustment Programmes (SAPs), now more commonly referred to as Poverty Reduction Strategy Papers (PRSPs). The performance of the GoK in fulfilling these conditionalities, then forms the basis upon which decisions regarding the granting of new loans and/or the negotiating of lower interest rates on existing loans are made.

² The International Monetary fund and the World Bank, which were both formed in July 1944, in the North American town of Bretton Woods, via a treaty signed by 43 World War II allied nations. Current membership: 185 countries (World Bank, 2007)

The PRSPs are in tandem with the United Nations' Millennium Development Goals (MDGs), and the GoK partnership with the BWIs is also aimed at ensuring that adequate progress is made towards the achievement of the MDGs.

Below is an illustration of donor lending patterns in the three East African states of Kenya, Uganda and Tanzania from 1993 to 2006.



Sources: Country authorities; IMF country documents; OECD DAC database.

1/ In percent of GDP, unless otherwise specified.

Figure 1.0.4: Kenya: Relations with the Donor Community, 1990-2006

The lending patterns shown in these graphs are reflective of the trend by the BWIs, and the donor community in general, characterised by the cutting and resumption of aid for various reasons. According to local and international press reports, as well as BWI rhetoric, one of the key reasons for these cuts is the perceived high levels of corruption in the country as well as the manner in which corruption related cases and incidents are handled by the GoK.

The BWIs, in a joint statement, point out that “...weak governance, as manifested in endemic corruption and poor accountability in public resource management, is a key reason for the poor economic performance of the past two decades”. (World Bank, 2007) Furthermore, the World Bank country brief on Kenya states that “Corruption is one of the most central concerns of Kenya’s development partners as well as of the Kenyan public.” (World Bank, 2006). In this regard, both the Anglo Leasing Affair and the Goldenberg Affair often come up as important points of reference in attempts to articulate the reasoning behind these actions by the BWIs.

To illustrate, in an article carried by the Financial Times, dated July 7th 1997, the IMF is reported as having “...called on Kenya to tackle the biggest financial scandal in its history or face suspension of its loan agreement.” The article goes on to report that:

The Fund’s decision to delay disbursement of the second tranche, worth \$37m, of its \$216m Enhanced Structural Adjustment Facility (ESAF) was prompted by last month’s collapse of court proceedings against defendants in what has become known as the Goldenberg Affair. (Financial Times, 1997).

In a related article by the BBC:

The IMF and the World Bank say that they are withholding financial aid due to be released to Kenya because the government has failed to keep its promise to implement anti-corruption measures.

The IMF senior representative in Kenya, Sam Itam, called these significant setbacks and said that because of them the release of funds could not yet be completed. (BBC:2001)

Further,

The International Monetary Fund (IMF) and the World Bank suspended \$500m in aid to Kenya in 1997 on the basis that the government was not doing enough to end corruption in the country, citing the Goldenberg scandal as an example. (BBC, 2004)

Following the same argument, one of Kenya's local dailies, The Nation, dated March 6th 2006, states that:

The Goldenberg and Anglo Leasing affairs have revealed the rot in the Moi and Kibaki governments. They have also exposed governments insensitivity to domestic and international criticism - even in the face of threats by key multilateral donors - the World Bank and the International Monetary Fund - of tightening the purse strings until the mess is cleared. (The Nation, 2006)

In response, it would seem that the GoK strives to make requisite adjustments in a bid to placate the BWIs and the donor community at large, and at times, attempts to justify their position by blaming the BWIs for what they see as unfair treatment and unreasonable expectations. In an article carried in Kenya's Daily Nation, Wycliffe Muga is of the opinion that "Kenya's economic policy can be summarised as follows: We do our best to dance to the latest tune being played by the IMF and the World Bank." (Daily Nation, 2003) Muga bases his opinion on remarks made by Kenya's former President, Daniel Arap Moi, on his last day in office. In his remarks, Moi is reported as having "...blamed the World Bank and the IMF for Kenya's Economic problems" (Daily Nation, 2003). The article further reiterates that Moi complained of the manner in which "...the two lending institutions had constantly shifted the goal posts, even as his government tried its best to meet their conditions for the resumption of funding" (Daily Nation, 2003). One such attempt (at meeting BWIs conditions) may be illustrated by the following article:

Kenya's President Daniel arap Moi has announced a major cabinet reshuffle, a halving of the number of ministries and a 20 percent cut in public spending. At least 60,000 civil service jobs will be slashed by 2001 as part of a "reform" process intended to make Kenya attractive to international investors. This takes place amid ever increasing hunger, poverty and ethnic tensions. These moves are widely seen as a bid to secure the \$220 million IMF/World Bank funding that has been withheld for more than two years. A government spokesman said that normalising relations with international donors was vital in order to boost local and foreign investor confidence.

(World Socialist Website, 1999)

Whether the president's actions were indeed aimed at placating the BWIs (or not) lending resumed in July 2000. Reports indicate that the resumption was supported by what the IMF saw as "...an improvement in governance and a decrease in official corruption and ... a commitment by the government to enact a number of future anti-corruption reforms" (Global Integrity, 2004). The status quo, however, changed soon thereafter as the IMF suspended yet another loan in July 2001. This happened shortly after the GoK disbanded the Kenya Anti-Corruption Authority (KACA), "...saying it violates constitutional provisions that give sole arrest and prosecution authority to the police and attorney general." (Global Integrity, 2004)



Figure 1.0.5: Cartoon by Gado (2004) - Kenya's relationship with the donor community

As this pattern of events emerges, it becomes clear the corruption is a key issue for the donor community, and that the GoK agree that it needs to effectively deal with it. What is concerning is the trend whereby the GoK introduces cosmetic changes with regard to the agreed upon conditionalities, and the donor community grants aid without establishing the usefulness of those changes. Like the cartoon above depicts, rulers have learnt to 'sing from the BWI hymn sheet' as a means to get donor aid.

The problem with this sequence of events is that it does not encourage the development of sustainable and mutually beneficial relations between the GoK and the BWI. The BWI modus operandi has come under heavy criticism from various angles (*ibid*), and even though their responsibility in encouraging this pattern of events is not in question, the GoK also has a responsibility in ensuring that they engage in meaningful dealings with development partners and other stakeholders, whereby they negotiate meaningful agreements and commit to fulfilling their end of the bargain once agreements are made.

1.7 The Two Cases

The stories in the Kenyan press have been dominated by several incidents of corruption allegations involving top government officials, public sector employees, and several entities in the local and international business arena. Of these, there are two that stand out, primarily because they are the largest known cases of their kind in Kenya's history by virtue of the volume of money involved, the manner in which they were carried out, the number of top-ranking government officials implicated, and the amount of press coverage they continue to receive. Moreover, the two cases remain key reference points in the rhetoric concerning the perceived high levels of corruption in Kenya as well as GoK efforts in curbing it and in dealing with existing cases.

The first is the 'Goldenberg Affair', which took place between 1990 and 1993. The affair takes its name from Goldenberg International Limited (GIL), which was accused of defrauding the GoK of hundreds of millions of dollars, based on payment of export compensation for non-existent exports to ghost companies. The company, and its affiliates, was found responsible for this and other related crimes as a result of conducting its business in contravention of the law on various counts. It is not entirely clear how much the Goldenberg Affair cost the GoK, but the Judicial Commission of Inquiry into the matter was able to ascertain the fraudulent acquisition of a total of Kenya Shillings 158, 283, 576, 592.16 (Judicial Commission of Inquiry, 2005). This translates to £ 1,149,138,766.06, at today's exchange rate (6/4/2011), "...more than 10% of the country's annual GDP." (BBC, 2006).

The story went public in 1992, when it was first reported in the local media. At the time, estimates of the money thought to have been fraudulently acquired by the company were modest in comparison to the official figures released by the commission of inquiry. What followed was a period of sensemaking and sensegiving by the GoK, the public and other stakeholders, as details of the affair emerged.

From a Public Relations perspective, government's efforts did little good for its image and stakeholders relations. There was denial from many of those implicated, of whom most were high ranking government officials. Pressure mounted from donors and the civil society for the president to bring the accused to book and trace Goldenberg assets, but little was done, perhaps due to the fact that so many key members of his government were involved and it was unclear what the investigations would reveal.

The government more or less dug its heels in on the case, to the detriment of Kenya's economy. The donor community withheld loans, grants and technical support, the Kenya Shilling depreciated against most world currencies, interest rates rose to unprecedented levels and inflation was at its highest in the country's history.

This was a turbulent era in Kenya's history, and it was characterised by "...ambiguity, confusion and feelings of disorientation" (Mantles & Sonhenshein, 2010:552). It took 10 years for the Goldenberg case to go to public trial. This was one of the first major anti-corruption efforts by the new regime of President Mwai Kibaki, who won the election in 1993, promising "zero-tolerance" to corruption. He facilitated the setting up of a public inquiry into the Goldenberg affair in 2003, created a new ministry for Justice and Ethics, appointed a government spokesman and went some way in restoring public and donor confidence.

The second case is the '**Anglo-Leasing affair**', which took place in 2003/2004, and involved a fictitious company, Anglo Leasing and Finance Limited as the main player among other smaller affiliate companies. The company was irregularly awarded government tenders for the supply and installation of a forensic science laboratory for Kenya's Criminal Investigations Department (CID), as well as new passport production and processing equipment, among others.

Although the GoK had made various payments towards these contracts, the goods and services procured were never delivered. It is estimated that the Anglo Leasing Affair cost the exchequer approximately USD 471, 000,000 (Githong'o, 2005). The affair became public in 2004, as details emerged that members of the new government were implicated.

The Anglo-Leasing case, though similar in some ways to the Goldenberg case in that they both involved fictitious goods, services and companies, the way they were handled by the government was distinctly different. The media was much more vocal with regard to Anglo-Leasing, public anger was more apparent, and there wasn't much difficulty in describing the events that ensued. In a matter of months, those implicated in the case resigned or were relieved of their duties, and the money that was paid out was traced and returned.

Following on from these observations, this then is a case study, whereby I seek to establish how the relationship between the GoK and the BWIs was affected as a consequence of the crises that followed the Goldenberg and the Anglo-Leasing affairs. In order to do so, the study adopts the stance that man uses narratives to make sense of the world in which he lives, thereby creating "...numerous possible 'social constructions' of the world. But each different construction also brings with it, or invites, a different kind of action from human beings." (Burr, 1995:3)

These actions give rise to social phenomena, which interact with each other in a complex and often non-linear manner. I consider these interactions "...dynamically – in terms of movement, activity, events, change and temporal evolution" (Langley, 2007:271), as embodied in Process Theory. Consequently, instead of taking a 'snapshot' of a point in history, freezing it and analysing it out of context, I study the two crisis episodes around which this case is built in terms of processes.

1.8 Theoretical Foundations: An Overview

In analysing these two cases, I could have chosen an approach informed by literature in political science, economics or even developmental studies. However, these have already been the basis for numerous studies in the politics of developmental aid and the role of corruption (See Ackerman (1999), Leff (1964), Hope and Chikulo (2000), Lowi (1964), Marquette (2003) and Moore (1997)). These studies concern themselves with the economic impact of corruption on the one hand, and its link to development on the other, with emphasis on causes and effects. I, however, felt compelled to take a different approach and in conducting the background research for this study, I found that there were no studies that engaged with the sensemaking around corruption cases as crisis incidents and the impact of these sensemaking efforts on relationships. In addition, emerging and competing discourses in these crisis situations and their role in constructing the reality in which these relationships are tested, sometimes broken and rebuilt has not as yet been studied.

With this in mind, I locate this study in the domain of Corporate Communications, from where I seek to draw upon theories in the area of Crisis Communication, Media Relations and Stakeholder Engagement in addition to theories in organisational sensemaking. I briefly introduce these below and provide an elaborated on in the next chapter.

1.8.1 Corporate Communications

To offer a definition, Corporate Communications is "...a management function that offers a framework for the effective coordination of all internal and external communication with the overall purpose of establishing and maintaining favourable reputations with stakeholder groups upon which the organisation is dependent." (Cornelissen: 2008:5) See also (Van Riel, 1995:26; Christensen et al.2008:7).

This framework includes theories in aspects such as issue and crisis communication, media relations, and stakeholder engagement among others. It provides practitioners with words and definitions with which to describe their activities and role in organisations, as well as being the foothold upon which models and guidelines for both theory and practice are built.

In locating this study in the area of Corporate Communications (CC), there is a sense in which I seek to stretch concepts traditionally found in CC and developed primarily for use in corporate and commercial contexts. The nature of this study is one in which non-corporate players interact, in what are predominantly public spaces, as opposed to boardrooms and other more typical corporate domains, but traditional CC concepts and activities are utilised in the process of handling the two cases, with mixed results. These concepts may have been deliberately chosen or not, but by analysing them, a more systematic approach to communication in similar organisation stands to benefit from considering laid out guidelines and processes of communications in other organisations, albeit corporate ones. Thus, I also give due consideration to previous studies on the Role of Public Relations (PR) and by extension CC in wider society, which has many proponents (See: Heath (1997 and 2009); Kuckerberg and Stark (1988); German (1995); Gandy (1992) and Cutlip (1994)).

Next, I outline the specific aspects of the Corporate Communications framework from which this study draws.

1.8.1.1 Crisis Communication

Crisis communications is increasingly becoming a critical area in corporate Communications, and more so in the recent past, whereby high profile crises have stretched the scope of existing models and frameworks. These include the subprime mortgage crisis of the late 2000s (which precipitated the ensuing credit crisis that continues to put a strain on governments, businesses and individuals in many parts of the world), the Deepwater Horizon

oil spill (commonly referred to as the BP oil spill) as well as corporate crises like the one faced by Toyota who had to recall over 2.3 million vehicles (Toyota Website), for sticking pedal modifications, as well as the 2011 Nuclear Plant tragedy in Japan, among others.

A crisis may develop (gradually or rapidly) from an issue that is not adequately resolved (Cornelissen, 2008). It may also be a "...sudden and unexpected event that threatens to disrupt an organization's operations and poses both a financial and reputational threat." (Coombs, 2007:164). Previous research in the field has centred on categorising crises into types and prescribing 'appropriate' response strategies (Coombs 1995 and 2007; Benoit, 1997; Cornelissen 2008). These strategies are important in giving communications managers a framework within which they can draw guidance for the formulation of both pre and post crisis communications strategies.

Cornelissen, for instance, bases his framework on the perception of responsibility, whereby the appropriateness of a response strategy is determined by the perception from stakeholders of an organisation as either having a low or high level of responsibility for the crisis. Where perception of responsibility is low, the organisation can adopt 'nonexistence', 'distance', 'association' or 'suffering' strategies. In cases where there is perception of a high level of responsibility, organisations may either adopt an 'acceptance strategy' or an 'accommodative strategy'.

Coombs (2007), bases his framework on Attribution Theory (Weiner, 1985; Weiner 1986, 2006), whereby the guiding principle is that in dealing with crises situations, for instance, people normally start off by seeking to attribute responsibility for events and occurrences therein. Based on this, Coombs suggests that crises may be classified or clustered as follows: Victim cluster, Accidental Cluster and Preventable Cluster. Of these, the first two elicit weak attribution of crisis responsibility while the third, elicits high attribution (Coombs

2007:168). The appropriate response strategies for these clusters are not dissimilar to those proposed by Cornelissen (2008) and Benoit (1997).

This study seeks to draw insights from and build upon these crisis identification and response strategies. In addition, the study focuses on the relationships with key stakeholders during and after crisis episodes, as opposed to concentrating on image restoration and the protection of reputational assets (Carmeli and Tisher, 2005; Davies et al., 2003; Fombrun and Van Riel, 2004).

1.8.1.2 Stakeholder Collaboration

Broadly speaking, a stakeholder is “...any group or individual who can affect or is affected by the achievement of the organization’s purpose and objectives.” (Freeman 1984:6). The importance of a stakeholder to an organisation is determined by the size and nature of the stake, which provides a rationale for the various approaches to stakeholder classification. Clarkson (1995) suggests two categories of stakeholders: Primary Stakeholders and Secondary Stakeholders. The former includes all those who are critical to the existence and running of the organisation, such as shareholders, whereas the latter is more general. Charkham, on the other hand, proposes a classification based on whether stakes are contractual or not. In this respect, he proposes two categories: Contractual stakeholders (shareholders, distributors, employees etc) and Community Stakeholders (local community, lobby groups, the media etc) (Charkham, 1992).

Mitchell et al (1997) proposes looking at stakeholders based on their salience to an organisation, which in turn is determined by the presence of one or more of the following attributes: power, legitimacy and urgency. The model classifies stakeholders into seven categories, of which the most salient is the Definitive Stakeholder, who possesses all three

attributes. These classifications are dynamic and change as stakeholders lose or acquire attributes.

These models have one common component: they recognise that stakeholders are not equal in terms of their stake and as such, the manner and urgency with which they need to be communicated with, both under normal circumstances and in the event of an issue or a crisis, will differ. In spite of this recognition, the models of communication that have traditionally been utilised in stakeholder communication have been similar in that they endeavour to change the attitudes and behaviours of stakeholders, as opposed to building mutually beneficial relationships. Grunig and Hunt (1984), for example, classify communication activities as being either symmetrical or asymmetrical. In the first instance, the communication activity is either informational or seeks to establish dialogue with stakeholders, whereas in the second instance, the organisation adopts a persuasive strategy. In both cases, the aim is to achieve symmetry between the company objectives and stakeholder expectations. This is in keeping with classic models of corporate identity, image, and reputation, (e.g., Abratt, 1989; Olins, 1989).

Contemporary and slightly more complex versions (e.g., Van Riel & Balmer, 1997; Balmer, 1998, 2001; Balmer & Soenen, 1999; Fombrun & Van Riel, 2004) are less linear, but still largely presuppose linear or conduit models of communication (Christensen & Cornelissen, 2011). The underlying epistemology is one that assumes meaning construction is a simple process of sending and receiving messages, whereby any outcomes of meaning making processes are already predetermined or given. The conduit model of communication, thus, brings with it a sender-dominated view of communication which assumes that receivers of corporate message are passive targets instead of partners in the production of identities and experiences (e.g., Christensen et al., 2005).

This study seeks to go beyond these linear models of communication and build on the concepts of stakeholder collaboration (Svendsen, 1998; Cornelissen, 2008), whereby the emphasis is on building mutually beneficial relationships in which stakeholders are active participants in the construction of those relationships.

1.8.1.3 *Role of the Media*

The communication between an organisation and its stakeholders, apart from its non-linear nature, often occurs in complex environments and may include other participants. Of these, this study takes into consideration the role played by the media, not only in ordinary every day stakeholder communication activities (press releases, advertisements, advertorials etc), but also in times of crises.

Traditionally, the media has been known for its agenda setting role (McCombs and Shaw, 1972; Shaw, 1979; Hodge, 1994), which proposes that the media determines the salience of an issue or event based on the extent of the coverage accorded to it. Closely related, is the 'CNN effect' (Livingston, 1997; Jakobsen, 2000; Robinson, 2001), whereby the media is believed to have a profound effect on foreign policy, more so television, which is capable of transmitting live audio and visual news coverage. Key to the agenda setting role of the media, is the concept of framing, which Entman (2004:5) defines as the process of "...selecting and highlighting some facets of events or issues, and making connections among them so as to promote a particular interpretation, evaluation, and/or solution." This implies that "...media reports use familiar, culturally resonating themes to relay information about events. Sources vie for their preferred framing to be featured through frame enterprise and frame sponsorship" (Hallahan,1999:210). See also (Gamson, 1984; Gamson et al., 1992; Ryan, 1991).

In Corporate Communications, framing theory “suggests that communication professionals frame a particular corporate decision, issue or event in such a way that it furthers and promotes the interests of the organisation.” (Cornelissen 2008:183). This calls for the skilful framing of corporate narratives in such a way that the corporate frame is aligned to the media frame, thus ensuring that the corporate frame is reflected in, or adopted for, the reporting of news and events in the media. This is not a simple straightforward process, and may not always be achievable. It is, however, invaluable to organisations and may play a critical role in helping organisations make sense of and give sense to complex crisis episodes. Drawing from framing theory, this study will look at the framing of the two cases by the GoK, the BWI and the media, as well as the frame contests that emerge, and how dominant frames influence the development of various discourses.

In other words, I consider the two crisis episodes are considered in the light of how various parties framed them, for instance, what particular words and phrases they used when talking about the two cases. These may be different or similar, and may either change or remain the same over time. By tracking these differences and similarities, as well as the changes over time, the interplay between existing discourses and the construction of new ones becomes apparent. (See also Snow et al (1986) and Snow and Bedford (1988)).

1.8.2 Institutional Sense Making and Sensegiving

Sensemaking may be defined as “...the process of social construction that occurs when discrepant cues interrupt individual’s ongoing activity, and involves the retrospective development of plausible meanings that rationalise what people are doing.” (Maitlis and Sonhensein 2010:551) See also (Weick, 1995; and Weick et al., 2005)

With regard to organisations, Brown et al. argue that “...to make sense is to organize, and sensemaking refers to processes of organizing using the technology of language – process of labelling and categorizing for instance – to identify, regularize and routinize memories into plausible explanations and, indeed, whole narratives.” (Brown et al. 2008:29)

In other words, sensemaking involves the process of giving meaning to new, complex and often unexpected occurrences. According to Gioia & Chittipeddi, (1989), this sensemaking process goes hand in hand with sensegiving, in pursuit of shared meaning. The process is both sequential and reciprocal, but seldom linear, as they found in their study regarding the strategic change communication in a large public institution.

Also, sensemaking is often discursive (Gioia, 1986; Weick, 1995) and enables people to explain what they see or experience, determine a course of action in relation to the new occurrence, ascribe roles to themselves and to others, justify their actions and reactions. Ultimately, they develop terminology that can be used to categorise and organise both the phenomena and the social practices that develop both as a result of the occurrence and as a result of the sensemaking process. (Weick, 1998; Mantles & Sonenshein, 2010; Boyce, 1995)

The language used in this process draws from the familiar as the basis to explain the unfamiliar. Thus, new concepts are often explained in metaphorical language (Cornelissen, 2004, 2005 & 2006), which enables the sense givers and the sense makers to use familiar objects and experiences to stand in for the unfamiliar.

Building on these studies, this thesis seeks to look at how organisations make sense of and give sense to complex events like crisis episodes, and consequently, how new phenomena gains meaning and finds a place in society.

1.9 Methodological Approach

The study is conducted in the tradition of Discourse Analysis, which may be defined as “...a related collection of approaches to discourse, approaches that entail not only practices of data collection and analysis, but also a set of metatheoretical and theoretical assumptions that a body of research claims and studies.” (Wood & Kroger 2000:x in Phillips & Hardy, 2005:5). As a consequence, Discourse Analysis is treated as a methodology, and not just a method of analysis, which has grown in popularity amongst linguists as well as theorists in various fields. See (Boje, 1994; Foucault, 1972; Fraser, 1989; Stubbs, 1983; Phillips et al., 2004; Van Dijk, 1985)

With regard to this study, Critical Discourse Analysis (CDA) is adopted as an approach to Discourse Analysis. Van Dijk offers the following definition for CDA: “...a type of discourse analytical research that primarily studies the way social power abuse, dominance and inequality are enacted, reproduced, and resisted by text and talk in the social and political context” (Van Dijk, 2001:353). This definition is closely linked to the work of Norman Fairclough, who seeks to show “...how social structures determine properties of discourse, and how discourse in turn determines social structures.” (Fairclough 1985:739)

Fairclough continues to argue that “...this requires a ‘global’ (macro/micro) explanatory framework which contrasts with the non-explanatory or only ‘locally’ explanatory frameworks of ‘descriptive’ work in discourse analysis.” (Fairclough 1985:739). As such, the aim is to take a more holistic view of the nature of the discursive exchanges and interactions that occur around the Goldenberg and Anglo-Leasing cases.

The approach taken is "...deliberately deconstructionist, a deconstruction being understood to imply an analysis of 'the relations between the dualities in stories...'" (Brown 2005:1585). These discursive exchanges are thus unpacked and analysed for the underlying nuances that imbue them, what these nuances mean, how they acquire this meaning, how this meaning is transferred and if/how it becomes salient.

CDA, is considered to be the most suitable approach to this study due to the fact that, issues of social power, dominance and inequality (Van Dijk 2001) colour the discourse with regard to Goldenberg and Anglo-Leasing. For instance, there emerges a pattern of high-ranking public officials evading prosecution at the expense of those in lower echelons of power. In the Goldenberg case, for example, former President Moi continues to enjoy legal immunity extended to him by the Kibaki regime, despite the fact that he was adversely mentioned as a key participant in the Goldenberg Affair, as detailed in the findings of the commission of inquiry into the affair. In contrast, the 'whistle-blower', who was an employee of the Central Bank of Kenya (CBK) which was at the centre of the Affair, lost his job and eventually died "...a poor and frustrated man..." in 2006. (The Daily Nation, 18/7/2006)

With reference to the two incidents I have chosen to examine, the study has taken into consideration, changes in the 'talk' about 'corruption' that have occurred in the period between 1993 and 2008. This 'talk' may be found in various texts, including official GoK reports such as the Report of the Judicial Commission of Inquiry into the Goldenberg Affair, official BWI reports, and media reports. Although these texts may have been authored for different reasons, and with different audiences in mind, they continuously interact with each other in a complex interplay that produces "Hegemonic understandings..." that "... seem 'natural' and are 'taken for granted'..." (Brown, 2005:1582).

As these hegemonic understandings take root, they are analysed in terms of chronological changes in the use of language as well as the subsequent struggle for dominance between various emerging and existing discourses, leading to the creation and propagation of various social phenomena as part of a sense making process by both the GoK and the BWIs, with regard to both cases. These social phenomena include the formation of various 'anti-corruption' bodies by the GoK, the judicial commission of inquiry into the Goldenberg Affair, the changes to legislation, and so on.

These, in turn, seem to affect the relationship between the GoK and the BWIs at various stages, a process which will be considered "...by placing centre-stage the everyday interactions between [the two parties] and seeing these as actively producing the forms of knowledge we take for granted and their associated social phenomena..."(Burr 1995:3). As such, "... it follows that language [...] has to be more than simply a way of expressing ourselves. Our use of language can therefore be thought of as a form of action..." (Burr 1995:3).

By giving due consideration to relevant cultural practices as well as historical events, I explore the development of the terminology used in relation to 'corruption' by both parties in their description of the two cases and emerging social phenomena, alongside its contribution to the discourse(s). For instance, most of this terminology is in English. Although this is the official language of the Republic of Kenya, it is non-the-less a foreign language and a remnant of Kenya's colonial heritage. Concepts, such as 'anti-corruption' and 'transparency', can be explained in English, but not so in any of the 42 vernacular languages spoken in the Republic of Kenya. These and other related terms are outside the realm of experience of the traditional cultures of the people of Kenya, and are hence difficult to translate into local languages including the national language (Kiswahili), whose development is not as robust as that of more international languages.

Thus, I conduct this study bearing in mind the following argument:

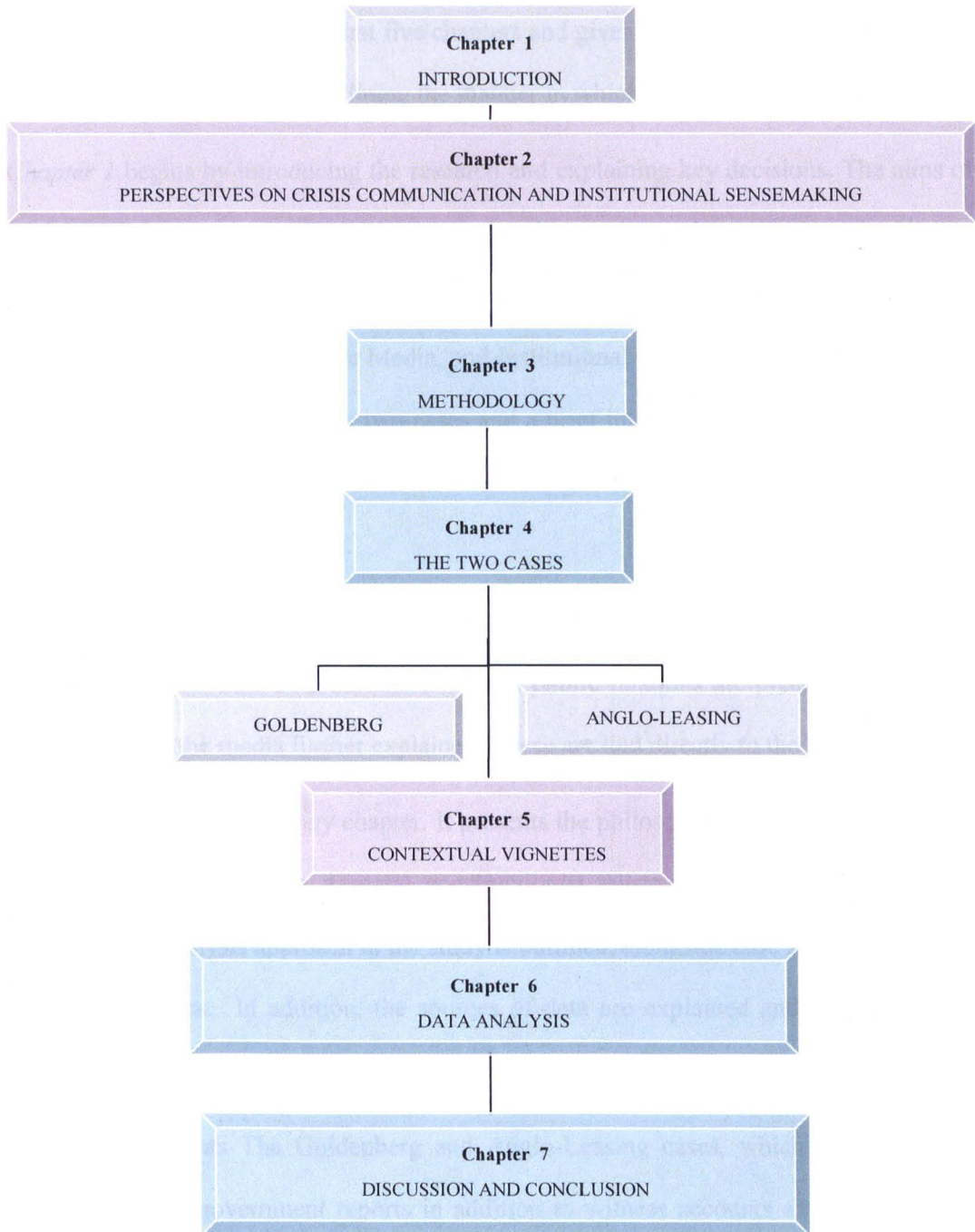
“Subaltern social groups (those subject to hegemonic impositions of an elite) may have their own embryonic conceptions of the world, but lack an appropriate language to interpret and express themselves.

Their reliance on the [...] understandings provided to them means that they are unable to develop a coherent world-view, and are ‘dominated’ because they ‘do not actively participate in creating or critically assessing the philosophies that guide their lives’ (Ives, 2004:79)” (Brown, 2005:1582).

Therefore, as the GoK and the local media strive to give meaning to the Goldenberg and Anglo Leasing affairs, words like ‘corruption’, ‘sleaze’, ‘grand corruption’ etc become ubiquitous in public spaces. New categories, such as ‘economic crimes’ emerge. How are these words and concepts used by the GoK , the BWIs and the media? Are they used in the same way or are there discrepancies? What do the differences and similarities represent? How are they used by both parties to frame the two cases?

Ultimately, the findings of the study and results of the theorising process, enables the study to make a reasonable contribution to Corporate Communication and Communication literature and to provide a practical set of guidelines that may form a basis for policy making with regard to stakeholder engagement and relationship building.

1.10 Structure of the Thesis



1.10.1 Part I

Part I of this thesis covers the first five chapters and gives a backdrop to the study from a theoretical perspective, as well as outlining the manner in which the research was conducted.

Chapter 1 begins by introducing the research and explaining key decisions. The aims of the study and the research questions explain what this study is about. It also provides an overview of the theoretical underpinnings of the study which include Crisis Communication, Stakeholder Management, Role of the Media, and Institutional Sensemaking and Sensegiving. This is followed by a synopsis of the two cases and a brief introduction to Critical Discourse Analysis, which is the approach taken in conducting this study. The chapter ends by explaining the structure of this thesis.

Chapter 2 explores the different perspectives on crisis communication and institutional sensemaking/giving. Models of communication and public relations are presented in greater detail and the role of the media further explained. These are tied directly to the study.

Chapter 3 is the methodology chapter. It presents the philosophical assumptions adopted in the study, which draw from a social constructionist epistemology. The application of Critical Discourse Analysis approach in the study is outlined, alongside case study and content analysis methodologies. In addition, the sources of data are explained and the reasons for using these sources presented.

Chapter 4 presents The Goldenberg and Anglo-Leasing cases, which are written up based on accounts in government reports in addition to witness accounts as documented in judicial proceedings and reported in the press. For Anglo-Leasing specifically, the written statement of the 'whistle-blower' on this affair, Mr. John Githongo, is also taken into account.

10.1.2 Part II

This section of the thesis embarks on a discourse analysis which is divided into three contextual vignettes, followed by a discussion of the findings and the final conclusion to the study.

Chapter 5 and 6 focus to the analysis of the data in context, which traces the chronological emergence and development of various discourses within each of the contextual vignettes. In chapter five, three contextual vignettes are presented. These provide a backdrop upon which the analysis is conducted. In chapter six, I begin by presenting the findings of the corpus linguistic analysis using WordSmith, as the basis for the Critical Discourse Analysis which follows on from this.

Chapter 7 concludes this thesis through a discussion of the implications of the findings. The discussion is guided by the main tenets of Critical Discourse Analysis as summarised by Fairclough and Wodak (1997:271-80). The contributions to theory and practice are given in addition to methodological contributions.

CHAPTER 2

CRISIS COMMUNICATION AND INSTITUTIONAL SENSEMAKING

In this chapter, I examine Corporate Communications (CC) as an emerging and growing field and briefly outline its scope. This leads to a discussion of three facets of CC that are relevant to this study: Crisis Communication Management, Stakeholder Relationship Management and Media Relations.

In addition, literature on institutional sensemaking and sensegiving is considered, giving particular attention to sensemaking/giving post-crises. This approach allows for greater understanding of crises and their causes, which then informs the planning of communications around them.

2.1 Corporate Communication and Public Relations

Corporate Communication is a relatively new and growing field, having emerged from Public Relations (PR), which in turn developed as a distinct field some 50 years or so ago (Hart, 1987). To offer a definition, the Institute of Public Relations defines PR as:

The deliberate planned and sustained effort to establish and maintain mutual understandings between an organisation and its public.

This simple definition is based on a model of communication in which the sender, (in this case, the organisation), sends out messages to its chosen publics, and the messages are generally understood in the manner in which the organisation intends.

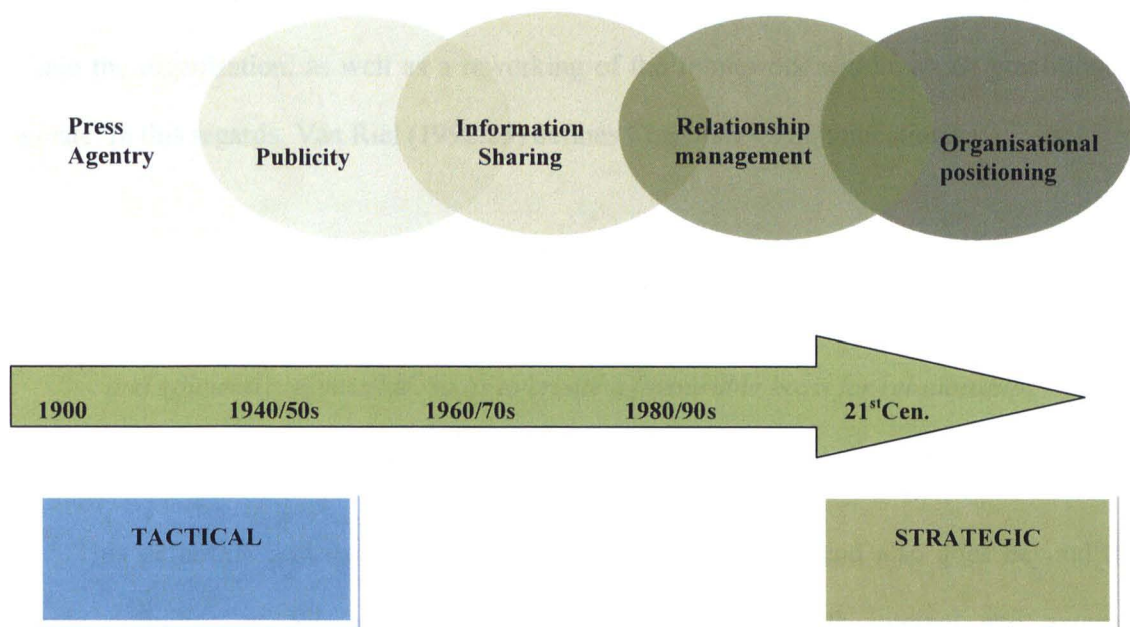
In the BBC documentary, *The Century of the Self*³, Edward Bernays⁴ traces the origins of PR to his assumption that if one could use propaganda to fuel hatred and war, then he or she could do the same in times of peace – hence, PR is tantamount to ‘propaganda for peace’. This unflattering, if somewhat tragic, phrase has led PR to “...acquire a rather negative reputation as being sometimes irrelevant, and often incompetent”. (Hart, 1987:xiii). Thus, PR is perceived as little more than a function whose mainstay is sending out messages from the organisation to its various publics, in a bid to elicit a response, often predetermined by the management of the organisation, of whom PR practitioners are subservient to – in other words, publicity seeking.

This notion of PR as propagandistic has contributed to the treatment of practitioners as mouth-pieces for the organisation, whose main occupation is to provide a communication link between the organisation and its publics. Practitioners then play the role of ‘communication technicians’ (Moss et al. 2005:883) as opposed to that of a communications manager whose responsibility includes having a direct input into the strategic management of the organisation. Although this brand of PR is still practiced in various organisations around the world, there has been a notable development in the field, whereby, in Europe and America at least, PR has developed from the simple sending out of organisational messages (mainly through the press) to a more robust management function, now commonly referred to as Corporate Communication (CC).

³ A BBC documentary on the influence of Sigmund Freud on western capitalism

⁴ The nephew of Sigmund Freud, who based his publicity seeking and product promotional practices on the cognitive work of his uncle, and is now widely considered to be the ‘father of Public Relations’

This longitudinal evolution can be depicted along a continuum, (see figure below), which represents the general trend in the industry. However, for many organisations, the time frames and the current position of individual organisations on the continuum will differ from one organisation to another, across industries, and at a more macro level, between geographically, socially and economically diverse regions.



Source: Cropp and Pincus, 2001 in Cornelissen (2006)

Figure 2.0.1: Evolving Role of Corporate Communications

The ideal is to have a communication function, strategically located within the echelons of power in an organisation, whereby the communications manager is part of the dominant coalition and is hence involved in the strategic management of the organisation (Cornelissen, 2008; Dozier and Grunig in Grunig J.E., 1984). This calls for a manager who is conversant with the operations of the organisation that he or she works for, and has a sound grasp of the vision, mission and strategic direction of the organisation.

He or she also needs to have an understanding of the industry in which the organisation operates, as well as the dynamics of that industry. In other words, the communication manager needs to become business savvy (Cropp and Pincus, 2001) and the communications department needs to move from press agency to a more strategic Corporate Communication (CC) function.

This move calls for a redefinition of the scope covered by the communication function within the organisation, as well as a reworking of the framework within which practitioners operate. In this regards, Van Riel (1992:25) defines Corporate Communication as:

... an instrument of management by means of which all consciously used forms of internal and external communications are harmonised as effectively and efficiently as possible, so as to create a favourable basis for relationships with groups upon which the company is dependent.

This definition underscores CC as a management function, and also goes beyond the simple definition of PR, to include the harmonisation of both internal and external communications. Traditionally, PR has concentrated on external stakeholders or *publics*, leaving internal stakeholders in the hands of Human Resource and other operational departments. This could lead to communication fragmentation, especially in large organisations, which in turn makes it difficult to foster a strong internal culture that allows for positive identification with the organisation (Van Riel et al., 2009).

This identification makes it easier for organisations to deal with change, a common consequence of issues and crises, as it becomes easier to bring employees on board and effectively communicate and manage the change process (Sonehshen, 2010).

In defining CC, Cornelissen agrees with Van Riel but adds another facet to his definition, which portrays CC as "... a management function that offers a framework and vocabulary for the effective coordination of all means of communication..." (Cornelissen: 2004:23). This is important as CC is still a growing field and has yet to fully establish itself as a fully fledged profession akin to marketing, for instance.

Thus, by developing a clear framework for practice, CC practitioners have a point of reference for their work and a set of guiding principles that inform practice. Furthermore, developing a coherent vocabulary allows practitioners to describe the activities that they engage in and their responsibilities, thus enabling them to clarify their roles and articulate their contribution to the organisational bottom-line, which furthers their relevance in strategic management.

In terms of the roles and responsibilities of CC practitioners, there are differences between organisations, industries, geographical locations and so on. That said, there are basic activities that are core to CC, and which practitioners will engage in albeit to a varying degree and at different times. These include, media relations, employee communications, financial communications, community relations, government relations and marketing communications (Argenti et al., 2005). "To these can be added 'Issue Management', which briefly can be described as the understanding and influence of the significant commercial, social and political factors that ultimately may impact the ability of a responsible company to meet its reasonable business objectives" (Traverse-Healy, in Hart, 1987:3).

As unresolved issues often develop into crises, another important responsibility of CC is the management and coordination of communication in crisis situations. The key is to ensure a long-term strategic approach to communication, which calls for an efficient harmonisation of all the organisations communication activities.

Argenti et al., (2005:83) underscore the importance of integration, whereby “companies that continue to take a short-term approach to communicating with key constituencies will find it increasingly difficult to compete. Developing an integrated, strategic approach to communications will be critical to success.”

2.1.1 Public Relations and Society

In his study on rhetorical perspectives on the values of public relations, Heath argues for “...the practice of Public Relations in the marketplace and public policy arena, where values are brought to bear on economic and socio-political matters” (Heath, 2009:69). He further points out the role of public discourse in the heritage of public relations whereby “...ideas are contested, issues are examined and decisions are made collaboratively” (Heath 2009: 69). Kruckeberg and Starck (1988) also argue for a place for public relations in the public arena more so in the creation of a community. Thus, PR helps to drive debate and guide the development, adoption and even rejection of societal values. From this argument, one can infer that PR is a powerful tool through which society can deal with social problems in which case, “...those responsible for public relations should approach communications as a complex, multifold process having the potential to help create a sense of community” (Kruckeberg and Starck 1988:xiii). Moreover, “...public relations does not just contribute messages and products to public dialogue, but it also creates relationships that hold consequences for the evolution of society” (German, 1995:284).

In contrast, Dozier and Grunig (1984) present the ‘power control perspective’. They argue that the dominant coalition (the group of individuals in an organisation who hold the greatest power) tend to dominate discussions and structure their organisations in such a way that they satisfice (are good enough to meet organisational needs whilst protecting the interests of individuals within the coalition). This implies that “Public Relations messages reflect the

interests of the dominant powers, which in our society are entrenched political and financial interests” (German, 1995:293).

By extension then, the role of PR in community building has been challenged (see also Brummet, 1995) based on the argument that PR tools are often more accessible to those with power and financial resources and are hence out of the reach for most members of society. This limits their use to the imposition of the interests of the minority to the majority. The assumption is that the rhetoric of the dominant coalition is readily bought into by the public who respond to message cues in a predetermined manner. This is critical in crisis situations whereby institutions seek to make sense of and give sense to events, often in a manner that protects their own interests.

2.1.2 Crisis Communication Management and Stakeholder Relations

Often, this area of CC is referred to by scholars as Crisis Communication (Coombs, 2007; Benoit, 1997) or Crisis Management (Rosenthal, 2003). For this study, this area of CC is referred to as *Crisis Communication Management (CCM)*, based on the premise that in times of crises, the role of CC practitioners is more to do with the integration, harmonisation and strategic management of the communication efforts between an organisation and its stakeholders. More often than not, the CC practitioners may not have the technical know-how to physically resolve the cause(s) of the crises, more so those that occur in complex operational contexts, such as the crash of an airline, the leaking of radio-active material into the environment, or the aftermath of a bomb-blast. What they can do though, is to facilitate the timely flow of much needed information as well as providing guidance and clarity for both internal and external stakeholders, during and after a crisis episode.

In the former, those working directly to deal with the crisis are able to communicate quickly and efficiently, perhaps through the fast establishment of an internal crisis communications hub. In the latter, effective stakeholder engagement takes place as groups are identified, categorised in terms of their stake in the organisation and the unfolding events, and lines of collaborative communication are opened and kept alive as needed – in an ideal situation. In reality, CCM is seldom that straightforward.

As earlier mentioned, crises often emanate from unresolved issues. An issue may be defined as: “(1) a concern about the organization’s decisions and operations; that may or may not also involve (2) a point of conflict in opinions and judgments regarding a company’s decisions and operations.” (Cornelissen, 2008:215-216)

A crisis, on the other hand, may be defined as “...an issue that requires not just decisive but also immediate action from the organization.” (Cornelissen, 2008:215-216). This is because “...crises are characterised by low probability/high consequence events that threaten the most fundamental goals of an organization” (Weick, 1988:305). As organisations operate in complex environments, issues are not unusual, and many organisations learn not only to respond to emerging issues but to anticipate them and engage in a proactive resolution (or even prevention) strategy. When issues are not adequately dealt with though, they then can develop into crises, which must be dealt with as quickly as possible. See figure 2.0.2 below.

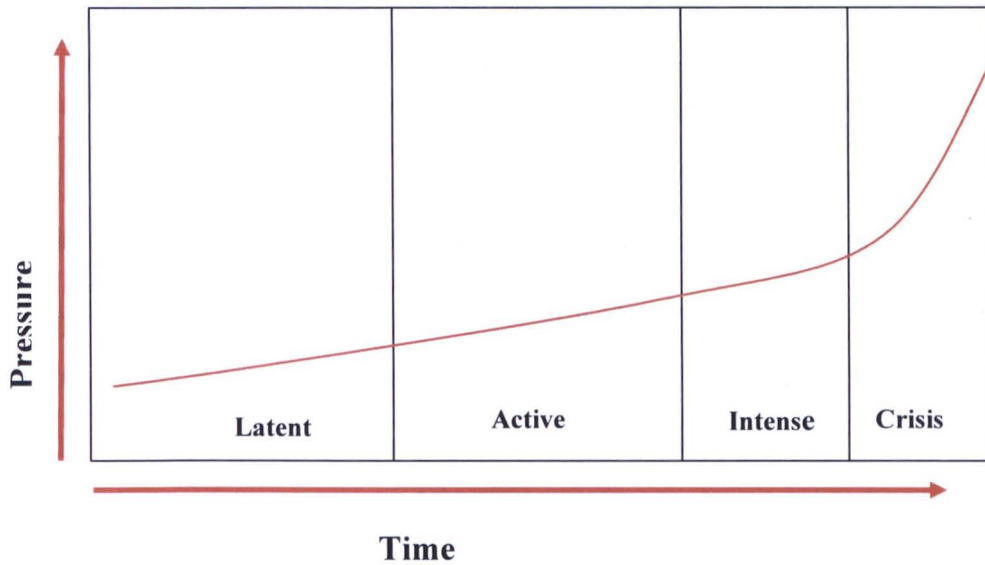


Figure 2.0.2 : The development of an issue into a crisis

Source: Cornelissen 2008:216

The figure above, illustrates the development of an issue into a crisis, whereby the issue often already exists in a latent form in the operational environment of the organisation. At this stage, the organisation may or may not be aware of the latent issue, and even when aware, may consider it too trivial to warrant attention or its attempts to manage the issue may be inadequate, inappropriate or perhaps not timely.

Events from within or outside of the organisation can then push the issue into becoming active, and if not adequately handled, it develops into an intense issue before becoming a full blown crisis. Once an intense issue becomes a crisis, it requires immediate response and action from the organisation.

For example, when Shell decided to sink an oil platform (Brent Spar) in the North Sea in 1995, an issue emerged whereby Green Peace, an environmental organisation, raised concerns about the implications of this move. In this case, there was a latent issue already in existence as Green Peace was actively involved in an ongoing campaign to stop ocean dumping. As such, their opposition to the sinking of Brent Spar could have been anticipated. Unfortunately, Green Peace were either not considered by Shell to be a key enough stakeholder to engage with at the time, or attempts to engage with them may have been too feeble to have any meaningful impact. The result was that on 30th April 1995, 12 Green Peace activists occupied the oil platform to protest its sinking into the sea. At first, this was nothing more than a small group of people with a difference of opinion to that of Shell, and the company chose to deal with the protestors by obtaining a court injunction to get them off the platform. As the defiant activists refused to leave the platform, Shell attempted to forcefully remove them as the now active issue developed. The press soon caught wind of the unfolding events and moved in to cover the breaking story. Soon there was intense media scrutiny that acted as a catalyst for the issue to develop in intensity.

By May 1995, UK opposition parties joined Green Peace in condemning the proposed sinking of the platform, as did other government ministers across Europe. On 23rd of May 1995, Shell managed to remove Green Peace activists from the oil platform and proceeded with their plans, but the crisis was not over yet. Green Peace spearheaded a campaign that saw people in Europe and America join forces in boycotting Shell petrol stations. Eventually, Shell gave in to protestors and reversed its decision to sink Brent Spar in the North Sea.⁵

⁵ Based on the timeline of events as presented by Green Peace in their article, Brent Spar (dated: 21/06/2007), presented as part of their history. Available at <http://www.greenpeace.org/international/en/about/history/the-brent-spar/> [Accessed on 01/02/2011]

This not only demonstrates the development of an issue into a crisis, but also “...the notion of crisis as process, the transnational dimensions of contemporary crises, the politicization of crises, [and] the increasing importance of the media...” (Rosenthal, 2003:129). This has become even more salient in this century, where the exponential growth of new media has led to a world that is increasingly becoming smaller in terms of the speed and volume of information exchange.

2.1.2.1 Crisis Response Strategies

As earlier stated, crises require immediate response and action from the organisation. Timothy Coombs suggests starting off the process of CCM by classifying the crisis before identifying the appropriate response strategies as these will vary depending on the crisis type. Coombs therefore suggests a classification of crises into four types, based on a matrix with two dimensions: (1) If the crisis is external or internal, and (2) if it is intentional or unintentional. (See figure 2.0.3)

	Unintentional	Intentional
External	Faux Pas	Terrorism
Internal	Accidents	Transgressions

Figure 2.0.3: Crisis Type Matrix

[Source] Cornelissen (2008:224)

Based on this matrix, a crisis which is unintentionally caused by forces outside of the organisation is considered to be a *faux pas*, a French word which loosely translated means a 'false step' (Cornelissen, 2008). The Brent Spar crisis explained earlier may fall into his category, as Green Peace, who already had an issue with the dumping of waste into the sea, protested a decision made by Shell, thus causing a crisis. One could argue that the intention here was to stop the dumping of the oil platform and not to cause a crisis, but the crisis developed as the issue at hand went unresolved.

Other unintentional crises are *accidents*, although these differ from *faux pas* crises in that they are internally caused. These are further classified based on whether they are considered to be caused by human error or by acts of nature. Examples of human error accidents include factory production line accidents, and industrial accidents like the Bhopal disaster of 1984, where thousands of people died after a gas explosion at the Union Carbide India Limited (UCIL) plant in India.

Acts of nature, on the other hand, include natural disasters, such as the earthquake and Tsunami that hit Japan in March 2011. In this case, businesses were destroyed and thousands of people killed and many more displaced, but no one individual, group or organisation is deemed responsible for it.

When it comes to intentional crises, *terrorism* is an externally caused crisis whereas *transgressions* are internally caused. A terrorist act may include a disgruntled employee who decides to set fire to a building or equipment as he or she seeks to settle scores with his or her employer. At a more global level, the September 11th 2001 terror attacks on the Twin Towers in the USA are perhaps the most poignant.

An example of a *transgression*, on the other hand, is the 2009/2011 Toyota recall crisis where Toyota had to recall several of its vehicles due to a variety of faults, of which perhaps the most widely known is the 'sticking pedal' problem. Mr. Toyoda, Toyota's Chief Executive Officer (CEO), in a press conference on 24th February 2010, attributed these problems to a push for growth by the company that had led to a neglect of the core values upon which the company strived to develop safe, reliable, and economical cars (Reuters, 24/02/2010). This, then, was an intentional action by the company and its employees, which put its customers in danger.

In responding to crises, the prescribed path will depend on the crisis type and the extent to which the organisation is deemed to be responsible for it (Cornelissen, 2008; Coombs, 1995 and 2007; Benoit, 1997). This is in keeping with Attribution Theory, upon which Coombs (2007) bases his framework as earlier explained. In agreement with Coombs, Cornelissen (2008:226) suggests crisis response strategies whereby if the perception is that of a low level of responsibility, the organisation can opt to act as if there really is no crisis, by either completely denying the existence of the crisis, or seeking to clarify underlying issues. They may even intimidate or attack the trouble causing agents. In the latter case, the use of court injunctions is common, such as the one used by Shell in their attempt to get the Green Peace protesters off Brent Spar. In addition, organisations can choose to distance themselves from the crisis, either by coming up with excuses for the events that caused the crisis, or by downplaying them in a bid to convince stakeholders that things are not as bad as they might seem. An example of this is when BP CEO Tony Hayward was quoted as saying of the oil spill crisis of 2010, "...The Gulf of Mexico is a very big ocean. The amount of volume of oil and dispersant we are putting into it is tiny in relation to the total water volume..." (*The Guardian*, 14/5/2010).

An organisation may also use association strategies, which include bolstering and transcendence. The former, involves reminding stakeholders of past positive activities and achievements, which is what Toyota did in the wake of the recall crisis in 2008/10, whereby they released a series of television advertisements in which they reiterated their core values and underscored the fact that they had consistently delivered on those values over the years, and although they had made mistakes in the recent past, they were committed to going back to the values that made them who they are. In the latter, organisations seek to link current activities to higher ideals. For instance, the increase in VAT in the UK in 2011 as one of the activities which will aid the stimulation of the economy and hence help the country get out of the recession (caused by the credit crisis), much faster.

Lastly, an organisation could adopt a suffering strategy whereby they seek to portray themselves as victims of circumstances and thus worthy of sympathy and forgiveness.

Where perception of responsibility for the crisis is high, an organisation could adopt an acceptance strategy, whereby they issue a full apology, remediate (for instance through offering compensation), or repent and ask for forgiveness. They could also adopt an accommodative strategy where they offer to rectify the situation and put in place elements that will ensure the crisis does not re-occur. In some cases, an organisation could do all of the above, or even a combination of any number of strategies. For instance, they could issue an apology for their misdeeds, offer compensation to those affected and put measures in place to ensure that the undesirable event does not happen again. Whatever strategy or combination of strategies that an organisation chooses, the aim is to restore stakeholder confidence by repairing a damaged image and hence protecting its reputational capital.

Fombrun and Van Riel, (2004:32), define *reputational capital* as an organisation's "...stock of perceptual and special assets – the quality of the relationship it has established with stakeholders and the regard in which the company and the brand is held". Reputational capital is therefore built over time and is a result of consistently positive stakeholder experiences in their dealings with the organisation.

During a crisis, this reputational capital is put at risk and if a crisis is not properly dealt with, it can disappear altogether, making it virtually impossible for an organisation to continue its operations. Reputational capital has also been found to be crucial in helping organisations recover more quickly from a crisis (See Gregory, 1998; Knight and Pretty, 1999). Therefore, "...An organisation with a more favorable prior reputation will still have a strong post-crisis reputation because it has more reputational capital to spend than an organization with an unfavorable or neutral prior reputation" (Coombs, 2007:165)

In keeping with this argument, most traditional CCM models prescribe an approach in which "...immediate crisis response is followed by crisis recovery and rehabilitation...[which does]...not always reflect the reality of crisis as process." (Rosenthal, 2003:132). In this study, though, the emphasis is not on trying to get things back to normal, but rather a quest to understand in what way unfavorable events impact the reality in which the concerned parties operate, and how these parties can best cope in this new reality (See also Hirschman (1991), Quarantelli (Ed) (1998) and Rosenthal (2001)).

Thus, what CCM alternatives are there in cases where the crisis is not a solitary event, and the crisis process stretches on for a long period of time? Also, does the restoration of reputational assets automatically lead to a restoration of robust stakeholder relations or does

the organisation need to engage in targeted stakeholder relationship building efforts? These are some of the issues that this study seeks to address.

Closely related to CCM is the area of media relations. This is because “Most of the information stakeholders collect about organizations is derived from the news media” (Coombs, 2007:164). (See also, Carroll, 2004; Meijer, 2004). Stakeholders learn about crises in the media, and with modern technology, they can follow live coverage of events both in mainstream news channels and well as through social media. Following, is a discussion of the role of the media in CC, and by extension, in CCM.

2.2 The Role of the Media

The role of the media is often defined based on sender-dominant models of communications, whereby the media delivers messages to a relatively passive audience, and through framing and agenda-setting, influence their perception of various issues. This is more so for traditional media, that is: print media (newspapers and magazines) and electronic media (radio and television). Thus, individuals and organisations tend to use the media as conduits for information from them to a wider audience, whereby the role of the media is reduced to that of a ‘mouthpiece’ (Argenti, 2009). This view of the media as a conduit for information means that many organisations fail to see the media as a stakeholder group or indeed, as part of a wider audience (Cornelissen, 2008).

Many studies into the role of the media have built on these conduit models, with many emphasising the agenda setting role of the media. (See, Carroll, C. (2004), Chafee & Berger (1997), Lippman (1922) and Mcombs and Shaw (1968, 1972, 1976)). In setting the agenda,

the media amplifies issues and events, and makes them more salient based on the prominence and frequency accorded to them.

This renders some events more important than others, which often drives the level and direction of public debate on these issues, and may also influence organisational policy at various levels. Cohen (1963), Livingston (1997) and Spitzer (1992), for instance, argue that foreign policy may be greatly influenced by the media. To demonstrate, Livingstone introduces the “CNN effect” (Livingston 1997:1), whereby the media acts either as an accelerant of actions related to reported issues, an impediment in cases where coverage puts a negative spin to issues and events, or an agenda setting agency which affects the order of foreign policy priorities by making certain issues more salient than others (see table 2.0.1).

Accelerant	Media shortens decision-making response time. Television diplomacy evident. During time of war, live, global television offer potential security-intelligence risks. But media may also be a force multiplier, method of sending signals. Evident in most foreign policy issues to receive media attention.
Impediment	Two types: 1. Emotional, grisly coverage may undermine morale. Government attempts to sanitize war (emphasis on video game war), limit access to the battlefield. 2. Global, real-time media constitute a threat to operational security.
Agenda Setting Agency	Emotional, compelling coverage of atrocities or humanitarian crises reorder foreign policy priorities. Somalia, Bosnia and Haiti said to be examples.

Table 2.2: Conceptual Variations of CNN Effect (Livingston, 1997:2)

The term, 'CNN effect' refers to the emergence of 24-hour dedicated news channels such as the Cable News Network (CNN), whose continuous coverage of issues and events (more so those that headlined the news), rendered them so salient they influenced the priorities of the public and policy makers alike.

Livingstone's argument has been challenged by Pena (2003), who argues that although the media may at times influence foreign policy, this is not always direct and is often subject to other factors. Thus, the salience of an issue in the media, on its own, is not always sufficient to cause a reordering of priorities in foreign policy.

This leads to more of an *arena* model, whereby there are various factors that influence policy, foreign or otherwise, including the availability of resources (time, financial, material etc), the interests of elite groups (those with power and influence), stakeholder expectations (with importance accorded to them based on the nature and size of their stakes), and so on.

The *arena* metaphor has been used in several studies, more so in political science (See Allison, 1971; Kiser & Ostrom, 1982). Its definition and application has been varied depending on the nature of the study. In its simplest form, the word *arena* may be used to denote "...a level area surrounded by seating, in which sports, entertainments, and other public events are held" OR "...a place or scene of activity, debate, or conflict" (Oxford Dictionaries Online). Metaphorically speaking, *arena* goes beyond a physical location and encompasses the participants and the events that take place within a specified setting. This setting is defined by the 'rules' that govern it, based on the discursive activities that give it credibility and define its scope.

Mazzoni (1991), for example, in a study about policymaking with regard to state schools in Minnesota, identifies three arena's in political policy making: '*macro*' arena – where popular demands receive a reasonable amount of media coverage in what is a flexible, organic and often uncontrollable scenario; '*commission*' arena – set up by top officials as a means to set the agenda for innovative policy and may be supported by reasonable media coverage and popular interest; and lastly, the '*leadership*' arena – in which activities are not as visible to the media and the general public, often being driven by individual commitment, whereby they are relatively insulated from direct stakeholder influence. (Mazzoni, 1991:132)

Mazzoni further argues that issues can be moved from one arena to another, which "...can change the key actors, relevant resources, incentives for action, influence relationships, and governing rules—and hence winners and losers—in policy struggles... - for the where of the decision limits and prefigures the who, how, and what of its enactment". (Mazzoni, 1991:166) See also, (Riley & Baldrige, 1977).

Further, this 'arena shift' may be caused by external pressures, such as crisis situations (Polsby, 1984), or the availability of revenues (Orloff & Skopcol, 1984). Frandsen and Johansen (2007), present an arena model which draws from, and extends previous CCM models. In this case, the two scholars base their model on four aspects, that is: *context*, *media*, *genre* and *text*. To elaborate, the cultural, economic, political and social context in which a crisis takes place imbues it with a specific character and has a bearing on the appropriate response strategy. This is more so as a result of what is an increase in the complexity of crises, due to the transnational environment in which many organisations operate, among other factors. To add to this complexity, today's media is a powerful group that is backed by technology which allows for the fast transfer of news and information.

Their role is therefore key during crises situations. The genre chosen by the organisation in communicating with stakeholders is also an important element as a press conference may be suitable in one instance and a press release in another. Lastly, text as “...verbal and non-verbal semiotic codes...” (Frandsen and Johansen 2007:15) is the means by which organisations and their stakeholders communicate. The argument here is that these four elements must be carefully synchronised for effective CCM, in what is “...a rhetorical arena where many “voices” meet, compete, collaborate and/or negotiate, before fellow actors and partners or opponent actors and adversaries.” (Frandsen and Johansen 2007:15)

In this study then, I go beyond the sender-dominant view of the media. Instead, I consider them to be participants in specified settings whereby they engage with various parties to make sense of situations and thus contribute to the policy making process. By taking the media as a stakeholder group and perhaps even a partner in the communication process, CC practitioners go beyond naive assumptions of what journalists and the media do, hence creating a conducive atmosphere in which collaboration can take place.

Cornelissen (2008:178) suggests that practitioners should, at the very least, understand the role played by journalists in determining the selection and nature of news items *vis-a-vis news routines*. Journalists will cover an issue or an event, but that alone does not guarantee that their report will be printed (in the case of newspapers and magazines) or aired (in the case of radio and television). Even when selected for airing or printing, the appearance of the story may be altered in keeping with editorial policy, or based on the interpretations and importance accorded to it by the other professionals in the media house through whom the story must pass before it is aired or printed (editors, fact checkers, design and layout specialists, and so on).

The challenge for practitioners lies in familiarising themselves with these news routines, to the extent that they understand which media houses have strong news routines and which ones have weak routines. The former requires that practitioners collaborate with journalists in framing their stories in keeping with the news routines in order to increase the chances of the news item making it to print or broadcast, while the latter offers a more flexible alternative. On framing, Nelson, Oxley, & Clawson, (1997:221) define it as "...the process by which a communication source, such as a news organization, defines and constructs a political issue or public controversy". Cornelissen (2008) argues for frame alignment between organisations and the media as a means of having reasonable control over the organisational story telling process, which in turn has a bearing on the image and reputation of the organisation.

By drawing on the arena model, then, this study acknowledges various participants (politicians, the donor community, foreign governments, media, civil society groups, and so on). Thus the intended audiences for media and institutional messages are not treated as passive onlookers sitting around the arena to be entertained and educated, but rather as active participants from whom the main players are drawn and whose disposition has an impact on the activities taking place in the arena.

Although this study is concerned with the more traditional print media, the arena model allows it to be relevant to the 'new media' age, where "...blogs, social media outlets, and online communities have empowered anyone to act as a journalist of sorts – hence the term *citizen journalism* – and to engage various audiences in conversations that have acute effects on the reputations of companies" (Argenti, 2009). With increased media and audience fragmentation, effective corporate communication has also become increasingly complex, and media strategies more demanding as they strive to keep up with the speed of information flow.

Long gone are the days when the news appeared in print and broadcast at designated times and to a 'present' audience who had to be in a position to watch or listen to the news, or read a newspaper or magazine. Now, generally speaking, people get the news wherever they are – on their mobile phones and on the internet, making it possible for word-of-mouth information to flow almost as fast and reach as wide an audience as reported news.

If, as the arena model suggests, the media is one of a complex array of “voices” as well as an active participant in the events surrounding a crisis, as opposed to being little more than a channel of communication between an organisation and its stakeholders, what implications does this have for CCM? Does this call for a shift in media relations?

As we ponder the role of the media in crisis situations, there is also an important process that all those involved in, or affected by, crises engage in: *sensemaking* and *sensegiving*. This is the natural process through which human beings seek to understand their environment, events and occurrences within that environment, their role in those events and the purpose for which they exist. This, then, becomes a key area in CCM as it calls for practitioners to quickly make sense of events and give sense to stakeholders who often look to the organisation for answers during and post-crisis. This is further discussed in the following section.

2.3 Sensemaking and Sensegiving

Sensemaking and sensegiving is an area of study which seeks to analyse the processes in which individuals, groups, and various organizations interpret what are often new, unexpected, complex and surprising occurrences in their environment, in a bid to give them meaning, share this meaning and establish ways of relating with the new phenomenon (Gioia, 1986; Weick 1993a; Weick et al., 2005).

This process may not always be sequential, that is, sensemaking first, followed by sensegiving. For many CC practitioners, the process is often simultaneous, whereby the crisis episode is as new for them as it is for the stakeholders, and yet, the speed with which information travels in today's environment means that many are called upon to provide answers to stakeholder questions and concerns before they have had an opportunity to fully understand the crisis episode(s) and the consequent emerging complexities. Understanding how people and organisations engage in sensemaking and sensegiving is an important prerequisite for CC practitioners as it enables them to be better prepared for their role in CCM. What they have that many of their stakeholders don't have is access to a wider range of information and more information sources. The earlier these are identified and harnessed, the sooner the sensemaking process can begin and the quicker it can proceed.

There are two strands to sensemaking with regard to crisis episodes. The first considers crises as they occur and seeks to engage with real-time CCM and crisis management. Studies in this area have been varied, and include fire fighting disasters (Weick, 1993), failed military operations (Cornelissen, 2010) as well as industrial accidents (Weick, 2010). The second strand is concerned with post-crisis sensemaking as detailed in court proceedings, commissions of inquiry or some other form of investigation (See Brown and Jones, (2000); Brown, (2004 and 2005); Shrivastava et al., (1988)). Both approaches are conducted post-crisis but their emphasis is different. In the first instance, the main concern is to revisit the crisis, going through every decision made and every action and reaction by participants, and as events unfold, understand the dynamics that bring those events to life.

In the second instance, the crisis is moved into a different arena, such as a public inquiry arena, which is mandated to make sense of the crisis, either for policy purposes or to satisfy select demanding and/or salient stakeholders (including the general public). The sensemaking studies conducted in this case mostly serve to establish whether or not the sensemaking (by the public inquiry for example), was appropriate, adequate, effective or credible. Also, if subsequent actions by those concerned, such as changes in policy, are appropriate.

This type of discursive sense giving post-crisis, "...is important because it exposes the capacity of texts and their narratives to accomplish extraordinary things – such as the re-establishment and reproduction of the legitimacy of institutions in the aftermath of their spectacular failure." (Brown, 2005:1601) It implies that lessons can be learnt from previous events, either making CCM better the next time round, or helping organisations prevent similar crises in the future. However, as each crisis is often unexpected, and unique in terms of context and participants, it means that those involved find themselves in relatively new circumstances and the dynamics of dealing with the crises become unclear. Thus, CCM becomes ineffective in dealing with real-time crises, coming to its own post-crisis, when there is a greater understanding of what happened. This puts organisations in a precarious position because by the time CCM comes into effect, the damage has already been done, stakeholders have formed their own opinions, and these opinions may not be in favour of the organisation.

On the contrary, CCM is hinged on the assumption that "...through the process of sensemaking people enact (create) the social world, constituting it through verbal descriptions which are communicated and negotiated with others." (Brown et al., 2008:6) See also, Berger & Luckmann, (1966) and Garfinkel, (1967).

This is in keeping with the notion of people as '*homo narrans*' (Fisher, 1984:6), whereby human beings are essentially storytellers who discursively make sense of the world around them and share this sense through various forms of narrative. The process is one in which new phenomena are identified, described, deconstructed, categorised and so on, to a point where their relevance and significance is established.

Thus, people talk about these objects and/or occurrences, debate and negotiate their meaning, and ultimately find a place for them in society. In doing so, people tend to draw upon their realm of experience in a process where past experiences, previously held notions and familiar concepts are drawn upon in giving meaning to new phenomena (Weick, 1995).

With this in mind, Weick (1998) presents the 'enactment perspective', whereby people bring their past to the present and act in familiar ways in what are unfamiliar circumstances, and in doing so, "...they bring events and structures into existence and set them in motion" (Weick, 1998:306). What Weick does then, is to challenge previously held notions that CCM has to be a reactive process whereby people deal with the unknown and the unfamiliar, with limited information on how events will pan out. Instead, the enactment perspective posits that by looking for enactment themes in crises (see also, Perrow, 1984), practitioners and members of the organisations which they represent can have a much clearer indication of the nature and importance of crises, thus informing their actions in dealing with them. As enactment occurs by stretching the known to the unknown, Weick believes that it enables CCM to be conducted as more of a proactive rather than a reactive process. See also, Maitlis and Sonenshen (1988), who build on Weick's work as they explore the role of shared meaning and emotions in sensemaking during crisis episodes.

Extending Weicks approach, Gephart (1997), takes a more systematic stance to research on sensemaking, whereby he engages in "...interpretive and textual analysis of quantitative sensemaking during crises" (Gephart 1997:583). This is an approach that goes beyond looking at a single story which tends to "impose a particular version of reality on their readers...", (Brown, 2004:95), but instead considers narratives from a variety of sources based on the assumption that sensemaking may vary between stakeholder groups.

By considering a single industrial accident in Alberta, Gephart (1997), looks at how the government made sense of the ensuing crisis, viz-a-viz the concerned operating company. This provided "... a means to (re)construct organizational behaviour on qualitative foundations which acknowledge and explicitly address the textual and literally bases of science" (Gephart 1997:620). In this research, I approach sensemaking in a manner that allows me to go through a variety of texts, mapping them for key words and key phrases and using them as a basis upon which a more systematic study of underlying nuances can be conducted. Thus, I seek to build on Gephart's approach whilst departing somewhat from his study and most others in the field, which are of discrete events, usually of a technical nature. Many of these events are human error accidents and as such, several things remain unclear. For instance:

How, do organisations go about giving sense to crises which are a result of a transgression on their part and do stakeholders buy into institutional sensegiving as part of their sensemaking mechanism? Also, what happens in cases where crises are not discrete events but rather, long drawn out series of issues and crises that increase and decrease in intensity but whose resolution seems elusive?

These are the key issues that I address in this study.

2.4 Summary

This study draws from and seeks to extend literature on Corporate Communication and sensemaking post-crisis. The two chosen corruption cases are considered in view of multiple narratives as presented in three data sources, which are then analysed using a computer aided textual analysis program, upon which, Critical Discourse Analysis is conducted. During the study, analysis is made via an iterative movement between the data and the literature presented here, whereby contributions to knowledge are noted as they occur.

Following, is a presentation of considerations with respect to methodology and the methods adopted for both data collection and analysis.

CHAPTER 3

METHODOLOGY

Daymon and Holloway (2002:272) define methodology as “A framework of concepts, theories and strategies on which the research is based.” A method, on the other hand, is a “strategy, technique and procedure for collecting, analysing and interpreting data.” (Daymon and Holloway, 2002:272)

This chapter explains the methodology and methods that will be employed in the study, including the rationale upon which they were selected.

3.1 Philosophical Assumptions

This study is guided by a social constructionist epistemology (Berger & Luckmann, 1966; Ernest, 1991), whereby “...there can be no such thing as an objective fact. All knowledge is derived from looking at the world from some perspective or other, and is in the service of some interests rather than others” (Burr, 1995:3). As such, the various narratives that embody the sense making process of the Goldenberg and Anglo Leasing cases are seen in the light of the motivations of those who authored them and the audience(s) for whom they were intended. Post-positivism informs the theoretical perspective of the study, whereby reality is “...socially constructed rather than objectively determined. Hence the task of social scientists should not be to gather facts and measure how often certain patterns occur, but to appreciate the different constructions and meanings that people place upon their experience.” (Noor, 2008:3)

In addition, due consideration is given to Process Theory whereby the study "...involves considering phenomena dynamically – in terms of movement, activity, events, change and temporal evolution." (Langley 2007:271). These may not have simple direct linear relationships where for example, variable A leads to B, but instead, there are more complex relationships consisting of numerous interlinked events which are also seldom linear.

3.2 Discourse Analysis

Discourse Analysis (DA) is the methodology of choice for this study, in which case I apply it as a "... related collection of approaches to discourse, approaches that entail not only practices of data collection and analysis, but also a set of metatheoretical and theoretical assumptions that a body of research claims and studies." (Wood & Kroger 2000:x in Phillips & Hardy 2002:5). Examples of other studies conducted in this manner may be found in the works of Foucault (1977) as well as those by Fairclough (1992), Holloway (1989) and Mama (1995), who all borrowed heavily from Foucault.

A discourse may be defined as "...an interrelated set of texts, and the practices of their production, dissemination, and reception, that brings an object into being." (Parker in Phillips and Hardy 2002:3) Texts, on the other hand, may be defined as "...delimited tissues of meaning reproduced in any form that can be given an interpretive gloss." Parker (1992:6)

Treating these texts as solitary units may not provide much clarity with regard to what theories are and what they mean, but rather their importance comes from the manner in which they relate to other texts. The perception and interpretation of these relationships, in turn, is what makes them come alive. (Phillips and Hardy, 2002; Parker 1992) This does not mean that texts do not have meaning unto themselves, for indeed all language has meaning.

Of significance is that an analysis which emphasises the study of texts with little or no consideration given to context, may lead to myopic observations and theories that are either too narrow or too wide to be of much use. (Alvesson & Karreman, 2000; Hardy et al., 1998)

The favoured approach then is to consider texts in context, although there may be some confusion as to whether this refers to the context of production, or the context of consumption. The question here is: at what point does the text acquire meaning? Fiske, in Bell and Garret (1998), argues that "...text-as-meaning is produced at the moment of reading, not at the moment of writing...[this] takes away from that text the status of being the originator of that meaning." (Fiske, 1987:305) (See also, (Meinhof, 1994:212f)). Van Dijk, on the other hand, bases his definition of context on his earlier work and that of Duranti and Goodwin (1992), and is of the view that context is "... the mentally represented structure of those properties of the social situation that are relevant for the production or comprehension of discourse." (Van Dijk, 2001:356). As such, text may not have meaning at the point of production, but the context of production is as important as the consumption context in gaining that deeper understanding of texts which does not gloss over underlying nuances.

The problem is that since the context is also to some degree cognitive, researchers may have limited access to the producers of texts at the point of production, which will in turn limit their understanding of the cognitive process leading up to the production of the texts. What is easier to observe however, is the social context in which the text is produced, and to an even greater degree, the context in which it is consumed.

To aid the study of texts in context, Fairclough has developed a three dimensional analytic framework, as outlined in Cassell & Symon (2004:205-206). The framework starts off with an analysis of the texts, the aim of which is to identify their 'force'. This is the reason

for which the text was produced. Discursive practice forms the second level of analysis. Here, the texts are considered in their production context.

Yet a third level is that of social practice, whereby the texts are analysed for the propositions they make. These so called propositions are categorised based on which ones the text seems to 'get away with' and those that are challenged. The propositions that the text 'gets away with' may be seen to represent truth or fact, and it is suggested, draw on existing dominant discourses which give them credence. Other propositions that exist may be challenged and defended in what Fairclough calls 'hegemonic struggle', in a bid to "...secure ideological consent" (2004:205). Phillips and Hardy (2002) support Fairclough's approach of text analysis in context. They however refrain from prescribing a specific 'recipe' for data analysis, preferring instead to give an example of how they analysed data in a previous study. They argue that "...the breadth of discourse analysis techniques - ranging from an emphasis on specific utterances to an analysis of a range of texts over time - and the diversity of phenomenon under investigation means that the form that analysis takes will vary from study to study." (Phillips and Hardy, 2002:74).

This perspective of discourse analysis offers a varied approach applicable to diverse phenomena, which means that it is often difficult to ascertain what people mean by it. (Alvesson & Karreman, 2000:1126). In a bid to offer clarity, various scholars have attempted to categorise discourse analysis and offer some guidance to researchers in the field (Keenoy et al., 1997; Potter, 1997; Potter & Wetherell, 1987). Alvesson and Karreman, for instance, argue that the various approaches to discourse analysis can be mapped out on a continuum and located within a matrix based on two key dimensions:

(a) the relationship between discourse and meaning (broadly defined)

(b) the attentiveness to detail and specific context versus an interest in more standardised forms of language use.

(Alvesson & Karreman, 2000:1145)

The matrix suggests that there is a distinction between discourse analysis which basically concerns itself with the study of language for meanings and patterns and has its focus on more local contexts, vis-a-vis the long-range approach that looks at more aggregated patterns in a global context, leading to Grand or Mega-Discourse. Alvesson and Karreman do not advocate conducting research at either extreme, preferring instead to suggest a 'discursive ladder' that leads up from discourse analysis as a basic method of analysing language in use, to Discourse Analysis as a methodology. They caution against the temptation to climb the ladder too quickly, which might lead to studies that are not considered rigorous enough and whose findings may not stand the test of time. In the context of Alvesson and Karreman's matrix, this study is conducted in such a way that it steadily moves from a micro perspective to a macro one and hence avoids being rigidly located on any one point in the matrix.

Consequently, the first step in the research was to collect texts and analyse the language-in-use so as to identify key terms and emerging themes. I then 'laddered up' as patterns emerged, discourses became apparent and the competition for dominance between these discourses became observable. At this point, longer-range observations could be made. In doing this, I considered that this approach not only serves to ensure a close interaction with the phenomena under study, but it also allows for greater understanding of underlying issues that might otherwise be missed in an overly macro approach.

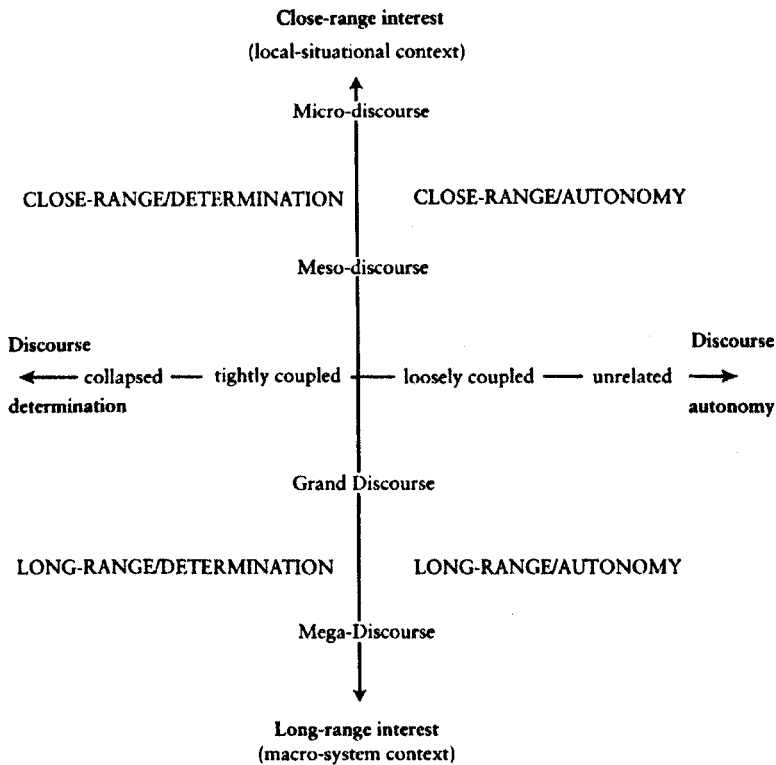


Figure 3.0.1 : Elaboration of Core Dimensions and Summary of Positions in Discourse Studies

[Source: Alvesson and Karreman, 2000:1135]

In support of this position and as outlined in chapter 1, the favoured approach to this study is that of Critical Discourse Analysis (CDA), which may be understood as “...an academic movement, a way of doing discourse analysis from a critical perspective, which often focuses on theoretical concepts such as power.” (Wodak et al., 2008:273) See also (Van Dijk, 2001:353).

Thus, this study is guided by and gives due consideration to the main tenets of CDA as summarised by Fairclough and Wodak(1997:271-80). These are:

- a) *CDA addresses social problems*
- b) *Power relations are discursive*
- c) *Discourse constitutes society and culture*
- d) *Discourse does ideological work*
- e) *Discourse is historical*
- f) *The link between text and reality is mediated*
- g) *Discourse analysis is interpretative and explanatory*
- h) *Discourse is a form of social action*

(Van Dijk 2001:353)

3.2.1 Adopted Approach

With these considerations in mind, I conducted this study in a manner akin to one adopted by Wodak et al (1998), in a study in which they seek to establish whether a ‘methodological synergy’ between Corpus Linguistics (CL) and CDA works. The synergy they describe, examines ‘discourses of refugees and asylum seekers in the UK press’, whereby they found that by combining CL and CDA, they could analyse texts in their linguistic context which enabled them to identify themes and patterns with limited bias.

In addition, they were able to climb the ‘discursive ladder’ as they took a “...step outside the corpus in order to consult other types of information...” (Wodak et al., 2008:296). Taking their study to an even higher level, they could then “...explain why and under what circumstances and consequences the producers of the text have made specific linguistic

choices among several other options that a given language may provide.” (Wodak et al., 2008:281)

I also draw from the work of Robert Gephart (1993 &1997). Gephart provides invaluable insights into the use of “the textual approach” (Gephart 1993:1465) in sense making. Gephart’s study explored ‘risk’ and ‘blame’ in the sense making of a pipeline explosion in which five workers were injured, with two of the five dying while receiving treatment in hospital. In using the textual approach, Gephart found it to be “...an effective means of applying sensemaking concepts to uncover the practices or processes that generate and sustain interpretations of responsibility for actions...” (Gephart 1993:1510). Building on this work, Gephart conducted another study in 1997 in which he explored the usefulness of Computer-Aided Qualitative Data Analysis (CAQDAS) in interpreting texts from a public inquiry into the gas blow-out of a well in Alberta. In his study, Gephart demonstrated how CAQDAS “...can be used to address quantitative terms and concepts in use in everyday scenes of organisational discourse.” (Gephart 1997:619)

What links these studies is the way they involve forms of textual analysis as a basis for deeper qualitative analysis. In this study, I follow the same basic premise, beginning with textual analysis (CL analysis), followed by CDA into sensemaking/giving involving the two case studies.

3.3 Case Study

Gummesson, (in Thorpe and Holt 2008:38) argues that “Efforts to define and classify cases for research purposes have been unsuccessful”. This is because there are numerous types of cases. A company, for instance, could be a case, and so could an issue within that company such as the payment system employed by the human resource department. A person or a group of people, could also be a case, more so in fields like medicine and law enforcement. There are single cases, multiple cases, cases within cases, and so on. As such, “A case should always be defined to suit a specific research purpose.” (Gummesson, in Thorpe and Holt 2008:38). This study employs the multiple case study method, whereby two corruption cases are considered longitudinally, with the BWIs, the media and the GoK being the main participants in the activities under study. Kenya provides the physical context within which the study is conducted.

Thus, the decision to employ the case study method is driven by the premise that this type of research can be effectively used for theory building (Eisenhardt, 1989; Eisenhardt & Bourgeois, 1988; Gersick, 1988), which is central to this study. As Eisenhardt (1989:532-533) asserts, building theory from case studies has several strengths, which include the possibility of building new theories which are easy to test and are empirically valid. This may be more so in inductive research, where the phenomenon under study is iteratively and discursively analysed whilst constantly being read against extant literature. This is possible due to the intimacy between the theorising process and the evidence, and the depth of analysis that a case study allows. (See also Yin, 2003; Bailey, 1992)

This iterative movement between data and various literatures is aimed at enriching emerging theory. Weick (2007) proposes an approach to case study analysis within which he emphasized the importance of reading cases "...with theories in hand because theories increase requisite variety." (Weick, 2007:16). Therefore, these theories provide a researcher with various 'lenses' through which he or she might view the phenomenon under study. Weick also suggests reading as much about the phenomenon as possible, including previous studies, before embarking on actual analysis. The researcher then knows what approaches others may have used, what they found, and probably what they might have missed. It also assists one to get a rich mental picture of the phenomenon under study, and once the actual analysis process starts, the researcher might find that this mental preparedness enables them to notice aspects of the phenomenon that they might have otherwise missed. Thus, "rich comparisons breed further richness." (Weick, 2007:16).

However, the case method is not without weaknesses. Eisenhardt (1989), for instance, points out that the intensity with which a case study is analysed may at times produce overly complex theories, thus losing perspective. At the other extreme, is the possibility of producing theories that are too narrow to have any significant impact. This may be more so in the case of multiple case studies, where the tendency might be to subject each case to intense scrutiny in pursuit of rigour, and in the process, loose clarity. The problem of too much data may compound this even further. See also (Flyvbjerg, 2006; Campbell & Stanley, 1966). In spite of these misgivings, Flyvbjerg makes a strong case for the usefulness and appropriateness of case studies in building strong theories), as follows:

...Galileo's rejection of Aristotle's law of gravity was not based on observations "across a wide range," and the observations were not "carried out in some numbers." [...]In his experimental thinking, Galileo reasoned as follows: If two objects with the same weight are released from the same height at the same time, they will hit the ground simultaneously, having fallen at the same speed. If the two objects are then stuck together into one, this object will have double the weight and will, according to the Aristotelian view, therefore fall faster than the two individual objects. This conclusion operated in a counterintuitive way for Galileo. The only way to avoid the contradiction was to eliminate weight as a determinant factor for acceleration in free fall. And that was what Galileo did. Historians of science continue to discuss whether Galileo actually conducted the famous experiment from the leaning tower of Pisa or whether it is simply a myth. In any event, Galileo's experimentalism did not involve a large random sample of trials of objects falling from a wide range of randomly selected heights under varying wind conditions and so on, ...

(Flyvbjerg 2006:225)

Borrowing a leaf from Galileo, this study is based on two carefully selected cases, whose characteristics and the socio-political and economic context in which they occurred is deemed to have the requisite features upon which theory can be built. Thus, the Goldenberg and Anglo-Leasing cases were not only selected because of their scale and prominence, but also due to the fact that have remained key references in the talk about corruption by the GoK, the BWIs and the media.

In addition, the two cases occurred a decade apart and under different regimes. As earlier mentioned, the Goldenberg Affair took place under Kenya's second president, Daniel arap Moi, who, according to the BBC, "...was widely blamed for exacerbating the culture of corruption that has crippled Kenya's economic development." (BBC, 23/07/2003). The Anglo Leasing Scandal broke during the current regime under President Mwai Kibaki, under whose tenure the country has continued to register steady economic growth. This then allows the comparison of two similar cases under different socio-political and economic conditions, without the logistical complications of conducting research in two different counties. Consequently, this allows for a longitudinal study of the relationship between the GoK and the BWIs to be conducted, where the relationship is explored at different stages and under varying circumstances.

By taking a longitudinal approach, I aim to trace the various discourses as they emerged and competed for prominence, hence allowing me to identify and order them based on their salience.

3.4 Data Sources

There are usually two main categories of data that may be used for empirical research: primary data and secondary data. The former consists of what may be seen as 'raw data' collected solely and directly for purposes of the study. Secondary data on the other hand includes data that has been collected for previous research but is relevant to the study. (Malhotra & Peterson, 2006; Saunders et al, 2003).

This study utilises secondary data in the form of written texts from various sources. These include GoK reports, BWI reports, and press reports as the main data sources. Reports from the civil society, for instance the annual Transparency International Corruption Perception index, will be considered as a means of ‘stepping outside the corpus’ (Wodak et al., 2008) in order to gain a deeper understanding of the context in which the main texts under consideration are produced and consumed. Further elaboration is offered below:

3.4.1 Media Reports

These include newspaper and newswire reports in select local and international media. The focus is on the local media whereby I chose two of Kenya’s leading newspapers (and some of their affiliate publications) based on their coverage and circulation figures. The rationale for this decision was that this study attempts to follow the development of the discourse and the newspaper reports from the local media provide an insight to the salience of issues within the country as discussed in the public domain.

That said, I include select international newspapers as a reference to establish whether events on the ground as reported in the Kenyan press were in any way reflected in foreign reporting, and/or vice versa. Thus, did the foreign media in any way influence the development of the discourse? If so, in what way?

The choice as to which newspapers and newswires to include was largely dictated by the extent to which they covered the two cases and other corruption related issues in Kenya. I also took into account their circulation figures and reach so as to ensure that the select combination of media caters for a large enough audience.

In order to keep the study manageable, the international newspapers that I chose for the study were predominantly UK and USA based, due to the fact that these countries have historically been the largest donor aid contributors to Kenya, until the recent growth of economic relations between Kenya and China. China's contribution is now greater than that of the UK and second to the USA. This is according to the European community as presented in a report by the German Foundation for World Population (DSW).

With regard to the UK, the relationship with Kenya has another aspect to it based on Kenya's colonial history under Great Britain. Thus, I selected three of the international newspapers which are UK based. Combined, these newspapers cater for both liberal and conservative members of the society and enjoy national coverage. They are: *The Guardian*, *The Independent*, and *The Times*, which are all UK newspapers. According to the UK Audit Bureau of Circulations (ABC) 2010 circulation figures, these newspapers have a wide national coverage with *The Guardian*, for example, having a 15.8% stake of the total UK circulation figures for all national newspapers. In addition, I include the *Financial Times* which though UK based, has a wide global coverage estimated at 1.9 million a day (ACB website), making it the largest global newspaper in the world by circulation. I also took into consideration its extensive coverage of global financial matters.

Finally, I chose *The New York Times* from the USA. According to ABC (USA), the newspaper is the third largest in the country after *USA Today* and *The Wall Street Journal*. I also include *The Washington Post* where possible in the study based on its national coverage as the fifth largest newspaper in the country, and the fact that it is based in the political capital of the country.

Besides newspapers, I also consider international newswires such as the British Broadcasting Corporation (BBC) and the International Press Service (IPS). Both covered the two cases extensively and are an important source of information, more so for those local and international media houses which may not have reporters on the ground.

Further, BBC radio is an important source of news for many Kenyans, and more so those in the rural areas who have limited access to print media. The station reports in English and Kiswahili although for purposes of this study, the English broadcasts alone are included as presented in the newswire transcripts and news summaries.

Locally, the *Daily Nation* (with its affiliate weekly financial newspaper, *The East African*) and *The Standard* (formerly *The East African Standard*) newspapers provide the bulk of media reports whose content is analysed. The two are arguably the largest in terms of circulation numbers. Although the authority of the two dailies is not in question, recent studies into the coverage of the 2007 post-election violence in Kenya brought out certain concerns. The BBC World Service Trust, for instance, carried out research on media policy in Kenya following the 2007 elections, and although they acknowledge that the media played a critical role in the establishment of multiparty rule in 2002, the environment in which they operated has changed significantly. On the one hand, media has become a lot more commercial with the source of advertising revenues influencing media policy to a large extent, while on the other, there is at times an underlying political agenda. "Editorial policy has been increasingly shaped from board rooms inhabited by people with close links to particular parties." (BBC World Service Trust, 2008:9).

Another study, conducted by Oriare et al. on behalf of the global policy and development organisation - Friedrich Ebert Stiftung (FES) in 2001, found that “Big spenders on advertising such as Safaricom, Kenya Revenue Authority (KRA) and East African Breweries Limited wield immense influence in media houses.” (Oriare et al., 2001:50). However, in spite of bias on certain issues, the two papers appear to be fair in their coverage of most and are considered “... highly sophisticated, dynamic and internationally respected”. (BBC World Service Trust, 2008:7). A brief introduction to the two dailies is given below.

3.4.1.1 The Daily Nation

The Daily Nation was first registered by two European businessmen in Nairobi in 1959 (Ainslie, 1966). The two then sold it a year later to His Highness Prince Karim Aga Khan (commonly referred to as the Aga Khan), who is the leader of Shia Imami Ismaili Muslims worldwide (Nation Media Website). The Aga Khan family has vast business interests in Kenya, including private schools and universities, private hospitals and the Nation Media Group, which owns *The Daily Nation*.

At inception, *The Daily Nation* was a Sunday newspaper, the *Sunday Nation*. Seven months after operations began, *The Daily Nation* was born, and continues to be printed between Monday and Saturday alongside the *Sunday Nation*. At inception, the Aga Khan had a vision for the paper which was built on a belief in the emancipation of Africa from colonial rule, perhaps as a result of a close alliance with known Kenyan pro-freedom activists like Dr. Gikonyo Kiano, who later joined Jomo Kenyatta in forming the first Kenyan Parliament after independence in 1963. (Hachten, 1992; Abuoga & Mutere, 1988; Faringer, 1991)

These links may have come up as the Aga Khan had himself grown up in Nairobi and could perhaps relate to the political struggle of the local people. By concentrating on an audience that was predominantly African, *The Daily Nation* endeavoured to fill a gap which occurred because all other English news publications in the colony were aimed at Asians and Europeans and were pro-government.

This decision meant that The Aga Khan had to finance the venture himself as readership figures were low due to low literacy rates and a general lack of purchasing power among the local communities. This only turned around in 1968, when the newspaper reported its first profit (Nation Media Website). Unfortunately, the success of the newspaper was short-lived as in 1972, the paper carried a story claiming that a well known political activist, J.M. Kariuki was safe and sound following reports of his disappearance. It later emerged that the activist had already been shot dead (allegedly at the behest of powerful government officials) and his body had been found dumped in a forest on the outskirts of the city.

The newspaper lost credibility and had to struggle to rebuild its reputation in what they describe as 'the dark ages' (Nation Media Website). The newspaper has since grown to be the leading daily newspaper in the country by circulation, (Intermedia, 2010), and is part of the Nation Media Group (NMG), the largest media group in the country. NMG currently owns seven publications (including the weekly business and finance publication - *The East African*), three FM radio stations and a television station, and is now publicly traded on the Nairobi Stock Exchange, although the Aga Khan remains its principle shareholder.

3.4.1.2 The Standard

According to the Encyclopaedia Britannica, *The Standard* was established in Kenya's coastal city of Mombasa in 1902 as a weekly. The paper, then called the *African Standard*, was founded by A.M. Jeevanjee, an Indian merchant, whose aim was to provide a source of news for civil servants and the business community, many of whom were of Indian origin. The colonial government had brought in labour from India to build the East African Railway which connected landlocked Uganda to the Kenyan coastal city of Mombasa (Hatchten, 1971). Many of the Indian workers settled in Kenya after the railway was complete and either took up jobs in the colonial civil service or became merchants in towns and cities.

In 1904, the *African Standard* was sold to two British businessmen, who renamed it the *East African Standard*. The paper concentrated on delivering news from the UK to the white colonial settlers and was supportive of the colonial government (Abuoga & Mutere, 1988; Maloba, 1992). With a highly literate and financially able audience, the *East African Standard* grew to become the largest and most influential newspaper in colonial East Africa (Hatchten, 1971).

Sixty three years later, in 1967, the Lonrho Group bought the *East African Standard*. The group has vast business interests in Africa, including mining, hotels, printing and real estate, and it used the newspaper to serve these businesses in East Africa (Barton, 1979). In 1998, then chairman of the Lonrho Group died and the *East African Standard* was bought by former President Daniel Moi, his son Gideon Moi and the president's former Personal Assistant, Joshua Kulei, who renamed it *The Standard*. They retain majority shareholding of the Standard Group of Companies which is also now traded in the Nairobi Stock Exchange.

The paper is currently the second largest by circulation in Kenya and is part of the Standard Group of companies, alongside the Kenya Television Network (KTN), one of Kenya's leading television stations. (Intermedia, 2010)

3.4.2 Lexis -Nexis

To aid with the selection of newspaper articles, I used Lexis Nexis. Updated daily, this is a database within which one can search for full-text international newspapers and news sources, amongst other publications. For this study, I confined the use of Lexis Nexis to newspaper articles as other reports relevant to this study were unavailable in the database.

In conducting the search, my starting point was to search for articles by specifying key words and dates. At first, I considered various keywords, including 'corruption'. I eventually dismissed these as I found them to be too presumptuous. As such, in order to retain a fair level of objectivity, I decided that the search would be limited to mentions of the two cases within specified time periods.

Therefore, 'Anglo Leasing' and 'Goldenberg' become the keywords (with 'Kenya' as a link) so as to narrow the search. I also specified one-year time periods in order to manage the results, which I then saved chronologically in Microsoft Word. This approach was also due to the fact that Lexis Nexis limits search results to 3000 per search, in which case if the search was conducted for the entire time period 1992-2007, the results would have been too many for it to display. I also considered using search terms to narrow the scope of the search but its potential influence on objectivity meant that it would be too limiting.

To illustrate, figure 3.0.2 depicts a Lexis Nexis search using the search string: 'Goldenberg' or 'Anglo Leasing' and 'Kenya' between 01/01/2005 and 31/12/2005 in all English language news.

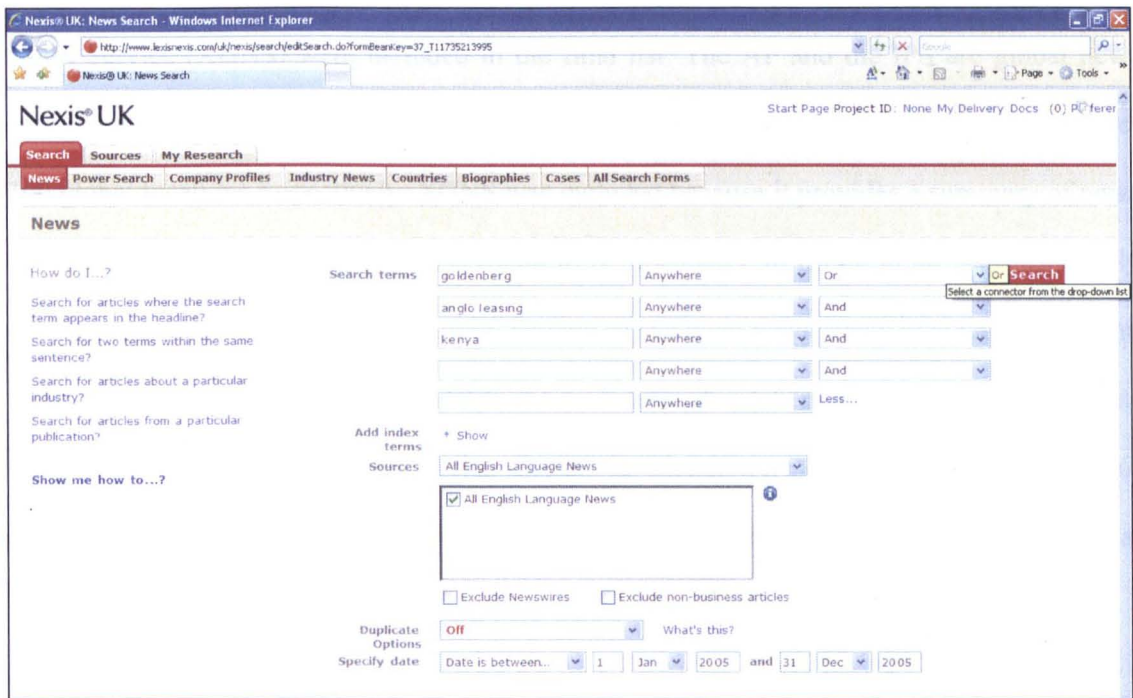


Figure 3.0.2: Lexis Nexis Search Page

This produces a total of 821 items, of which there are 192 articles in 'aggregate news sources', and 14 items under the 'newspaper' category. The 'aggregate news' category contains articles from newspapers local to the region specified in the search, as well as global newswires, whereas the 'Newspaper' category features mainstream newspapers, predominantly from Europe, America and parts of Asia which have covered news items containing the specified search string. For this search, the 'Newspaper category' contained 12 publications of which I only considered *the Guardian*, *the Daily Telegraph* and *the Washington Post*.

In addition, this search contained 105 news scripts (104 from BBC Monitoring and 1 from CNN), of which I only considered the BBC Monitoring scripts based on the parameters of the study. There were also 28 Newswire and Press Releases from 7 sources. Of these, only the Associated Press WorldStream (AP), the Inter Press Service (IPS) and the Xinhua General News Service (XGNS) were included in the final list. The AP and the IPS are global news agencies, which according to figures on their respective websites, are present in 300 and over 100 global locations respectively. XGNS was included because it provides a summary of news as reported in the local press and was found to be invaluable in filling in the gaps especially between 1993 and 1995, when electronic version of the local newspapers are unavailable, and more so *The Standard*, which is available online in limited numbers before 1998. During these early years, publications like the Indian Ocean Newsletter were included in the final list of articles because they too helped fill these gaps as they carried reports appearing in the local newspapers. See figure 3.0.3.

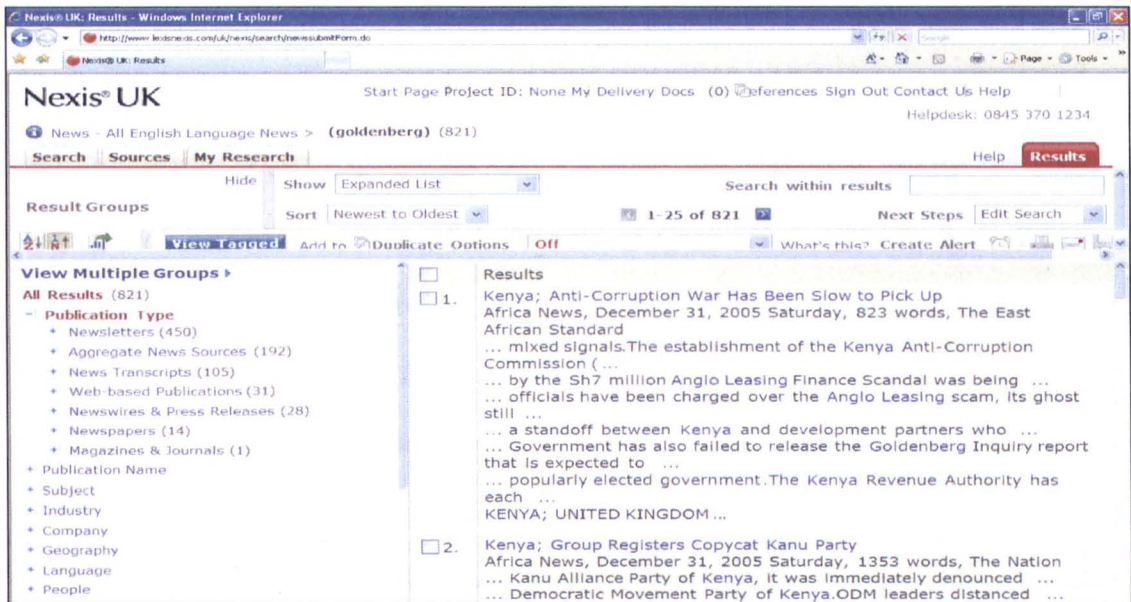


Figure 3.0.3: Lexis Nexis Results Page

I also did not include Magazines and Journals in the final list, or web-based publications, which included *Liquid Africa* and *Global Insight*. I based this decision on the premise that the coverage of news in these publications was not significantly different to that of other publications in the final list. Thus, their contribution to the discourse, or lack thereof, was perceived to be insignificant.

Once I had selected the sources in the manner outlined above, the next step called for a selection of specific articles for inclusion in the final list. In order to do this, I first organised the articles in order of publication starting from the oldest to the newest. Lexis Nexis provides the option to sort the results in this manner and the results are then displayed in the manner shown in figure 3.0.2, which allows for a quick skimming of the article thus quickly ascertaining its relevance to the research.

Lexis Nexis also allows one to 'click through' into the relevant news item and read it in full. In this particular research, I used the 'expanded list' view shown above to identify duplicate articles, of which there were quite a number. For instance on January 2nd 2005, *the Daily Nation* carried an article titled "*Secrets of Graft: How Officials Stole Billions of Shillings*". This article appears twice in the results because it was submitted by AllAfric Inc. as part of their collection of African news items, and at the same time, the Nation Media Group submitted the same article directly. This pattern is less evident in the early 90s when electronic submission of articles by both dailies to Lexis Nexis was limited, but more evident in later years as their online presence increased. The final list for the search illustrated above, consisted of 468 articles out of the original 821.

The selection of articles is done by clicking into the box next to each item. Once all items are 'checked' in this manner, they are then sent into 'My Delivery Docs' which is a folder in Lexis Nexis. These can then be saved as Microsoft Word documents and later converted into text for CL analysis.

Lexis Nexis made it possible for me to sift through large volumes of articles much quicker than it would have taken had I gone into each publication in turn and conducted a search within their respective archives. Also, Lexis Nexis contained articles from *the Standard* and *the Daily Nation* as submitted by All Africa Inc., and in some cases, these were not yet available in archives of the respective dailies, which are still under development. I appreciate that Lexis Nexis is not all inclusive but its extensive database does contain a sufficient number of articles from varied sources upon which the media data set for this study was formed. The final list of media items comprised a total of 4,838 articles selected in the manner outlined above and covering the entire period under study.

3.4.3 GoK and BWI Reports

A total of 38 reports were selected, a much smaller number compared that of the media reports. This is partly due to the fact that government reports are often released on a quarterly or annual basis as opposed to media reports which (in this case) appear daily and at times, several times a day. In addition, there was the issue of access to these reports, more so those dealing with matters as sensitive as fraud and corruption, which are at times unavailable for public consumption. Fortunately, the annual Kenya Anti-Corruption Commission reports covering this period are freely available and are included in this study.

Also included are the proceedings from the donor consultative group meeting for Kenya, which was held between 24th and 25th November 2003. This was the first meeting of the kind held in Kenya and was used as a platform to forge better donor relations with the newly elected government under Mwai Kibaki.

To add the richness of this data, I was able to gain access to the official report of the Goldenberg Commission of Inquiry as well as the report by John Githong'o (former Permanent Secretary for Justice and Ethics) on Anglo-Leasing. These were accessed through Mars Group, an 'anti-corruption watchdog' formed by the former Director of Transparency International, Mwalimu Mati. Mars group had access to a large amount of government documents on corruption, including the verbatim reports of the proceedings of the commission of inquiry into Goldenberg, and was a useful resource for researchers and civil society. Their authority on corruption and governance had grown to an extent that on June 11 2009, they drew attention to discrepancies totalling Kshs. 9.2 Billion in the proposed government budget as read by Finance Minister Uhuru Kenyatta, thus forcing him to rewrite the budget following government investigations into the matter. (*The Daily Nation*, May 12th 2009). Soon thereafter, the Mars Group website was shut down and has been inaccessible since. Nonetheless, I had already accessed the key reports essential for this study.

With regard to the BWIs, I collected country reports and policy documents concerning Kenya, corruption and the two cases totalling 37 documents. These ranged from transcripts of IMF meetings with African Finance Ministers, to World Bank country reports. I also included Statements by the BWI representatives in the 2003 donor consultative meeting, alongside select press releases that dealt directly with the two cases. I accessed these documents through BWI official websites as well as the Kenya World Bank Public Information Centre.

3.5 WordSmith

WordSmith is a Corpus Linguistic analysis software developed by Mike Scott in 1996 predominantly for use by teachers and students in linguistics. The software is however so versatile that it lends itself to a variety of studies and is particularly useful in analysing large amounts of text. The approach taken by WordSmith is one of combining several tools as opposed to a one-size-fits-all approach. It begins with the creation of a *corpus* (*corpora* in plural), which may be defined as "...a collection of written or spoken material in machine-readable form, assembled for the purpose of linguistic research." (Oxford Dictionaries Online). This main corpus is then analysed against a reference corpus which allows for the generation of a list of key words using the *KeyWord* function. The software also has a *WordList* tool which computes the total number of words in the corpus and presents them alphabetically or in order of their frequency. Finally, the *Concord* tool allows for the analysis of words and phrases in their linguistic context.

Thus, my first step was to create the corpora using WordSmith. To do so, I found it imperative to give due attention to the manner in which I saved the files for inclusion in the corpora so as to ensure that WordSmith read and analysed them chronologically. This meant that I had to number the GoK and BWI files starting from the oldest to the newest and combine this with the year of production. I also added 'GoK' or 'BWI' to the end of the file name in order to distinguish texts from the two corpora. For example, '11_2003_BWI' and '11_2005_GoK' are file names for the 11th text in each corpus, whereby for the BWI corpus the text was produced in 2003, whereas in the GoK corpus the text was produced in 2005.

In instances where there are multiple texts produced in the same year, I arranged these in order of date from the oldest to the newest and numbered them accordingly. For the Press corpus, I also numbered the articles and saved them in order of their date of publication and the source.

For instance, an article appearing in the *Daily Nation* on 13th March 1998 is saved as: 'ARTICLE_14_MARCH_13_1998_THE NATION'. I repeated this pattern for all articles, which I then saved in different folders according to their year of production. By combining the articles in each folder, I formed one document with 15 separate texts, each containing all the articles produced in a given year (from 1993 to 2007). Thus, the 2006 press text for instance, consists of 1,745 articles, whereas the 2002 text consists of 83 articles.

The next step was to convert the texts into text format and upload them onto WordSmith for textual analysis. This analysis "...seeks to develop or recover themes, means and patterns in textual data; to provide 'thick' interpretations which display how concepts are operative in the data; and to ground theory in data in an ongoing or iterative process of analysis." (Gephart, 1997:585) See also (Glaser and Strauss, 1997; Gephart, 1993; Gephart and Pitter, 1995). Following, is a step-by-step explanation of this process.

3.5.1 Keywords

The first step was to identify key words in the Corpora. These are words which occur '*...with unusual frequency in a given text*' (Scott, 1997:236). I manually compiled the first list of words by logically reading through the text and picking out any words that appeared more frequently than most or stood out in some way.

For instance, the use of the word 'mafia' to describe President Kibaki and his close allies was interesting to me as it was in contrast to 'kitchen cabinet' which was more common-place in the Moi era.

I then took this manually compiled list and compared it to the electronically generated list of keywords produced by WordSmith from the three corpora. In order to compile a keyword list, WordSmith starts by compiling a word list from each corpus, through its 'WordList' function. This allows the software to get an idea of how many words there are in the corpus and presents these in order of frequency. The most frequent words are articles, conjunctions and prepositions, majority of which may not be relevant to the study.

In the second step of the analysis, I compared the wordlist from a select corpus to that from a reference corpus, in this case, the media texts. I then compared the word lists from the BWI reports and the GoK reports, in turn, to the wordlist from the media articles. Lastly, I ran the wordlist from the Gok against the wordlist from the BWI reports.

Once generated, I compared the keywords from each of these wordlists to those that I had earlier identified manually. Ultimately, I settled on a total of 127 keywords which I selected based on their ubiquity (the sense of being everywhere in the text) as well as the extent to which I deemed them to be interesting, unusual and/or relevant to the study. Thus, a word like 'Lords', which WordSmith identified as a keyword in GoK reports (appearing 14,735 times), did not form part of the final keyword list. This is because it appears most often as a legalistic term used in the public inquiry proceedings as contained in the 382 page official *Report of the Judicial commission of Inquiry into the Goldenberg Affair*. (See Figure 3.0.4)

N	Concordance	et	g	rd	#	#	s	#	s	#	s	#	s	File	%
1	Car Ltd. 725,000.00 81D 90 Lords Pharmaceuticals 315,750.00	,235	5	2	%	0	%							10_2005_gok.txt	97%
2	ATION 1969 2 AC 147 Lord Diplock M R in his well	,270	3	2	%	0	%							10_2005_gok.txt	92%
3	by asking the court to say so. Lord Dennings successor pointed	,821	1	0	%	0	%							10_2005_gok.txt	91%
4	AC 783 House of Lords, where Lord Lowry stressed this	,422	9	0	%	0	%							10_2005_gok.txt	91%
5	[1990] AC 783 House of Lords, where Lord Lowry	,420	9	0	%	0	%							10_2005_gok.txt	91%
6	addressed and investigated. My Lords, thirdly, it is the view of the	,133	7	0	%	0	%							10_2005_gok.txt	77%
7	sight of the broader picture. My Lords, secondly, we must	,075	5	0	%	0	%							10_2005_gok.txt	77%
8	those issues are concerned. My Lords, it is our hope as the Law	,988	2	0	%	0	%							10_2005_gok.txt	77%
9	of an Attorney-General. My Lords, the previous Government,	,784	4	0	%	0	%							10_2005_gok.txt	77%
10	the Law Society of Kenya. My Lords, history recalls also that	,556	0	0	%	0	%							10_2005_gok.txt	77%
11	Attorney-General will result'. My Lords, I think history has	,541	9	0	%	0	%							10_2005_gok.txt	77%
12	in the Goldenberg scandal. My Lords, the Law Society of Kenya	,462	6	0	%	0	%							10_2005_gok.txt	77%
13	as amicus curiae. My Lords, as history shows, once he	,366	4	0	%	0	%							10_2005_gok.txt	76%
14	Inquiry and its membership. My Lords, my I recall for the record	,250	0	0	%	0	%							10_2005_gok.txt	76%
15	Court of Appeal of Kenya; my Lord, Justice D. Aganyanya of	,175	6	0	%	0	%							10_2005_gok.txt	76%
16	Ahmednassir Abdullahi): My Lord, Justice Samuel Bosire of	,163	6	0	%	0	%							10_2005_gok.txt	76%
17	support required to enable your Lordships to effectively discharge	,121	3	0	%	0	%							10_2005_gok.txt	76%
18	In that capacity, I am at your Lordship's disposal to render to	,108	3	0	%	0	%							10_2005_gok.txt	76%
19	you as amicus curiae. My Lords, Commissioners, as amicus	,067	2	0	%	0	%							10_2005_gok.txt	76%
20	(Mr. Wako): I thank you, my Lords. To conclude may I on my	,043	0	0	%	0	%							10_2005_gok.txt	76%
21	the Commonwealth, I pray, my Lord, Commissioners, that it be	,011	6	0	%	0	%							10_2005_gok.txt	76%
22	which is fair and accurate. My Lords, Commissioners, let me	,961	4	0	%	0	%							10_2005_gok.txt	76%
23	before this Commission. My Lords, Commissioners, this is a	,932	3	0	%	0	%							10_2005_gok.txt	76%

Figure 3.0.4 : 'Lord*' GoK-corpus concordance Screenshot

(Circled section shows that the keyword occurs in one text file, in this case, 10_2005_gok.txt, which is the *Report of the Judicial commission of Inquiry into the Goldenberg Affair*)

In comparing the manual keyword list and the computer generated keyword list, I observed that the two were very similar but by no means identical. To address these differences, I took any words in the manual keyword list that did not occur in the WordSmith keyword list and run these through the corpora to test their “keyness” or “notion of outstandingness”. (Scott, 1997:236). Thus, the word had to appear a significant number of times in the corpus, and be deemed to be intriguing enough for inclusion in the final list.

To illustrate, the word *'plunder'* appears 59 times in 7 out of the 15 years covered by the 'press' corpus. I considered this to be significant enough for inclusion to the keyword list. On the other hand, *'kitu-kidogo'*, which is a Swahili synonym for *'bribe'*, failed the “keyness” test although I had earlier included it in the manual keyword list. This word appears only 10 times within 4 out of the 15 text files (15 years) in the press corpus and was hence discarded.

N	Concordance	et	g	rd	#	#	s.	#	s.	#	s.	File	%
1	by the way we have accepted kitu kidogo as a national culture!	,927	1	%	0	%	0	%	0	%	0	_%_press.txt	5%
2	you do not deliver the requisite kitu kidogo is so tangible you	,371	9	%	0	%	0	%	0	%	0	_%_press.txt	41%
3	commonly referred to as "kitu kidogo," or "something small"	,045	2	%	0	%	0	%	0	%	0	_%_press.txt	90%
4	Somewhere between the kitu kidogo and the conclusion of	,049	3	%	0	%	0	%	0	%	0	_%_press.txt	15%
5	in Kenya isn't a matter of Kitu Kidogo, or of a few ministers	,833	2	%	0	%	0	%	0	%	0	_%_press.txt	36%
6	anything? Have I ever asked for kitu kidogo (bribe)? Many years	,247	9	%	0	%	0	%	0	%	0	_%_press.txt	34%
7	a relationship, or proffering kitu kidogo or having some	,344	2	%	0	%	0	%	0	%	0	_%_press.txt	52%
8	a relationship, or proffering kitu kidogo (a little something) or	,016	0	%	0	%	0	%	0	%	0	_%_press.txt	53%
9	of the return of ten percent "kitu kidogo" in sourcing public	,493	9	%	0	%	0	%	0	%	0	_%_press.txt	85%
10	stares them in the face. The "kitu kidogo" mentality renders the	,058	4	%	0	%	0	%	0	%	0	_%_press.txt	94%

Figure 3.0.5 : 'Kitu kidogo' Press-corpus concordance screenshot

N	filename
1	c:\users\kendi\documents\final data\data\goldenberg and anglo leasing press\press\1998_press.txt
2	c:\users\kendi\documents\final data\data\goldenberg and anglo leasing press\press\2002_press.txt
3	c:\users\kendi\documents\final data\data\goldenberg and anglo leasing press\press\2004_press.txt
4	c:\users\kendi\documents\final data\data\goldenberg and anglo leasing press\press\2005_press.txt

Figure 3.0.6 : 'Kitu kidogo' Press-corpus file names screenshot

In addition, where variations of the same word appeared several times, I took the root word (where appropriate) and conducted the subsequent search within the corpora with the addition of an asterisk at the end of the word. 'Scandal', for example, appears 5,806 times as a keyword in the 'Press/GoK' wordlist, and 'scandals' appears 1,673 times.

In this case, I included 'scandal' in the final wordlist and applied it as 'scandal*' in order to capture its full range of extensions appearing in the corpora. However, I treated 'Britain', for instance, as a separate word from 'British', which WordSmith could not capture in a search for 'Britain*' in the corpora. I also used 'Anglo' was to capture the two variations of the *Anglo-Leasing* or *Anglo Leasing* case which means that I did not treat these two phrases independently although they were both key. Rather, I took them to mean the same thing in both variations and felt that they were adequately covered under 'Anglo'.

This process of sifting through the initial keyword list, removing ‘noise’ as well as words that may not be relevant to the study (Kast-Aigner, J. 2010) facilitated the formulation of the final keyword list. In order to facilitate more meaningful analysis, I then organised this list based on what the words represent. (See Appendix 3)

I took a longitudinal approach in the analysis of these key words, which made it possible for me to map the developing discourse over time as the language in use evolved to reflect events as experienced and perceived by the participants. Thus, I went on to further test each key word for its keyness, not only by looking at the number of times it appeared in the text, but also by considering the manner in which it was used, and if I found this to be significant in one way or another.

3.5.2 Concordance

Having established the keywords, the next stage involved searching for each keyword in each corpus. I did this via the ‘Concord’ function in WordSmith, which makes a concordance by searching for a specified keyword in all chosen texts and presenting these as a concordance display which shows the keyword in a different colour from the surrounding text (blue in this case). This gives a basic idea of the context in which the word is used at a glance.

To illustrate, consider a search for ‘*corrupt*’ in the Press corpus. This word (and all its variations) occurs a total of 13,173 times and is present in the entire data set ranging from 1993 to 2007 as presented in figure 3.0.7.

N	Concordance	et	g	ord #	nt. #	Pos. #	Pos. %	File
1	Denmark cuts aid in protest at corruption and failure to end	527	16	14%	0	4%	0	1993_press.txt 4'
2	country on grounds of perceived corruption. It will be remembered	1,070	32	00%	0	8%	0	1993_press.txt 8'
3	the breadth and depth of corruption in Kenya and is part of	2,207	78	34%	0	16%	0	1993_press.txt 16'
4	Kenya's a regime even more corrupt than they imagined; and a	7,860	257	39%	0	59%	0	1993_press.txt 58'
5	Denmark cuts aid in protest at corruption and failure to end	9,592	325	71%	0	72%	0	1993_press.txt 71'
6	citing high-level government corruption and the inability of the	9,627	325	92%	0	72%	0	1993_press.txt 72'
7	had been slow in investigating corrupt practices. It added that	9,732	329	95%	0	73%	0	1993_press.txt 73'
8	against people alleged to be corrupt. The statement cited the	9,748	330	00%	0	73%	0	1993_press.txt 73'
9	Denmark cuts aid in protest at corruption and failure to end	9,848	334	31%	0	74%	0	1993_press.txt 73'
10	citing high-level government corruption and the inability of the	9,899	334	86%	0	74%	0	1993_press.txt 74'
11	had been slow in investigating corrupt practices. It added that	0,004	338	95%	0	75%	0	1993_press.txt 75'
12	against people alleged to be corrupt. The statement cited the	0,020	339	00%	0	75%	0	1993_press.txt 75'
13	against financial scandals and corruption, said a statement	0,171	343	40%	0	76%	0	1993_press.txt 76'
14	the problem of tracking down corruption in a country where	0,852	366	45%	0	81%	0	1993_press.txt 81'
15	corruption in a country where corruption extends to the heart of	0,857	366	68%	0	81%	0	1993_press.txt 81'
16	man who threatened to expose corruption in Kenya, the then	0,871	367	40%	0	81%	0	1993_press.txt 81'
17	to Kenya by stamping out corruption, as Kenya were	2,288	418	56%	0	92%	0	1993_press.txt 92'
18	Elderkin herself as having been corrupted and paid to carry and	2,374	421	76%	0	92%	0	1993_press.txt 92'
19	senior civil servant charged with corruption BBC Summary of	154	6	8%	0	5%	0	1994_press.txt 5'
20	fruitless. The head of the anti-corruption department, Mr	373	11	29%	0	12%	0	1994_press.txt 12'
21	reforms and cracking down on corruption were among conditions	1,470	57	50%	0	46%	0	1994_press.txt 46'
22	called for a crackdown on corruption and the prosecution of	1,699	67	48%	0	53%	0	1994_press.txt 54'
23	effect to deal with the glaring corruption of the system." Messrs	1,752	69	76%	0	55%	0	1994_press.txt 55'

Figure 3.0.7 : 'Corruption' Concordance from Press-corpus - Total number of occurrence of the search word -13,173 (see circled)

Besides information on the number of times a keyword appears in the text, the concordance view also presents details for each entry, such as the entry number, the concordance line, word-position and so on. In addition, each result-row is extendable, which allows for more text to be displayed around the node word.

N	Concordance	et	g	rd #	#s.	#s.	#s.	#s.	File	%
4,251	this government's complicity in corruption. As for the contribution	.140	8	0%	0%	0%	0%	0%	_press.txt	22%
4,252	concern at rising levels of corruption in Kenya, the British	.253	0	0%	0%	0%	0%	0%	_press.txt	22%
4,253	7, 2005 Monday Crime and Corruption; Don't Kill the Racist,	.286	9	0%	0%	0%	0%	0%	_press.txt	23%
4,254	used in the past. Us, corrupt? Undoubtedly. But God forbid that that be allowed to become the focus of	.336	1	0%	0%	0%	0%	0%	_press.txt	23%
4,255	on the score or so of the corruption cases he was talking	.713	5	0%	0%	0%	0%	0%	_press.txt	23%
4,256	our own government and its anti-corruption institutions didn't raise	.813	0	0%	0%	0%	0%	0%	_press.txt	23%
4,257	poor enforcement of anti-corruption measures in Kenya by	.009	0	0%	0%	0%	0%	0%	_press.txt	23%

Figure 3.0.8 : Extended Concordance row (see highlighted selection).

It is also possible to click through each entry in order to view the corresponding source text so as to get more specific information regarding the context in which the word has been used. For example, the source text for entry 4,254 below is an opinion piece appearing in *The East African* on Monday the 7th of February 2005.

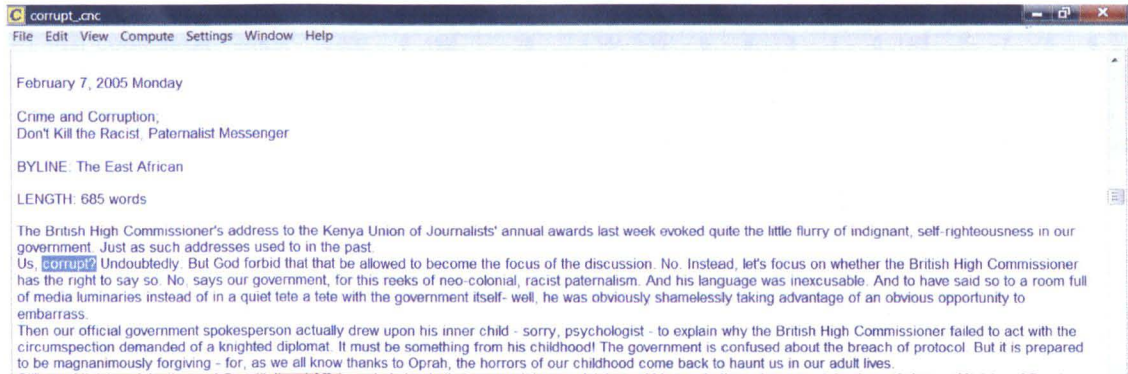


Figure 3.0.9 : Source text

3.5.3 Collocates

“You shall know a word by the company it keeps” (Firth, J. R. 1957:11)

This premise, popularised by Firth, forms the basis for collocation, in which a keyword is considered in relation to the other words appearing in close proximity to it (See also Hoey 1991:6-7; Sinclair 1991a:170). WordSmith, by default, uses 5/5 collocates.

This means that it considers five words to the right of the node-word and five words to the left of the node word. However, it allows the researcher to view up to 25 words on either side of the node-word. In the example in figure 4.7, the word ‘Fight’ (see highlighted selection) occurs a total of 974 times as collocate to the node-word ‘corrupt*’. Of these, 945 are to the left of the node-word, and 29 are to the right.

Immediately to the left (L1), there are 382 occurrences, hence the phrase *'fight corruption'*, which may give an insight to the perception of 'corruption' as something that needs to be forcefully removed.

N	Word	With	Relation	exts	Total	Total Left	Total Right	L5	L4	L3	L2	L1	ntre	R1	R2	R3	R4	R5
13	IS	corrupt*	0.000	15	239	483	756	158	121	80	64	60	0	378	130	94	79	75
14	COMMISSION	corrupt*	0.000	6	192	28	1,164	10	6	8	3	1	0	140	3	7	8	6
15	AGAINST	corrupt*	0.000	14	185	1,065	120	24	29	24	40	948	0	20	54	21	11	14
16	GOVERNMENT	corrupt*	0.000	13	987	500	487	155	126	109	77	33	0	29	107	128	128	95
17	FIGHT	corrupt*	0.000	11	974	945	29	2	8	21	532	382	0	12	4	1	8	4
18	BY	corrupt*	0.000	13	952	534	418	93	232	100	60	49	0	98	78	93	76	73

Figure 3.0.10 : Collocates of 'corrupt*' in Press-corpus

3.5.4 Plots, Patterns and Clusters

In addition to collocates, Concordance allows the researcher to view more information about the concordance in the form of plots, patterns, clusters, and filenames. The researcher can also "...follow up a large concordance by breaking it down into specific sub-sections, so one can see how many of each sub-type are found in the whole list." (WordSmith Tools) Ultimately, all these functions can be customised by coding notes that allow the researcher to specify how Concord should conduct the search and display results, which can range from collocate horizons (number of collocates to display on either side of the node-word), to the language used. All these functions can be accessed via the buttons at the bottom of the Concord window (see circled section in figure 3.0.11).

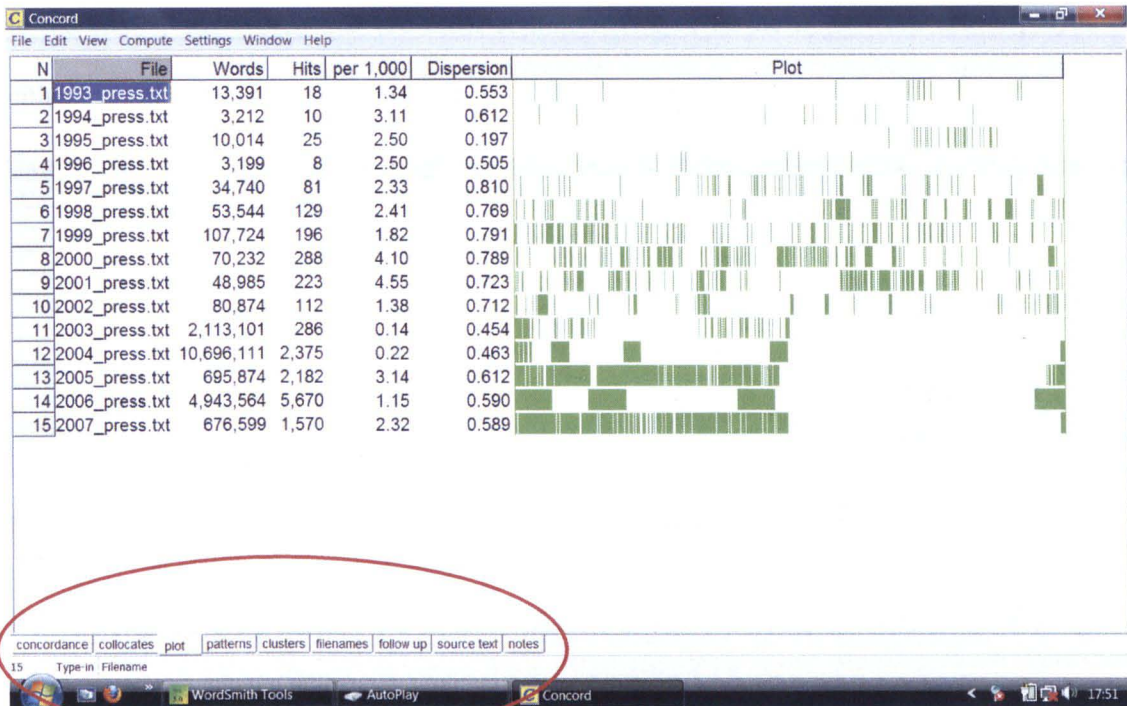


Figure 3.0.11 : Plot of 'corruption' in Press-corpus

Figure 3.0.11 also shows a plot-view of the occurrence of the node-word 'corrupt' in the Press corpus. In this view, the results have been arranged chronologically starting from texts produced in the year 2003 at the top, to the year 2007 at the bottom. This allows the researcher to see when the word first appears in the texts, how often it occurs within each text, and the dispersion within that text. In the example in figure 3.0.12, a basic observation might be that the word is used less before the year 1999, with the highest number of occurrences being recorded in 2006 (5,670 hits per 1000) and the least in 1996 (only 8 hits per 1000).

Delving even deeper into the data, WordSmith allows the researcher to view emerging patterns based on how all the variations of the node-word are used in the text, as illustrated in Figure 3.0.12. In this view, all the variations of the node-word found in the text are displayed

in the centre, and words that are most common relative to the node-word are displayed on either side in order of their occurrence.

N	L5	L4	L3	L2	L1	Centre	R1	R2	R3	R4	R5
1	THE	THE	THE	KENYA	ANTI	CORRUPTION	COMMISSION	THE	THE	THE	THE
2	TO	TO	TO	TO	OF	CORRUPT	AND	AND	TO	TO	TO
3	OF	OF	OF	THE	AGAINST	CORRUPTLY	IN	IN	AND	OF	OF
4	AND	IN	IN	FIGHT	ON	CORRUPTED	THE	KACC	OF	AND	AND
5	IN	AND	AND	OF	THE	CORRUPTS	IS	TO	A	IN	IN
6	A	THAT	A	WAR	IN	CORRUPTING	CASES	A	IN	A	A
7	ON	BY	ON	AND	FIGHT		HE	IS	IS	THAT	THAT
8	IS	A	VERNMENT		IN	FIGHTING	WAS	SAID	CRIMES	RNMENT	IS
9	THAT	ON	ZERO	ON	GRAND		AUTHORITY	ECONOMIC	SAID	IS	NMENT
10	NMENT	FOR	BY	HIGH	TO		DEALS	KENYA	ERNMENT	SAID	WAS
11	WAS	NMENT	KENYA	IMPLICATED	OVER		BUT	NOT	BE	IT	SAID

Figure 3.0.12 : Patterns for the node-word ‘corrupt*’ in the Press corpus

Alongside the patterns, it was also valuable in this research, to consider interesting and relevant word-clusters that frequently occurred in the text. In this regard, WordSmith presents word-clusters as shown in figure 3.0.13. In this example, the three-word cluster ‘the fight against’ appears 446 times in the text. It is also possible to view clusters based on how closely related they are, by clicking the ‘Related’ button. For instance, the clusters ‘corruption investigations in’, ‘corruption investigations the’ and ‘corruption investigations into’ are considered to be closely related and are hence displayed together, one immediately after the other, in the related-view.

N	Cluster	Freq.	Length	Related
1	KENYA ANTI CORRUPTION	1,228	3	
2	ANTI CORRUPTION COMMISSION	1,145	3	
3	THE KENYA ANTI	1,021	3	
4	FIGHT AGAINST CORRUPTION	520	3	
5	THE ANTI CORRUPTION	491	3	
6	THE FIGHT AGAINST	446	3	
7	TO FIGHT CORRUPTION	326	3	
8	CORRUPTION COMMISSION KACC	314	3	
9	CORRUPTION IN THE	219	3	
10	WAR ON CORRUPTION	209	3	
11	WAR AGAINST CORRUPTION	205	3	

Figure 3.0.13 : Clusters for the node-word ‘corrupt*’ in the Press corpus

In the long run, using WordSmith in the manner described, made it possible to map out linguistic patterns and identify discourses as they emerged and competed for dominance. The identification of keywords was manual in part but by using WordSmith, it became possible to distance myself from the data thus allowing for a fair level of objectivity. Once patterns were identified using the various WordSmith tools outlined above, the next step was to conduct a deeper level of analysis whereby I drew from extant literature to provide guidance and clarification on emerging issues in what is essentially a manual process. Following is an outline of this deeper analysis and interpretation process.

3.5.5 Interpretation of Findings

WordSmith is particularly useful in providing a quantitative approach to CLA. It allows for the calculation of dispersion, the viewing of collocates, the formulation of keyword lists and the analysis of texts in their linguistic context. It plays a critical role in allowing the researcher to stand back from the data and adopt a more reflexive approach. Once the emerging linguistic patterns are identified, the next step involves a deeper level of analysis whereby extant literature is drawn upon to provide guidance and clarification.

Moving from this micro level, the analysis can then be lifted to a more macro level and in this study, I do this by taking into consideration the socio-political and economic contexts in which these linguistic patterns emerge. I take a note of the manner in which they are applied and their contribution (if any) in the development of the discourses around the issues they describe.

In labelling the discourses, I select key terms in the data that encapsulate specific discursive practices. In certain instances I go beyond this and choose words or phrases that may be more meaningful in wider context such as Developmental Discourse (to do with the disbursing of aid for development purposes and the 'talk' about this process in the three corpora).

3.6 Summary

In this chapter, I have presented a step by step explanation of the methodology that I have chosen for this study. The use of WordSmith as a corpus linguistic analytical tool is also elaborated upon as the data generated from it features prominently in the analysis and discussion at the end of this thesis. In the next chapter, I present the two corruption cases in greater detail before embarking on an analysis of the data.

CHAPTER 4

GOLDENBERG AND ANGLO-LEASING: THE 'NOT-SO-USUAL' SUSPECTS

I use the term 'the 'not-so-usual' suspects' as a reference to the high ranking GoK officials who were involved in the two cases as well as the unusual anatomy of both cases . The following narrative on the Goldenberg case is based on the official report of the Commission of Inquiry into the case as well as media reports. The Anglo Leasing case is based on the official report by the Public Accounts Committee, the special report by the Auditor General and the narrative by John Githongo (Kenya's Permanent Secretary (PS) for Governance and Ethics), in addition to media reports.

4.1 The Goldenberg Case

"In the first instance, the Goldenberg Affair was a process not an event. It was not like the forgery of a single cheque, which is essentially a solitary episode, however large the monies involved. Indeed, it was not even like a bank heist which although taking place at a single shot, is nevertheless the result of some degree of pre-planning and a little bit of external assistance. Goldenberg was delicately and deliberately contemplated and executed; it unfurled over a considerable length of time and in different mutations, and it involved a bewildering array of individuals and institutions, many of whom occupied positions of not only tremendous influence, but also of considerable public trust." (Kituo Cha Katiba, 2005:75)

The Goldenberg case, as described above, denotes and encapsulates the character of an occurrence which had never before been experienced in the history of the Republic of Kenya. Thus, what became known as the Goldenberg Affair, was a series of heists perpetrated by a group of powerful businessmen and high ranking government officials, as a result of which the GoK is suspected to have lost **Kshs. 158,283,576,592.16** as found by the commission of inquiry into the matter. The heists included the exportation of fictitious goods to ghost companies upon which those involved claimed export compensation from the Central Bank of Kenya (CBK), as well as the selling of foreign currency (mopped up from the black market) to the CBK.

4.1.1 Background

Goldenberg International Limited (GIL) and its affiliate company Exchange Bank Limited (EBL), were the two key players in what is now commonly referred to as the Goldenberg Affair, which took place between 1990 and 1993. Both GIL and EBL were under the joint ownership of Kamlesh Mansukhlal Damji Pattni and James Kanyotu, who were the only named shareholders and directors of the two companies.

Pattni is a businessman in Kenya's capital city Nairobi, where he first set up a gold jewellery business alongside his elder brother in 1987, prior to starting GIL and EBL. Kamlesh comes from a family of goldsmiths and jewellers who have run successful jewellery stores in Kenya's capital city Nairobi and the coastal city of Mombasa for many years.

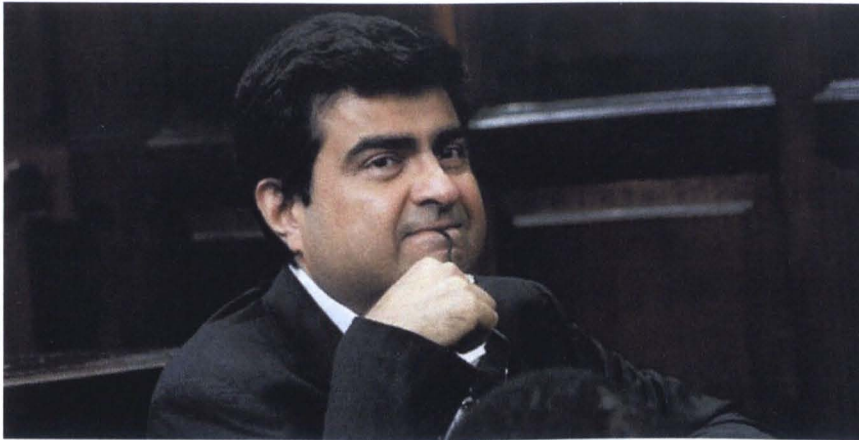


Figure 4.0.1: Kamlesh Pattni

James Kanyotu, on the other hand, was then Director of Intelligence at the Kenya Police. Kanyotu had joined the Kenya Police force in the colonial era and had risen up the ranks to serve under Kenya's first president Jomo Kenyatta as well as President Moi. He also worked closely with Kenya's 3rd president Mwai Kibaki during his tenure as VP between 1978 and 1988. Kanyotu was hence a very powerful individual having been at the helm of the intelligence department since 1965. He also had direct access to the president and was privy to sensitive government and personal information that made many regard him with awe. (*The Daily Nation*, 21/12/2004).

During his tenure which spanned 27 years, Kanyotu kept a very low profile, leading a private life and rarely appearing in public. He was also extremely rich, with business interests in tyre manufacturing, banks, airlines, and insurance among others.



Figure 4.0.2: James Kanyotu

As per the Memorandum and Articles of Association signed by Pattni and Kanyotu, GIL was formed as a mining and trading company, dealing with a variety of minerals and precious and semi-precious stones, including gold and diamond. The company was headquartered in Nairobi, but would conduct its mining activities in the wider East African region, whilst exporting its products worldwide. On 8th October 1990, GIL submitted an application to the Minister for Finance, Prof George Saitoti in which they requested:

- a. *To be given “sole rights to export diamond jewellery and gold out of Kenya for a period of 5 years”.*
- b. *To be granted an additional 15% Export Compensation, over and above the 20% stipulated in the Export Compensation Act at the time*

(Goldenberg Commission, 2005:37)

In return, GIL promised to earn the country an equivalent of approximately 50 Million US Dollars per annum in the first year, and more in subsequent years. The two requests were granted by the Minister for Finance (George Saitoti) and official approval granted by him through his Permanent Secretary (PS), Mr. Charles Mbindyo, on 19th October 1990. The Goldenberg Commission, in its report, found that both the PS and the Minister had acted in contravention of the law. In the first case, the decision to allow GIL to transact its business as a monopoly had no legal backing. In the latter case, the Minister had no power to issue export compensation to any person or entity at any rate other than the 20% stipulated in the Act.

4.1.2 Description

In spite of these irregularities, the company started operations, and under normal circumstances, was expected to conduct its business in the manner briefly outlined below:

GIL would get an order from a client overseas for gold and/or diamond jewellery. GIL would then invoice the said company and proceed to prepare the goods for export as agreed. Once the goods had been verified by an officer from the Department of Mines and Geology, they would then be packed in metal boxes in the presence of a customs officer, who would seal the contents with a tamper-proof customs seal.

GIL would then export the goods, which had to be accompanied to the destination by an employee of the company. On receipt of the goods, the client would transfer the invoiced amount, in foreign currency, through an inter-bank transfer, to GIL's commercial bank account. The bank would in turn forward the foreign exchange earned on behalf of its client, GIL, to the CBK. The money had to be accompanied by the requisite export documentation showing the value of goods exported, and detailing the buyer, payments made, as well as the mode of payment.

Of these, a Customs Declaration form (CD3) was essential. The amount of foreign currency submitted to the CBK for compensation in honour of a specific transaction, had to tally with the amount declared by GIL on the CD3. At this point, the CBK would then process the export compensation and deposit it in GIL's bank account, in addition to the Kenya Shilling equivalent of the foreign currency earned.

Unfortunately, the Export compensation and Exchange Control Acts, under which GIL had been granted its licence to operate in the manner described above, contained various loopholes. To demonstrate how easy it was to take advantage of these loopholes, Mr. Peter Warutere, an economist and advisor on governance and communications in the Office of the President since 2004, tells the story of a Kenyan student (whom he identifies only as KK), who used Export Compensation to fund his studies abroad and support his family back home.

He simply arranged for his wife to export a calabash every month and since he was doing part time jobs overseas, he remitted part of his money to the wife, who confirmed that she had received export earnings and therefore claimed export compensation. The important thing here is that the wife had to declare on the CD3 forms an inflated price for the calabash as what the importer was willing to pay, and the husband did not have to sell the calabash because he did not have a market for it.

Assume the wife bought a calabash for US\$5 equivalent but on the CD3 forms declared that it was worth US \$500. As long as her husband could send US \$500 back to Kenya, she could claim US \$100 (20% of the export value) as compensation. How much they could make from the deal depended entirely on how much the husband was able or willing to remit back home.

Though export compensation supported KK's family in a small way, he could not make a fortune from it because his earnings overseas were limited. An exporter with more resources, however, or a good source of hard currency remittances, could make millions out of this simple process. (Warutere 2005:2)

What GIL did, was to take KK's model, and orchestrate it at a higher level using vast resources and involving a wide array of public offices and their office bearers. Based on testimonies given during the course of the public inquiry into the dealings of GIL, the company had been applying for Export Compensation on the exportation of fictitious goods.

Since the company had to remit the proceeds of these fake transactions to the Central Bank in foreign currency, it then took advantage of a loophole in the Exchange Control Act, whereby it would acquire foreign exchange primarily from the black market and remit this to the Central Bank as proof of payment. The bank would then process the Kenya Shilling equivalent of the foreign currency and pay out an additional 35% of the proceeds as export compensation. Moreover, the Commissioner for Mines and Geology – Collins Owayo, in his testimony to the Commission of Inquiry confirmed that there are no diamond deposits in Kenya, and that gold deposits are negligible. As such, if GIL exported the 400 Kg per month upon which it claimed export compensation, these precious stones could not have originated from Kenya. (See figure 5.0.3)

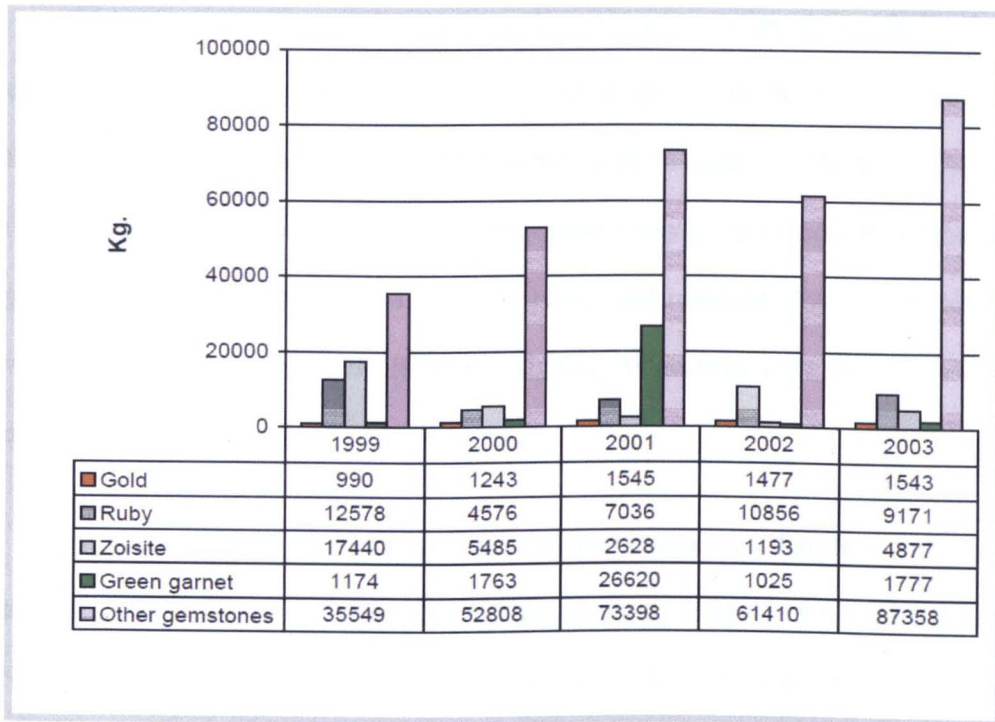


Figure 4.0.3: Quantities of Gemstones/Gold Exports, 1999-2003 (KG)

[Source: Department of Mines & Geology, 2004 in Kenya Export Processing Report 2005:4]

This is an important factor, considering that the law required eligible goods to:

- a) *have been produced wholly in Kenya; or*
- b) *have been produced in Kenya and the total value of imported materials, or materials of undetermined origin, which have been used at any stage in the manufacture of the goods does not exceed seventy percent of the ex-factory value of the goods.*

(Local Manufactures (Export Compensation) Act (Cap 482))

It also became apparent that the procedure of having the goods verified and sealed at the clients premises by a customs officer created yet another loophole that GIL took advantage of. By a demonstration before the Commission of Inquiry, a customs officer was able to show that the tamper-proof seals used by the department were easy to open and put together again. Thus, goods could have been removed from the boxes and replaced with any object(s) of similar weight, re-sealed, and passed off as the original. At no time were the goods checked again after sealing.

By the end of the Goldenberg Inquiry, it was established that the two Swiss companies that GIL claimed to have exported precious stones to, namely: Solitaire Bahnhofstrasse and Servino Securities Inc., did not exist. GIL had also claimed Export Compensation for goods sold to Dubai based DPN Trading Company Limited and World duty Free Limited. The two companies denied having any dealings with GIL, and the Goldenberg Commission found no evidence to the contrary. Pattni testified to the Commission that documents produced in honour of these transactions were forged.

Eventually, it would seem that the commercial banks with which GIL was dealing at the time, questioned the irregular payments and compensation claims made by the company. In response to this new development, the Exchange Bank Limited (EBL) was incorporated on 1st October 1991 and started operating on 4th July 1992.

According to the Articles and Memorandum of Association, the proposed shareholders were to be:

Kamlesh Pattni – 25%

James Kanyotu – 25%

Mrs Daksha Rana – 25%

Bhailal Patel – 12.5%

Rohit Damji – 12.5%

Besides Kanyotu and Pattni, the other named partners were found to be fictitious. Moreover, it later emerged that the bank had commenced operations without capital, as the 40 Million Kenya Shillings that Kanyotu and Pattni had declared as share capital for the bank was never received by the treasury.

Once operational the bank could now directly apply for pre-export loans on behalf of GIL, to the CBK. The bank would then pay back the cash equivalent in foreign currency under the guise of export earnings and actually earn the 35% compensation on what was essentially CBK money. EBL was also able to make use of the **Exchange Control Act**, to access foreign exchange, which it in turn sold to the CBK as foreign currency accrued from the export activities of GIL.

This was facilitated by a change in the law that now permitted licensed entities, mostly commercial banks and tourist hotels, to deal in foreign exchange. These entities had to apply for foreign exchange vouchers (commonly known as Forex-C), which could then be traded for

hard cash. The idea was to compete with the black market by offering an alternative avenue for changing foreign currency at competitive rates. The Banks then sold the currency to the CBK, and were not required to declare the source of the foreign currency. Thus, EBL was able to buy foreign exchange from the market and pass it off as export earnings, for which they earned the 35% compensation.

In practice then, GIL failed to adhere to laid down guidelines, and the irregularities were noted by both the CBK and the First American Bank (where GIL held its accounts at the time).

“What triggered the problem was that although Goldenberg claimed to have exported its gold and diamond jewellery to two specific firms overseas (Servino Securities Inc. and Solitaire of Switzerland), payments were not received through the normal inter-bank transfer.

Instead, the bankers noted, Goldenberg’s earnings were accounted for through numerous direct cash deposit transactions in various hard currencies, including US dollars, British pounds, Swiss francs, French francs, Italian lira and Japanese yen.”

(Warutere, 2005:3)

These irregularities were reported to the Ministry of Finance, the department of Customs and Excise, and the department of Mines and Geology and the issues were raised by various officials in these government bodies.

This, however, does not seem to have elicited any action against the company from the Minister for finance – Prof. George Saitoti, the Commissioner of Customs and Excise – Mr. Francis Cheruyiot, Commissioner of Mines and Geology – Mr. Collins Owayo, and the Governor of the Central Bank – Mr. Eric Kotut, under whose joint jurisdiction the Export Compensation Act fell. As such, the company continued operations, moving its accounts from one bank to another when pressure to regularise its operations by a particular bank arose.

4.1.3 Press Exposure

It was not until 21st April 1992, that *The Daily Nation* carried a story under the headline: 'Goldenberg's Sh.186 million pre-shipment scheme'. The story detailed the fraudulent activities conducted by GIL and EBL, claiming that top government officials were involved. This was followed by various press statements by GIL, Ministry of Finance, and the Commissioner of Mines and Geology, denying the claims and affirming that the company's dealings were genuine.

However, in May 1992, a report was published by the government's Controller and Auditor General, in which he took issue with the 35% compensation rate granted to GIL, as well as the US \$ 9 million paid out to them by the Ministry of Finance and the department of Customs and Excise. The Auditor General also took issue with the irregularities surrounding GIL's operations and the lack of evidence that GIL had actually exported any of the goods upon which it claimed compensation. This report was carried in both *The Daily Nation* and the *East African Standard* and widely reported by the local radio and television stations.

In 1993, the international press became interested in the affair, with *The Independent* (London) carrying an article bearing the title: 'Export scam robs Kenya of millions' (8/06/1993). In the article, Richard Dowden gives details of how GoK officials approved export compensation for fictitious goods. The interest in the story may have been sparked by media reports that The Dolphin Group, chaired by Lord Parkinson (former minister and chairman of the UK's Conservative Party), owned one of the banks adversely mentioned in connection with GIL dealings.

Both local and international media coverage intensified as details of the two cases emerged, and various parties attempted to have the suspected perpetrators charged in court. The case remains the most salient in Kenya's history and the media have continued to cover it extensively. In 2006 for instance (over a decade after the case broke), I found a total of 2,400 mentions of the case in the press documents that I considered for this study.

4.1.4 Those Implicated

After the Goldenberg Affair became public, various individuals and entities, including the Law Society of Kenya, instituted several legal suites against GIL, EBL and those believed to be adversely involved in the operations of the two companies. Some of these cases were dismissed, while others remained unresolved as at the formation of the Goldenberg Commission. These, too, were terminated to pave way for a public inquiry as required by the law. The Judicial Commission of Inquiry was formed on 24th February 2003 by President Mwai Kibaki, soon after he took over leadership from Moi in 2002. The commission sat for a total of 20 months and heard testimonies from 102 witnesses who testified in a public hearing. The proceedings were attended by members of the public and covered extensively in the local media.

In October 2005, the commission handed its report of findings to the president, and the document was later made public. In the judicial report, the commission chose not to order prosecution of those adversely mentioned, preferring instead to leave any action against them to the discretion of the Attorney General.

In the long run, those identified by the commission are as follows:

1. Those "...whose specific roles could not be established" (Goldenberg commission 2005:318):

(a) H.E. Daniel Arap Moi

(b) Mr. Joseph Magari

(c) Mr. Joshua Kulei

(d) Multiphasic Co. Ltd

2. Those "...persons whose acts or omissions are, in our view, contrary to the law, and are criminal in nature..." (Goldenberg commission 2005:318):

(a) Mr. Kamlesh Mansukhlal Pattni

(b) Mr. James Kanyotu

(c) Hon. Prof. George Saitoti

(d) Mr. Charles Mbindyo

(e) Dr. Wilfred Karuga Koinange

(f) Mr. Collins Owayo

(g) Mr. Arthur Ndegwa

(h) Mr. Eric Kotut

(i) Mr. Francis Chelelgo Cheruiyot

(j) Mr. Elphas Riungu

(k) Mr. Elijah Arap Bii

(l) Mr. Tom Kilalya Werunga

(m) Mr. Michael Wanjihia

(n) Mr. Job K. Kilach

4.1.5 The Aftermath

It was not until 18th July 1993, however, that EBL was liquidated by newly appointed Minister for Finance, Musalia Mudavadi, and GIL operations shut down to pave way for investigations. This followed a report by the Central Bureau of Statistics, which was published in June 1993. The report had no record of gold or diamond jewellery exported by GIL. To summarise:

All the key sections of the survey in which the output and sale of the precious metals would have featured showed no records of any significant activity in gold and diamond jewellery. For instance, based on the export figures issued by the government, gold and diamond jewellery exports should have featured as the second most importance source of Kenya's export earnings after tea but export figures did not even record minerals among the nearly 20 most important foreign exchange earners. Moreover, while Goldenberg was supposed to have earned Kenya some US \$145 million by the end of 1992 (according to the statement issued by Mudavadi), the economic survey showed that the value of all mineral output recorded by the Department of Mines and Geology was only US\$40 million in 1993, and about US\$36 million in 1992. (Warutere 2005:6)

After these reports were published, the IMF and the World Bank ordered an audit of all entities involved in the fraudulent dealings, and the CBK commissioned Price Waterhouse (now Price Waterhouse Coopers) to audit EBL and five other banks suspected of similar illegal activity. The report prepared by Price Waterhouse was never made public, but it may have precipitated the liquidation of EBL as well as the resignation of key government officials

including former CBK governor, Eric Kotut. Saitoti was also moved from the Ministry of Finance to that of Planning and National Development. The Attorney General did institute legal action against those in the second category, and most of these cases are ongoing. Some, including Kamlesh Pattni were arrested and held in prison, but were later released on bail, although passports and other travel documents were confiscated where found appropriate by the court.

Of the government officials, all those adversely mentioned have either resigned or been relieved of their duties, apart from Saitoti, who continues to serve as Minister for Education in the Kibaki government. Saitoti had been temporarily relieved of his duties under what was interpreted by the local media as increasing pressure from the World Bank and the IMF. He was later reinstated, amidst donor dissatisfaction, as expressed by then British envoy Sir Edward Clay, when he accused the government of “...vomiting on the shoes of donors and Kenyans alike”. (*The East African Standard*, 02/05/2005)

On the other hand, no action has yet been taken against those in the first category. Former President Moi continues to enjoy immunity from prosecution over this and any other case, extended to him by the present government. This may be one of the reasons why the case is yet to be conclusively dealt with as most of those who were in public office at the time and were involved in the Goldenberg Affair in one way or another cite ‘orders from above’ as an explanation for their actions, denoting orders given by the president (Moi), who refused to testify in front of the commission and can now not be prosecuted due to the afore mentioned immunity.

Assets suspected to have been purchased using money from Goldenberg related activities were seized, frozen or put under receivership. Of note, was the five-star Grand Regency Hotel owned by chief suspect Kamlesh Pattni. Kamlesh fought a long and public battle with the government over ownership of the hotel until he finally handed it over to the Government in April 2008. The hotel has since been sold to a Libyan company as a going concern, and currently operates under the name Laico Regency.



Figure 4.0.4: The lobby of the five-star Grand Regency Hotel (Laico Regency) in Nairobi

[Source: www.skyscrapercity.com/showthread.php?t=46937...]

4.2 Anglo-Leasing

The Permanent Secretary for Governance and Ethics, John Githongo first became aware of the affair on 3rd March 2004, when he received information that a fictitious company, Anglo Leasing and Finance Ltd, had been awarded a tender for the installation of a new passport issuing system for the immigration department worth 2.7 billion Kenya Shillings. A 3% down payment of 90 Million Kenya Shillings had been approved by treasury and disbursed. Investigations by John Githongo on the matter, (contained in his open letter to the President which was made public upon his resignation in 2005), revealed that Anglo-Leasing was indeed fictitious and established a link with Deepak Kamani, a businessman of Asian origin with operations in Kenya and the United Kingdom. Kamani was no stranger to controversy in the country, having been in the middle of yet another affair in which he had irregularly provided Mahindra jeeps from India to the Kenya police.



Figure 4.0.5: Businessman Deepak Chamanlal Kamani leaves Integrity Centre, Nairobi on December 9, 2010 where he was questioned by the anti-corruption commission over the Anglo Leasing scandal.

Photo/POEBE OKALL

[Source: www.nation.co.ke/.../10mi9wc/-/DNKAMANI0912d.jpg]

The Kamani family has vast business interests in Kenya including five star beach resorts like the Diani Beach Hotel in Mombasa. The family also owns two of Kenya's largest fresh-cut flower growers and exporters, Zuri Roses and Primarosa Flowers in Athi River (see figure 4.0.6)



Figure 4.0.6: Aerial view of Primarosa showing some of the green houses on the 150 hectare farm

[Source: <http://www.primarosaflovers.com/Flowers.aspx>]

Thus, Anglo Leasing is similar to Goldenberg in that the suspected brainchild in both cases happens to be a businessman of asian origin backed by a family with vast material resources and powerful political links. This is one of the reasons cited in the ensuing “...*racial and political intolerance...*” (IPS, 11/05/0994) towards Indian and Pakistani businessmen in Kenya, whereby there was an increase in violent attacks against them. This is discussed in greater detail in the analysis chapter.

4.2.1 Background

In June 2000, the Department of Immigration (DOI), then under the Office of the President (OP), carried out an audit of its processes and equipment, after which it proposed that an Immigration Information Management System (IIMS) be designed and implemented. This system was expected to improve passport and visa issuing processes as well as streamlining revenue collection which was otherwise riddled with loopholes which were subject to abuse, leading to loss of revenue.

Subsequently, the DOI sent a written request to the Ministerial Tender Committee (MTC) in October 2001, in which they sought permission to procure a Passport Issuing System. The proposed procurement was to be done through restricted tendering due to the security nature of the project. This was in contrast to the normal GoK open tendering process. According to the PAC report into the matter, the MTC supported this request and sought treasury approval, which was granted on 8th January 2002 and communicated to the DOI in writing on 5th February 2002.

Five firms were invited to tender for the project and three responded to the invitation. Of these, M/S AIT International PLC won the tender at a quoted price of Kshs. 622,039,944.65. Unfortunately, it was found that there was no budgetary allocation for this procurement in the OP and the tender was hence cancelled on 5th August 2002. "It is not clear why the DOI would go out to tender for such a project knowing very well that there was no budgetary provision..." (PAC, 2006:1)

Later on, it was decided that this was going to be a major project, which would be conducted in phases over several years due to budgetary constraints in 2001/2002. A revised tender was sent to six firms including the five that had tendered previously, of which three responded. Their bids were, however, declared unsuitable after an evaluation by the Government Information Technology Services (GITS), the Treasury and DOI. GITS then proposed that the project be redesigned to cover:

High Security New Generation Passports

Secure Passport Issuing System

High Security New Generation Visas

High Security Visa Issuing System

Computerisation of machine readable immigration records

(PAC, 2006:2)

These revisions meant that the project was now going to be quite expensive, and GITS recommended that the DOI seek donor funding for it. In the meantime, the DOI was moved from the OP to the Office of the Vice President under the Ministry for Home Affairs (MHA). In August 2003, the PS for the MHA received an unsolicited proposal for a company called Anglo Leasing and Finance Ltd (AL) of Liverpool UK. The proposal was in regard to the supply and installation of an Immigration Security and Document Control System which the company proposed to carry out through a sub-contractor, Francois-Charles Obethur Fiduciare located in Paris, France.

In addition, AL submitted a financing agreement in which they proposed to put up Euros 31,890,000 (equivalent to Kshs. 2.67 billion at the time), which the GoK would then repay at a rate of 5% (which was later changed to 4%) over a period of 62 months.

This proposal was accepted by the MHA and an agreement was signed between the GoK and AL on 4th December 2004. Consequently, the GoK paid Euros 956,700 (equivalent to Kshs. 91,678,169.25) to AL in respect of the agreed upon arrangement fee which was 3% of the credit sum. This was in contravention of GoK procurement procedures which called for a tendering process, be it restricted or otherwise. It is hence also not clear why the ministry opted to go for an unsolicited proposal as opposed to following the tendering process as previously done.

In addition, the Attorney General (AG) had advised that a search into the dealings of AL and its affiliates be conducted by the MOI and the treasury prior to signing any agreements, but there is no indication that this was ever done. The deal was also fraudulent on the basis that it would cost the GoK approximately three times what it would have cost them had they gone for any of the other companies whose tenders they had cancelled. Government procurement procedures are aimed at saving money and where the lowest bid is deemed unacceptable, a written justification has to be produced by the procuring department in support of a higher bid. This justification would normally be on the basis of the bidding company's technical ability, track record, and in some cases, tax compliance. In this case, no such justification was produced.

The main bone of contention, however, was that investigations by the Kenya Anti Corruption Commission (KACC) and the PS for Governance and Ethics, John Githongo, revealed that AL, which was supposed to be registered in Liverpool was actually not

registered as purported in the signed agreement with the GoK. Details also began to emerge that this may not be the only contract of its type that the GoK was party to.

4.2.2 Description

The restricted tendering process used in security related projects was subject to abuse on several levels due to the fact that tender invitations were predetermined by individuals in the relevant government ministries, and could be made to the exclusion of more suitable organizations. Also, the reasons for accepting or rejecting a tender application were not open to public scrutiny and could therefore be manipulated. In support of this, evidence collected by the PAC, the KACC and John Githongo found that "...Anglo leasing and Finance Limited is part of an organized, systematic and fraudulent scheme designed to fleece the government through the so called special purpose finance vehicles for purported security contracts" (PAC, 2006:6). Details of the inter-relations of the companies involved in these types of contracts are given in **Appendix 1**.

The main features of these fraudulent schemes are as follows:

All contracts are supply and finance contracts, in which the contractor is purportedly financed by way of external credit through what is called lease finance. In reality, it is the government that unwittingly paid upfront for these projects.

Evidence received indicates that most of the lease finance companies used in these contracts are considered to be possibly non-existent.

Security was used as an excuse to procure these contracts using single sourcing, even where the projects merely involved the postal services and meteorological department.

The effect of using non-competitive process in procurement is over-pricing of the contracts. It is possible that a few individuals use different companies as fronts to perpetrate these possible frauds, with the support of government officials.

PAC, (2006:6)

Finally, 18 separate contracts of this nature were unearthed by the PAC, PS Governance and Ethics, and the KACC. Investigations by the PAC also found that the GoK had signed off a total of Kshs.55 billion in similar contracts between 1997 and 2003 (see **Appendix 2** for a breakdown of payments). According to Githongo, the Kibaki Government had signed USD 27.7 million worth of contracts of the “Anglo-Leasing kind”. The Moi regime had signed USD 443.36 million between late 2001 and late 2002. (Githongo, 2005:2)

4.2.3 Media Exposure

On 3rd March 2004, John Githongo received information about suspected fraudulent dealings by a fictitious company which the GoK had signed an agreement with and paid money to. On realising how potentially damaging this information was to the new government Githongo consulted then VP, Moody Awori (under whose docket the DOI falls) to discuss the way forward. Awori denied any knowledge of the matter and promised to launch an investigation into the matter, although this doesn't seem to have been done.

In the meantime, Maoka Maore (a KANU MP) somehow acquired written evidence to the effect that the Government had approved the procurement of a new passport issuing system for the DOI through Anglo Leasing and Finance Ltd, an entity that did not exist. Maore tabled this evidence in parliament on 21st April 2004, thus implicating top Government officials.

The story soon headlined in the press with *The Standard* (22nd April 2004) carrying a headline that read "*Blacklisted Firm Gets Sh2.7 Billion Contract*". Pressure soon started to mount for the government to provide answers to pertinent questions raised by the MP and several government ministers came to the GoK's defence claiming that there was nothing irregular about the contracts. However, on 28th April 2004, *The Daily Nation* carried an article entitled '*Kenyan Government's Defence of Passport Tender "Does not wash"*' in which the reporter claimed that a search conducted by a Liverpool based newspaper had shown that AL was not registered there.

On 3rd June 2004, a letter from the British high commission confirmed that Anglo Leasing and Forensic Laboratories Ltd, one of the Anglo-Leasing companies purported to be registered in Great Britain, did not exist. It was hence yet another bizarre twist when *The Standard* broke the story that this non-existent company was included in the Government Budget which had been delivered by Mwiraria (Finance Minister) on 10th June 2004. It would seem that this decision was later reversed.

At the same time, more bogus companies such as Infotalent came to light, indicating that the scandal was probably more extensive than earlier thought. They too repaid monies earlier paid to them. These transfers could not be traced back to specific individuals as the companies that authorised the transactions did not exist and there were no records of the would-be owners. Only Deepak Kamani is recorded as having indicated a link to the companies through a phone call he purportedly made to a government official requesting the easing off of the investigations, during which he promised that Anglo-Leasing would refund the money in questions.

4.2.4 Those Implicated

It would seem that several officials were 'recruited', knowingly or otherwise, to help the process along, and by May 2004, a picture of likely culprits began to emerge with Githongo furnishing the President with the following list of those implicated:

Moody Awori – Vice president and Home Affairs Minister

Kiraitu Murungi – Constitutional Affairs Minister

David Mwiraria – Finance Minister

Chris Murungaru - National Security Minister

Sylvester Mwaliko – PS Home Affairs

Joseph Magari – PS finance

David Mwangi – PS Internal Security

Alfred Gitonga – Personal Assistant to the President

Deepak Kamani – Business man Linked to Anglo Leasing

*Jimmy Wanjigi – Kenyan business man and son of former Cabinet
Minister*

Githongo, (2006:19)

All those implicated appeared as witnesses before the PAC, who also produced a list of the key persons who are either agents or possible owners and directors of these companies.

These are:

Mr. Deepak Kamani

Mr. Anura Pereira

Mr. Amin Juma

Mr. Merlyn Kettering

Mrs. Ludmilla Katushenko

PAC, (2006:7)

4.2.5 The Aftermath

As the affair unfolded, other flawed procurements by the company, such as one for the supply and installation of a forensic science laboratory for the Criminal Investigation Department (CID) were unearthed. The list of possible culprits grew to include Dr. Wilson Sitonik (Director of Government Information Technology Services – GITS) and David Lumumba (Head of Debt Management Department at Treasury), among others.

On 5th May 2004, Murungaru announced that the Government had cancelled the Anglo leasing contracts pending investigations, which continued till 14th May 2004, when Githongo furnished the President with the final report on the scandal. On the same day, in an unexpected twist, Githongo learnt that Anglo leasing had promised to pay back all monies paid to them for the procurements in question. The Central Bank of Kenya did indeed confirm the transfer of 956,700,000 Euros from a Zurich Bank Account on 14th April 2004 as reported by Githongo. The transaction was certified by the Central Bank on 17th April 2004.

In spite of this development, the president authorised the suspension of Magari (PS Treasury), Mwaliko (PS Home Affairs), Dr. Sitonik (GITS), and Dorcas Achapa (an official from the Attorney General's Chambers), although she had not been implicated in earlier investigations.

To date, most of the government officials implicated have either been dismissed or have resigned to pave way for further investigations. The procurements have since been stopped and monies previously paid out for them have been refunded. Court cases arising from the matter are ongoing but progress has been relatively slow.

On 24th January 2005, John Githongo tendered his resignation, which was a blow to the Government's fight against corruption. Githongo went ahead to release a report of his findings on Anglo-leasing as well as a detailed account of events that led him to believe that his life was in danger, forcing him into exile in Britain. In this regard, the World Bank Africa Regional Vice President Gobind Nankani had the following to say:

It is very important when reports like the Githongo report come out that the government of Kenya actually demonstrates to all its people its commitment to good governance by taking action that [is] necessary to put the Kenyan people's opinion at rest... We will engage with the government of Kenya in support of good governance, but if good governance is lagging we will be less engaged.

(World Bank Website, 02/04)

It later emerged that key Government officials may have been involved in the Anglo-Leasing affair, but there was no clear evidence as to who they were or what their role was. The procurement procedure had been started by officials in the Moi Government towards the end of his Government's tenure, whereas those in the new Government went ahead with the deal, hence taking advantage of a loophole that already existed.

Githongo further claims that the Anglo-Leasing funds were meant for 'political financing', a claim that he says was confirmed to him by Murungi (Constitutional Affairs minister). The PAC on the other hand, found that a lack of cash due to aid suspension amidst growing global and national insecurity meant that the cabinet felt compelled to authorise the use of lease finance and suppliers credit as a means of paying for security related projects that were deemed to be a priority for one reason or another. Whatever the motivation(s) of those involved, the affair continues to be a point of reference for corruption within the GoK.

4.3 Summary

This chapter has presented the two corruption cases in greater detail. The two took place a decade apart and although the finer details may be different, there are a number of similarities. For example, the two cases involved the manipulation of loopholes in GoK laws; they involved collaboration between businessmen and high ranking public officials; there were fictitious goods, services and companies involved in both cases; and they involved vast amounts of money.

In the following chapter, I embark on the analysis of the data, where I start off by providing the context in which the texts under consideration were produced.

CHAPTER 5

CONTEXTUAL VIGNETTES

In order to provide the context within which the two cases shall be analysed, the period under study is divided into three vignettes, giving due consideration to the political and socio-economic context of Kenya. I analyse the two cases by tracing the development of the talk about corruption within these vignettes, alongside the contribution of people, institutions and groups to the emerging discourse. In addition, I consider other descriptive words that refer to the socio-economic and political context in which the two cases occur as well as the activities therein.

Each of the three vignette covers a five year period demarcated by an election year. Thus, the first vignette starts after the December 1992 general elections to December 1997; the second starts after the 1997 general elections, hence covering the period between 1998-2002; finally, the third vignette covers the period from 2003 after the December 2002 general elections, to 2007, ending just before the December 2007 general elections. In the first two vignettes, Daniel arap Moi is the president of Kenya under the Kenya African National Union (KANU) political party which had been in power since independence. As such, texts within these two vignettes are analysed together as government policy remained largely the same within the time period covered by the two. In the third vignette, Mwai Kibaki is president under a coalition government which represents a shift in government policy and gives the GoK an opportunity to forge fresh relations with the donor community.

5.1 Riches all Around (1993-1997)

“*Riches All Around*” is a direct quote from an article carried by the *Economist* on August 14 1993. The article presents the story of a Kenyan politician who had allegedly received KShs.2 million in cash from Kamlesh Pattni, co-owner of Goldenberg International Limited (GIL), as a gift to ‘buy’ his support.

In this vignette, Kamlesh Pattni weaves his way in and out of court. As details of the numerous beneficiaries of the Goldenberg affair come to light, it begins to look like Kamlesh had paid off so many people in government and public office that the Goldenberg affair would never really be resolved.

5.1.1 Political Context

The first multi-party general elections were held in Kenya in 1992, after an amendment of Section 2A of the Constitution of Kenya. Previously, the country had been a single party state, starting from 1983, with the Kenya African National Union (KANU) as the only de facto political party. The change to multi-party politics was achieved through intense lobbying by local and international groups. There were numerous mass demonstrations and key political figures known to be pro-multiparty were arrested and detained, alongside hundreds of civilians. Eventually, the government gave in to the mounting local and international pressure.

At the time, H.E President Daniel Toroitich Arap Moi, was at the helm of the Government. It was during Moi’s tenure that the country registered steady economic decline and political instability, arguably fuelled by his dictatorial style of leadership that curtailed the freedom of the country’s citizens and promoted a closed economy.

As the country moved towards the 1992 multi-party general elections, it would seem that "... Moi and KANU were determined to cling to power by any means, while the opposition politicians lacked any guiding political principle on the basis of which they could unite to unseat the ruling party." (Throup & Hornsby, 1998:17)

In the long run, Moi won in a general election that was marred by numerous irregularities and went on to form the government of the day. The opposition, together, got the largest share of votes but their fragmentation meant that opposition votes were shared out among the numerous political parties. However, this did also mean that although KANU was back in government and would face an opposition in the house for the first time. Having an opposition did little to change Moi's ruling style. Absolute power still lay in the presidency and there were reports of torture in the now infamous Nyayo House 'torture chambers' for those deemed to be a threat to the government. Numerous opposition party leaders claim to have been incarcerated there at one time or another, during Moi's tenure.

By the end of this period, in July 1997, riots broke out in the city of Nairobi amidst fears that "...political instability will plunge Kenya into a serious economic slump in the run-up to the general election...". (*The East African*, 14/7/1997). The riots came after police disrupted several opposition rallies, leading to violence which forced many businesses to stay shut for several days. The opposition leaders were pushing for constitutional reforms ahead of the elections, reforms which included reduction of presidential powers. These reforms did not take place. The violence continued as elections were held in December 1997. Moi won the elections, beating fourteen opposition candidates and continued to rule the country for a further five years.

5.1.2 Socio-Economic Context

As mentioned earlier, the country registered steady economic decline during the tenure of president Moi. Professor T. Ryan (a professor in Macro economics who has worked in various capacities in Kenya's Ministry of Finance), in his testimony before the Goldenberg Commission of enquiry, is reported to have attributed this decline to macro-economic instability. Based on his testimony, the Commission's report puts it thus:

There were no clear economic policies on key aspects. The political policies of the government scared off both multilateral and bilateral donors who, over the years, gradually reduced their donor support and investment. Consequently, the government increasingly fell back on local borrowing, with the result that its overseas debt servicing became irregular. (Goldenberg Commission, 2005:31)

The 1991 suspension of financial support to the country by the IMF and the World Bank, as well as other international donors worsened this situation. The IMF and the World Bank "...pegged further support to good governance of the country as interpreted by them. They imposed stiff conditions which included liberalisation of the economy, through the removal of various controls and the introduction of investment and trade incentives." (Goldenberg Commission, 2005: 32)

Suffice to say, the Kenya government had, albeit in principle, already embarked on a liberalisation programme, as outlined in its own Sessional paper No.1 of 1986. It was, however, not until 1990 that then Vice-President and Minister for Finance, Prof. George Saitoti, introduced several measures under the Export Development Programme, as agreed

upon with the World Bank, and contained in the afore mentioned Sessional paper. The measures were aimed at addressing a foreign exchange shortage in the country, and the two relevant ones are explained as follows.

The **Export Compensation Act** was introduced to encourage exportation, and more so, that of non-traditional goods in a bid to earn foreign exchange. Under the Act, exporters would get cash compensation, based on a stipulated percentage of earnings accrued from the exported goods. As at the time of the Goldenberg Affair, the compensation rate was 20% of gross earnings. Further, a Pre-shipment Finance Scheme was introduced "...to meet the working capital needs of exporters through a Central Bank of Kenya (CBK) facility for rediscounting private financial paper. Commercial banks would allow the pre-shipment Finance Scheme loans to exporters "against confirmed and irrevocable letters of credit or confirmed and verified export contracts" to rediscount with CBK the accommodation bill created from the transaction." (Goldenberg Commission, 2005:35-36).

Complimentary to the Export Compensation Act was the **Exchange Control Act**, which made it illegal for any person or entity to deal in or possess foreign currency, save for the CBK. In turn, the CBK licensed commercial banks to deal in foreign exchange on their behalf, but any hard currency received by them on behalf of their clients had to be forwarded to the CBK within a stipulated time, in exchange for the equivalent in Kenya Shillings. This Act was, however repealed, and replaced by the **Finance Act** in September 1993. The Export Compensation Act and the Exchange Control Act / Finance Act contained various loopholes, which Goldenberg International Limited and its affiliate companies manipulated for financial gain. In addition, public officials were compromised and sections of the law contravened.

The actions by GIL left the Kenyan economy weak as billions of Kshs were misappropriated, which meant that the government had a budget deficit that it couldn't cover. Public amenities were affected, commodity prices increased, interest rates went up, and generally, many Kenyans were left worse off economically. As many Kenyans felt the squeeze of the declining economy, the political and business elite continued to get wealthier as they benefited from what was "...arguably the most ferocious patronage machine this side of the African continent." (*The East African*, 4/08/1997)

5.2 Of Pitfalls and Potholes (1998-2002)

This second vignette represents an era characterised by decline in infrastructure. Potholes on Kenyan roads, for instance, increased in both scale and size, as evidenced in the picture below. Metaphorically speaking, the potholes become pitfalls as the reluctance by the ruling elite to deal with public sector corruption led to continued economic sanctions. Navigating these pitfalls and potholes is what this vignette is all about.



Figure 5.0.1: Navigating a pothole in Nairobi.

[Source] kikulacho.com/page/5/ [Accessed 11/7/2009]

5.2.1 Political Context

Upon winning the election, Moi entered his 20th year as Kenya's president, in what would be his last term. Moi declared that he would step down at the end of his tenure, which meant that the ruling party KANU was preoccupied with the issue of Moi's succession for most of this period.

The opposition, on the other hand, strived to regroup, realising that their fragmentation during the past elections may have cost them the presidency. It became commonplace to hear of Kenyan politicians defecting from party to party in a bid to increase their chances of re-election.

The fate of Prof George Saitoti, one of the key political figures in Kenya at the time, encapsulates this tumultuous period in Kenya's political history. Prof. Saitoti had been vice president under the Moi regime from 1989 and finance Minister from 1983. Saitoti was hence vice President and Finance Minister during the Goldenberg Affair. He had authorised the higher export compensation rate for GIL and granted them monopoly in the mining and export of precious stones, and was thus implicated in GIL's fraudulent dealings. Saitoti had, however, maintained his innocence and although various charges had been brought against him, he had yet to be found guilty on any count.

After KANU won the general election in 1997, Moi announced that he "... would like to leave a permanent legacy in Kenya's history. A legacy of one strong and united Kenya..." (BBC Newswire, 4/1/1998). The president set about demonstrating his commitment to this stance by relieving Saitoti of both his posts, to allow for further investigations into the

Goldenberg Affair. Saitoti was succeeded by Simeon Nyachae as Minister for finance but the Vice presidency remained vacant.

Soon thereafter, the GoK sought to resume discussions with the IMF and other donors, to facilitate resumption of aid (See *Indian Ocean Newsletter*, 24/1/2008). Mr. Goodall Gondwe, deputy head of the IMF's Africa department and head of mission in Africa, in an interview to the *Financial Times* on February 19th 1998, announced that credit lines to Kenya would not reopen as fund officials were not satisfied with Kenya's progress in tackling the concerns that had led to aid cancellation. Top on the agenda, were issues around corruption and governance. As such, dismissing the vice-president was deemed to be a cosmetic move, which failed to change the stance of most donors.

As negotiations with donors continued, the vice presidency remained vacant for the next 14 months, amidst growing tension and uncertainty both in parliament and amongst the general public. One of the main reasons for this was the fact that the constitution was unclear as to what should happen in case the president had to leave office before completion of his term in the absence of a vice president. Moi eventually reappointed Saitoti as VP amidst mixed reactions from government, civil society, the donor community and the general public. For some, especially those in the ruling party KANU, this was welcome news as it brought to an end the political uncertainty that had gripped the country for the past 14 months. For many in the opposition and the civil society, it was demonstrative of the President's neglect of his constitutional responsibility. There were also concerns from the donor community that Saitoti had yet to be cleared of involvement in the Goldenberg case, which brought further concern over GoK's commitment to dealing with corruption. (See *the Nation*, 5/4/1998).

Less than a month after the VP was reappointed, he faced a 'motion of no confidence' brought against him by Otieno Kajwang, an opposition MP (See BBC, 22/4/1998). The motion was based on the premise that Saitoti was widely believed to have been involved in the Goldenberg affair and was thus unfit to run the government should the president be unable to complete his term (the constitution required that the VP take over as interim president for a period of 90 days or till such a time that general elections could be held). The motion was, however, eventually defeated after the speaker overturned a high-court declaration that the motion was illegal (See, BBC, 1/7/1998).

The succession wrangles continued, as president Moi announced that the ruling party KANU was holding talks with the National Development Party (NDP). (See Presidential Press Service news release, 14/12/2001). By 2002, KANU had merged with NDP and the president had selected Uhuru Kenyatta, son of Kenya's first president Jomo Kenyatta, as his successor. Uhuru was a novice in politics as he had never sought political office before then. There was speculation as to whether Uhuru was strong enough to win the election for KANU, and since he had to win the party chairmanship first, Saitoti declared that he would challenge him for it in party elections. (See, *the Telegraph*, 31/08/2002). As a consequence, Moi sacked Saitoti as VP for the second time, citing disloyalty. Uhuru won the KANU party chairmanship and went on to run for presidency.

In the meantime, the opposition parties came together under an alliance (National Rainbow Coalition (Narc)), and selected Mwai Kibaki as the sole opposition presidential candidate. Saitoti also defected from KANU and run for election under a NARC certificate.

5.2.2 Socio-Economic Context

In October 1997, the Attorney General (AG) announced that his office would commence proceedings against Kamlesh Pattni, Former Treasury PS Mr. Wilfred Koinange, Former Central Bank Governor Mr. Eliphaz Riungu and a former CBK employee, Mr. Michael Wanjihia Onesmus, in connection with the illegal acquisition of Ksh.5.8 billion by GIL from the central Bank. Hearing of the case commenced on December 3rd 1997. As the hearing continued, more evidence over the dealings of GIL came to light, with Kamlesh Pattni linking Moi to the affair in a sworn statement. It soon became apparent that Ksh.5.8 billion was the tip of the iceberg in terms of the amounts that GIL had fraudulently acquired in its dealings.

As the case continued, attention was diverted away from it as Kenya faced a terrorist attack in 1998 in which the American embassy in Kenya was bombed, with 258 people reported dead. This led to a decline in tourism, a major foreign exchange earner for the country as the USA the UK and other western countries introduced travel restrictions to Kenya by their citizens. In addition, the country experienced El Nino rains that year, the aftermath of which included famine due to poor crop yield as well as widespread destruction of the road and rail network, alongside landslides that saw many communities displaced. Donors expressed concerns about the state of the transport system in Kenya, and more so the Mombasa-Kisumu Highway, which was in a state of disrepair. There were reports that sections of the road were so bad that 30 Km queues had been reported by track drivers transporting goods from the East Coast port of Kilindini, to landlocked countries like Uganda, Rwanda and Burundi. The government blamed the faltering infrastructure on the El-Nino rains, whereas the opposition claimed that misappropriation of funds from a levy meant for road repairs was the main culprit.

Whatever the reason for the poor state of the roads, it was clear that the potential financial impact on the region would be dire if the situation was not quickly dealt with. Thus, the World Bank led a group of donors to lend the government \$100 million as an emergency loan to repair major roads, although normal credit facilities remained frozen. (See, *Financial Times* on February 19th 1998)

In February 1998, the IMF cancelled a scheduled loan citing a lack of commitment from GoK to meet agreed upon conditions, which included conclusive investigations into the Goldenberg Affair (See *The East African*, 23/02/1998). On March 13th 1998, World Bank Vice President, Callisto Madavo, visited Kenya, where he had talks with President Moi as well as members of the government and civil society. These discussions revolved around the "...need to address economic governance issues." (World Bank, 2008:256). AID remained frozen and the country continued to experience a weakening economy. In June 1998, Moi suspended KACA chairman Haroun Mwau, and set up a tribunal to inquire into the running of KACA, a move that pulled the government further away from fulfilling donor conditionalities with regard to corruption. KACA was to remain inactive until May 1999, when Justice Aaron Ringera was appointed its chairman, in a move that was widely supported by the donor community (See, the *Indian Ocean Newsletter*, 27/05/2009).

On September 22nd 1999, *The Nation* carried a story under the headline "*Economy: A Noose Tightening on Families.*" In this article, the reporter presented sentiments from a cross-section of Kenyans regarding the effect of the state of the economy on their lives. Many spoke of rising food costs, unemployment, an increase in medical charges and so on.

Experts interviewed by the reporter attributed the poor state of the Kenyan economy to the large amount of foreign and domestic debt the GoK had to service, public sector corruption and a general mismanagement of the economy.

KACA had by this time been active for about a year, but whatever ground it had gained in its investigations into corruption cases was soon lost as in December 2000, the high court stripped KACA of its power to prosecute cases. Reactions to this were largely negative, with the media reporting expressions of shock and disappointment at the judgement. Mr. Kiraitu Murungi, an MP and lawyer by profession is quoted saying, "No serious case of corruption has been successfully prosecuted through any court in the country since 1966. To date, cases such as Goldenberg are still at their infantile stages..." (*The Daily Nation*, 24/12/2000). Early in 2001, the High Court went a step further and declared KACA unconstitutional, and proceeded to dissolve it (See, *The East African*, 11/1/2001). Moi then established the Anti-corruption Police Unit but it too never managed to institute any legal proceedings against suspects in corruption cases.

In July 2001, the AG published the Anti-Corruption and Economic Crimes Bill, in which he proposed amnesty for economic crimes committed before the end of 1997. This was not received positively, especially by the opposition and civil society. An opposition MP, Mr. Newton Kulundu, for instance, is quoted saying, "...we shall vehemently oppose this. The AG is unwittingly admitting Government complicity in economic crimes prior to 1997. There is no way we can give special treatment to people who have brought our economy to its knees." (*The Daily Nation*, 15/7/2001). Eventually, the bill was defeated.

By the beginning of 2001, the economy was shrinking and tourism was reported to be in decline. Leaders from the coast of Kenya, whose main economic activity is tourism, claimed that 30 hotels in the region had closed and most could not reopen without major renovations. This decline was expected to lead to job cuts (approximately 32,000) in the sector. Along the same vein, the Finance Minister announced that 11,230 civil servants would face retrenchment that year. (See, *The Standard*, 1/01/2002). This was also the year when Kenya was ranked fourth most corrupt country in the world by Transparency International.

In the run-up to the elections in December 2002, the economy was a major item on the campaign agenda, alongside issues like corruption, which were seen to be a major contributor to the failing economy.

5.3 The 'Bwogability' of the 'Unbwogables' (2003-2007)

"*The 'bwogability' of the 'unbwogables'*" is borrowed from an article appearing in *The Standard* on November 24th 2002, bearing the same title, and strictly translated, it means the indomitability of the indomitable.

According to Schott's Vocab in the *New York Times*, "...**Unbwogable** appears to derive from a 2002 song by Kenyan musicians GidiGidi MajiMaji – "*Who Can Bwogo Me?*". In elections that year, the song was adopted by the Kenyan politicians Mwai Kibaki and Raila Odinga...". **Bwogable**, then, is an anglonised term from the root word '**Bwogo**', which means to shake or scare, in Dholuo (a Kenyan tribal language spoken by the Luo of Lake Victoria).

This vignette sees an end to Moi's 24 year rule. It is also during this time that the Public Inquiry into the Goldenberg case was set up, and the public hearing held at the Kenyatta International Conference Centre, (KICC), attracted thousands of Kenyans who came to witness the legal proceedings. Many implicated public officials were cross-examined in public, a first in Kenya's history.

5.3.1 Political Context

Mwai Kibaki (National Alliance Party of Kenya – NAK) won the election under the opposition alliance, NARC. He was sworn in on 30th December 2002 in a ceremony attended by a huge crowd which had been waiting in the hot sun for hours. There was live coverage by all the local television stations, and international stations covered the event extensively. The mood around the country was that of jubilation and renewed hope. The president, in his inauguration speech, reflected the mood when he described that day:

I was woken up this morning by rays of sunlight, which had bathed my room in such brilliance that it felt completely new. I began to notice things around me in great detail. It was as if the room had been given a facelift. I looked out of the window and, behold a cloudless sky. The trees danced lazily enjoying the early morning breeze. I looked far into the horizon and the beauty of what I saw around me stirred my soul. It was as if I was standing atop Mount Kenya surveying the landscape. I said to myself "Oh, what a beautiful country!"

Indeed, we are so blessed, so endowed. Poverty, scepticism and despondency are not supposed to be our lot. Ours is a land of unparalleled beauty and promise. It is a land of laughter and hope.

Mwai Kibaki, 30/12/2002 (State House Kenya, Speech Archive)

Kibaki went on to announce a cabinet in which he appointed the greatest number of women in Kenya's history. The president promised greater efficiency in the running of the government, but faced criticism when he appointed former VP George Saitoti as his Minister for Education, even though his name was yet to be cleared with regard to the Goldenberg affair. (See, *World Press Review*, 22/1/2003)

Further criticism soon followed as attention turned to an unofficial Memorandum of Understanding (MoU), which had apparently been drafted to allow for power sharing in the new coalition government. According to the BBC, "... The members of the Liberal Democratic Party (LDP) say that under the terms of the pre-election agreement, President Mwai Kibaki had agreed to allocate their party half of the seats in the new cabinet. But in fact, 15 seats went to the National Alliance Party of Kenya and only eight to the LDP." (BBC, 6/1/2003)

In spite of emerging issues within the coalition, the newly appointed ministers took on their new roles with zeal and enthusiasm – the Minister for Local government moved to repossess all fraudulently acquired public property; the Minister for Health ordered the release of all patients detained in public hospitals for non-payment of health charges; the Minister for Roads and Public Works revoked the sale of government houses to KANU officials under the previous regime.

These actions received mixed reactions in the press. The local press lauded the ministers' effort although some cautioned against overzealousness (See, Sunday Nation 12/1/2003). The international press was more critical, with a report by the BBC on 14/1/2003 describing the actions of the ministers as 'pure chaos' as they sent "decrees, warnings, pledges, and orders flying in all directions, causing alarm and confusion among the frightened civil service...".

As the new government struggled to settle in, Kibaki created a new docket within which, Dr. Alfred Mutua was appointed as Kenya's first Official Government Spokesperson and Public Communications Secretary (PCS) in June 2004. Perhaps this was in recognition of the need to streamline government communications. The vision and the mission of the Public Communications Office, as it appears on their website, is:

To be an excellent facilitator of communication between the government of Kenya and its publics for sustainable development. (Vision)

[and]

To build an efficient and proactive government communication system through research, training and information dissemination for good governance and positive image of Kenya. (Mission)

Mutua often speaks on behalf of the government, providing the 'official stand' on issues, mostly through press releases and press conferences. 2005 provided a challenging beginning for the spokesman as the wrangles within NARC became clear.

The country was preparing to vote on a referendum concerning the adoption of a proposed new constitution. Kibaki and his supporters campaigned for the adoption of the new constitution while Raila (LDP Chairman), rallied the country to vote against the constitution. Eventually, those voting against the constitution emerged victorious with 57% of the vote (Andreassena & Tostensen, 2006:5). This was a sign that confidence in the government was in decline.

Once the results were announced, Kibaki sacked his entire cabinet giving the following explanation: "Following the results of the referendum, it has become necessary for me to reorganise my government to make it more cohesive and better able to serve the people of Kenya." (*The Guardian*, 24/11/2005). On December 7th, Kibaki announced a new cabinet, but three cabinet ministers and seventeen assistant ministers rejected their appointments. On the 9th of December, twenty nine cabinet ministers were eventually sworn in but three refused to appear. Two of these reversed their decision and were sworn in on 14th December 2005. (*Reuters*, 28/12/2007). Raila and those in LDP were left out of cabinet and later went on to form the Orange Democratic Party (ODM).

On the 2nd of March 2006, the reputation of the Kibaki government was tainted even further when it was reported that a group of armed men had raided the offices of the Standard Group, disabling equipment. The raid was allegedly in response to a story carried by *The Standard* a few days before, in which they had claimed that Kibaki had held a secret meeting with opposition MP Kalonzo Musyoka. The squad also raided Kenya Television Network offices and pulled the TV station off-air. When contacted for comment, the minister for Internal Security is quoted as saying, "If you rattle a snake, you must be prepared to be bitten by it." (Commonwealth Human Rights Initiative, 2006:1)

By the time the country was going into the 2007 elections, voters were divided along tribal lines and there was a sense of unease as the elections approached. Raila ran against Kibaki on an ODM ticket and lost the election. By December 2007, the country experienced pockets of violence as those in support of Raila queried the election results. By 31st December, over 100 people were reported dead and many more lay injured (The *New York Times*, 30/12/2007). As the New Year dawned, the post election violence continued.

5.3.2 Socio-Economic Context

When Kibaki came to power, he did so on a strong anti-corruption campaign promise, and he made a commitment to rejuvenate the economy. In his inaugural speech, he declared that:

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

The economy, which you all know has been under-performing since the last decade, is going to be my priority. There is deepening poverty in the country. Millions of our people have no jobs. School enrolment has been declining. In fact the education sector, like all other sectors, is steadily deteriorating. Millions of our people do not have access to basic and affordable health services. Our roads and other infrastructures are dilapidated. Most of our institutions are failing and basic social services are crumbling. There is growing insecurity in our cities and towns. The list is endless.

My government will embark on policies geared to economic reconstruction, employment, creation and immediate rehabilitation of the collapsed infrastructure. We shall restructure public institutions to match them with demands of modernising society. A new Development Plan will be produced soon in order to give expression to the promises we made in our Election Manifesto.

Mwai Kibaki, 30/12/2002 (State House Kenya, Speech Archive)

Upon taking office, Kibaki also announced the creation of the department of Governance and Ethics, and the subsequent appointment of John Githongo on 15th January 2003 as its head (Permanent Secretary). Githongo was well known both locally and internationally, more so as Chairman of Transparency International (Kenya chapter), which he founded and ran from his home till his government appointment (BBC Online 17/01/2003). Githongo also had a column in *The Standard*, in which he boldly spoke out against the government's lack of commitment to the eradication of corruption. As such, Githongo was seen by many as the new moral force within the government and went on to be widely referred to as Kenya's 'anti-corruption czar'. On the same breath, the President announced a new cabinet portfolio: the Ministry of Justice and Constitutional Affairs. At its helm, he appointed Harvard Law School graduate, Kiraitu Murungi, who quickly moved to table three bills in parliament:

- 1. The Constitution of Kenya (amendment) Bill for the formation of an anti-graft authority (Kenya Anti-Corruption Commission – KACC) to investigate and prosecute corruption cases in both the private and the public sectors.*
- 2. The Anti-Corruption and Economic Crimes Bill aimed at setting out the rules under which the new Authority will work.*

3. *Public Officers Ethics Bill which made it a requirement for all public servants to declare their wealth.*

(BBC online – 16/01/2003)

As the GoK was preparing to deal with corruption, January 16th 2003 saw the World Bank officially debar “...two firms and one individual involved in a Bank-financed project in Kenya.” (World Bank, 2008:324). This was a transport-related project but may have been an indication that corruption was in other sectors of the economy and was not restricted to government related projects. Thus, corruption was perhaps emerging as a key consideration for those intending to engage in business in Kenya, and one of the factors that may make it difficult for those already working in the country.

The GoK continued to demonstrate its commitment as on March 4th 2003, Statehouse announced that Kibaki had accepted the resignation from the Central Bank Governor, Nahashon Nyagah, after he was accused of failing to prevent the collapse of a local bank. (See State House Press Release, 04/03/2003). The Commissioner General of Kenya Revenue Authority (KRA), John Munge was also forced to resign as he was a co-owner of the collapsed bank. In addition, the public Inquiry into the Goldenberg Affair began its proceedings on 31st March 2003.

The donor community welcomed what they interpreted as the new government’s commitment and on 24th and 25th November 2003, a major donor consultative group meeting took place in Kenya. The meeting was hosted by the GoK and the World Bank, and included over thirty donor agencies and countries.

In the final joint donors' statement, "Partners pointed out that they will support Government-led sector wide policies and programs using the different instruments that are available, including project support, budgetary support, and basket funding." (Joint Statement of the Government of the Republic of Kenya and the World Bank, 2003:5)

A month later, John Githongo announced that the GoK will not target Moi in investigating past corruption cases, as a token of appreciation for peacefully giving up office and paving the way for free elections (*All Africa*, 22/12/2003). With the Goldenberg inquiry going on, this was unwelcome news but it failed to attract much media attention, perhaps because coverage of the proceedings was more salient at the time.

On April 21st 2004, the GoK faced its first major scandal – the Anglo-Leasing affair. Details of several flawed or fraudulent government contracts were tabled in parliament by KANU MP, Maoka Maore. Consequently, four Permanent Secretaries from implicated ministries were dismissed as investigations into the matter began.

2004 proved to be a difficult year for Kenya as crops failed and the country faced a severe food shortage. The government and NGOs put forth crisis appeals internationally, in which they aimed to raise funds for feeding programs and gain support for other drought alleviating efforts. UNICEF, for instance, put out a food crisis appeal in July 2004 describing the situation thus:

The poor performance of the short rains (October-December 2003), coupled with the erratic long rains (March-May 2004), has resulted in a drought emergency in 26 of Kenya's 74 districts and has rendered an estimated 2.3 million Kenyans in need of relief aid.

The consequences of the prevailing food insecurity are being borne by the most vulnerable groups, i.e. children and women.

In some of the worst affected districts, UNICEF coordinated surveys have found acute malnutrition and chronic malnutrition rates as high as 35% and 45%, respectively. An estimated 37,130 malnourished children require targeted nutritional support.

UNICEF, July 2004:1

Amidst all these environmental and political challenges, 27th October 2004 saw the World Bank and the “...new government of Kenya agree to work closely together on additional measures to fight corruption...” (World Bank, 2008:380). There were specific discussions around the Kenya Urban Transport Infrastructure Project (KUTIP), which had been suspended in October 2001, following corruption related offences discovered by the bank. Resumption of financial aid towards this project was agreed upon on condition that the GoK complete “...a criminal investigation and forensic audit of the KUTIP project.” (World Bank, 2008:380). This demonstrated the faith that the BWIs had in the Kibaki regime.

In January 2005, the GoK’s progress in dealing with corruption was dealt another blow when John Githongo resigned as PS for Governance and Ethics. In February 2005, twenty civil society and private sector groups issued a joint statement in which they expressed their “...anger and outrage at the implications of the resignation of John Githongo...” (Transparency International, 7/2/2005). This anger and disappointment was shared by many in and outside of Kenya.

Githongo consequently fled the country and sought exile in the United Kingdom. While in exile, an open letter from him to President Kibaki was published in the media in February 2006. The letter detailed the Anglo-Leasing affair and drew attention to an attempted cover-up by the GoK. As a result, several government ministers linked to Anglo-Leasing as detailed in the open letter, resigned to pave way for further investigations.

As the 2007 elections drew closer, the Kenyan economy was well on its way to recovery. The IMF noted that progress had been made with regard to structural reforms as well as governance legislation and institutions; Vulnerabilities in the financial sector had been addressed through reforms of the supervisory and regulatory framework; and that Kenya's exports had increased sharply, registering an annual growth of 13.5% per in dollar terms between 2003 and 2007, compared with a rate of less than 5% in the previous decade." (IMF Country Report, 2008:15-17).

5.4 Summary

The first vignette is characterised by immense government and presidential powers, a decline in the economy and a turbulent political atmosphere. The second shows an economy that is sluggish where there is also political uncertainty as a consequence of wrangles over succession in the ruling party KANU and an attempt by the opposition to gel into a unified force. There is also an increase in donor dissatisfaction with the government's slow progress in meeting IMF and World Bank conditionalities. Finally, the third vignette shows the implications of change in the political regime, as the opposition takes power for the first time in Kenya's history. At first, donor confidence picks up and the economy begins to register steady growth but more allegations of government corruption and political wrangles within the new coalition government tarnish government reputation and credibility.

In the following sections, I conduct the corpus linguistic analysis of the keywords and phrases chronologically in the context of the chosen vignettes, as well as identifying emerging discourses as they compete for dominance in the text.

CHAPTER 6

DATA ANALYSIS

I start off the analysis by running the key words identified in chapter 3 through Wordsmith to establish their 'keyness' (*ibid*). The keyness of individual words is based on the number of occurrences in the text in addition to its relevance in the discourse. As such, the linguistic context is the first consideration whereby I consider collocates, word clusters and source texts. I then ladder up from this micro context to the more macro context as a basis upon which I identify emerging and dominant discourses. This context is as per the three vignettes in the previous chapter whereby the first vignette is referred to as 'V-1', the second 'V-2' and the third 'V-3' in the following section.

6.1 'Corruption' by any other name...

In the 'talk' about the Goldenberg and Anglo Leasing cases corruption clearly emerges as the central issue of concern for the BWIs, the GoK and the general public as presented in the media. In this section, I used the node word '*corrupt**' and all the keywords and synonyms related to '*corrupt**' in the data set and checked these for their 'keyness' and role in each corpus. I then plotted the ensuing results using WordSmith as explained in Chapter 3, before conducting a longitudinal analysis following the three vignettes which I present in the previous chapter. Thus, WordSmith came to its own as it allowed me to quickly sift through the vast amounts of data and was particularly useful in data visualisation.

In figure 6.1 (a self generated graphic representation based on WordSmith results) for instance, the node word '*corrupt**' appears most times in V-3 across the three corpora with a total of 17,202 mentions. The node word generates five extensions: *corruption*, *corruptly*, *corrupted*, *corrupts* and *corrupting*, in addition to itself.

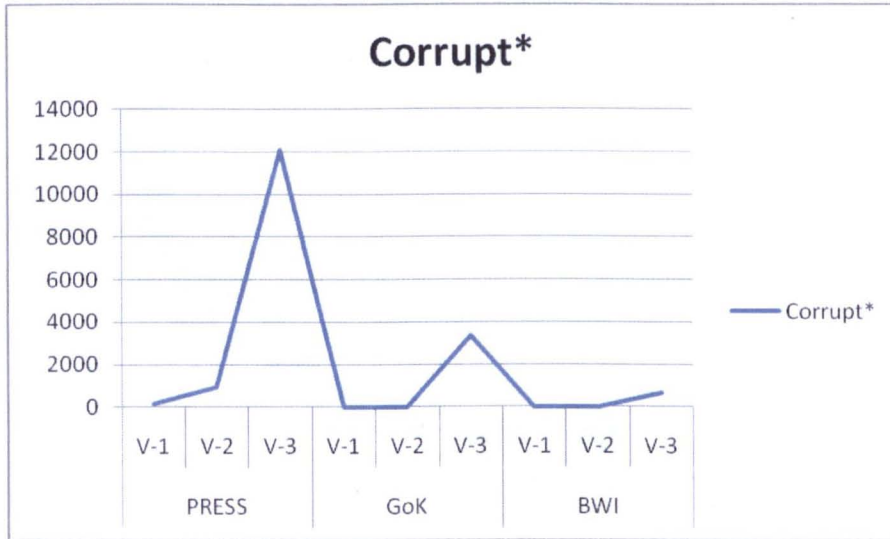


Figure 6.0.1: Occurrence of the node word '*corrupt*' across in the three corpora

In the press corpus, '*corruption*' is the most extensively used followed by '*corruptly*', and all five extensions of the node word are as a consequence, present. In the GoK and the BWI corpora, only '*corruption*', '*corrupt*' and '*corruptly*' appear, with '*corruption*' appearing the most and '*corruptly*' the least number of times.

Next, I identified synonyms to '*corrupt*' in the three data sets. These are: '*graft*', '*loot*', '*plunder*', '*scam*', '*sleaze*' and '*steal*'. In searching for them in the text using WordSmith, I treat the first five as node words whilst in the case of '*steal*', I applied '*steal**' and '*stole**' in an attempt to capture all extensions.

The results can be seen in Figure 6.0.2 below, in which I have put together a graphic representation of the use of the node word '*corrupt*' and all these synonyms across the three corpora, based on the output from WordSmith.

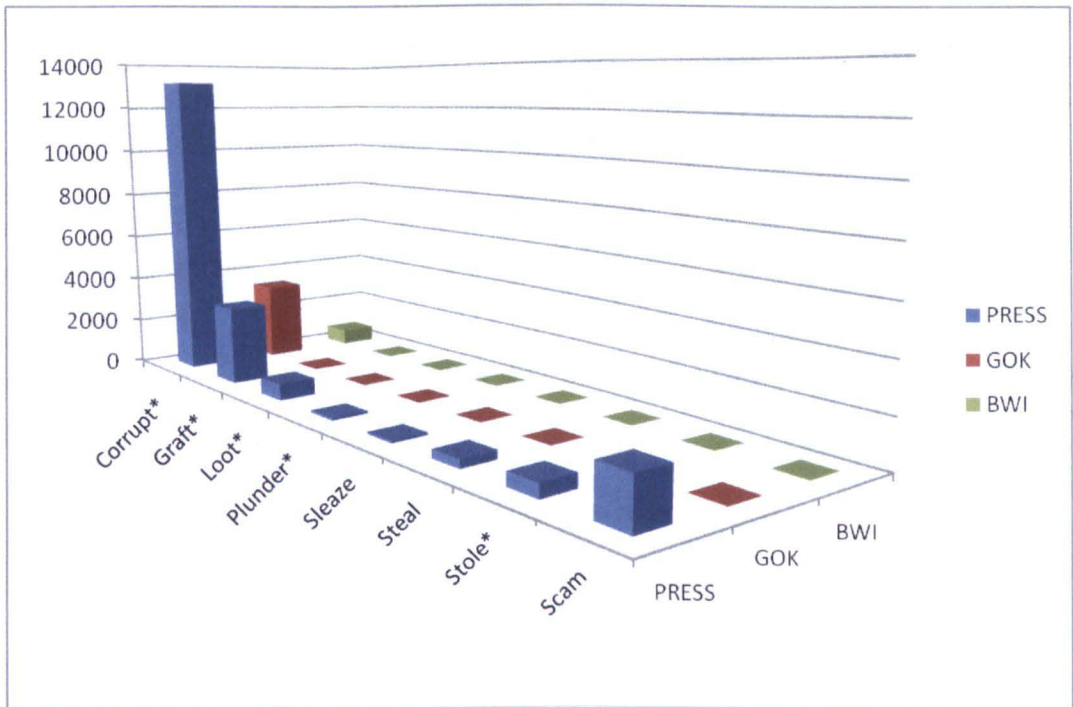


Figure 6.0.2: Use of '*corrupt**' and its synonyms

All of these words appear in the press corpus with '*corrupt**' being the most significant. '*Sleaze**' and '*plunder**' appear the least number of times in this corpus and are completely absent in the BWI corpus. '*Sleaze**' is also absent in the Gok corpus. I chose to include these two words in the study primarily because they were interesting (based on their meaning), and although they were not key in terms of occurrence in the BWI and GoK data, they were however significant in the much larger press corpus.

In order to analyse the use of these words, I first sought to establish their standard meaning whereby I looked up their definitions in the Oxford Dictionary as follows:

Graft: "...bribery and other corrupt practices used to secure illicit advantages or gains in politics or business..."

Loot: *As a noun* – "...private property taken from an enemy in war. [...]... stolen money or valuables...[;]... informal money". *As a verb*- "...steal goods from (a place), typically during a war or riot".

Plunder: *As a noun* – "...the violent and dishonest acquisition of property...[;]...a property acquired illegally and violently." *As a verb*- "...steal goods from (a place or person), typically using force and in a time of war or civil disorder...[;]... steal goods from (a place or person), typically using force and in a time of war or civil disorder."

Scam: *As a noun* – "...a dishonest scheme; a fraud". *As a verb*- "swindle".

Sleaze: *As a noun* – "...immoral, sordid, and corrupt behaviour or activities...[;]... a sordid, corrupt, or immoral person". *As a verb*- "...behave in an immoral, corrupt, or sordid way".

Steal* (Stole, Stolen): "....take (another person's property) without permission or legal right and without intending to return it..."

Next, I grouped the six words based on what they seem to represent. As such, 'graft' and 'steal*' are legal, technical terms, with graft being a basic categorisation of corruption in business and political settings. 'Scam' and 'Sleaze', on the other hand, refer to immoral and

unethical behaviour. Lastly, 'loot*' and 'plunder' are terms that describe dishonest acquisition of property in times of war.

6.2 Plotting the Emerging Discourses

The following analysis begins by considering the node word 'corrupt*' before looking at the six synonyms above. Other key words are explored based on their keyness as explained above.

6.2.1 'Corrupt*'

The significance of this word in the discourse is seen in the way in which it is used by various parties in the three corpora.

6.2.1.1 GoK Corpus

In the GoK corpus, the node word 'corrupt*' appears a total of 3,341 times with the greatest number of occurrences in 2005 (810 times). In terms of significance in a single text, the KACC report entitled *Framework for Mainstreaming Corruption Prevention in Public Institutions* has the highest number of hits per 1000 in the corpus, with 43.33 compared to the *Report of the Judicial Commission of Inquiry into the Goldenberg Affair* which has 0.05 hits per 1000. Therefore, even though the Goldenberg case denotes public sector corruption, it is interesting to note that the commission of inquiry in its proceedings limits debate about the wider issue of corruption, concentrating instead on the technical details of the case.

The first and perhaps most poignant appearance of *corruption* in this text, is in the remarks of the Attorney General, Amos Wako, at the official opening of the Goldenberg commission in which he says:

*Nothing in the public perception has come to epitomize **corruption** as the Goldenberg affair. The evils of **corruption** and the devastating negative effects on the society are well known. The cost of opportunity lost in terms of economic and social development, in terms of creating national ethics of transparency and accountability, hard work and the spirit of entrepreneurship cannot be over-estimated.*

The Goldenberg affair became, in the words of that British dramatist and novelist, Dodd Smith, 'the dear octopus, whose tentacles we never quite escape.' Kenyans want to escape from this octopus so that Kenya can be a vibrant state with a free and democratic system of government that enshrines good governance and the rule of law, and where there is an equitable framework of economic growth and equitable access to national resources. The tentacles of the octopus have to be cut. That is why, among your terms of reference, there is a general power under which you can make recommendations on any policy or action that may conclusively deal with the Goldenberg affair.

Judicial Commission of Inquiry into the Goldenberg Affair, (2005: Appendix D)

At the heart of Wako's argument is the notion of corruption as an evil practice that must hence be eradicated in a manner akin to 'cutting the tentacles' of the metaphorical octopus (corruption), the result of which should be a sound framework that allows for "...economic growth and equitable access to national resources". In his call for the eradication of corruption, Wako frames his argument by drawing attention to the negative economic impact of the practice (*opportunity cost, a strain on the spirit of entrepreneurship*).

In addition, Wako draws attention to corruption as an ethical issue (*transparency and accountability*) whereby a sound political and legal framework should be at the heart of **eradicating** this negative issue from society (*democratic system, good governance, the rule of law*).

It is also of significance that in picking a metaphor, Wako opts for the less familiar as opposed to picking one that is either culturally relevant or from a familiar text. In this context, it is instructive that most Kenyans live inland and are hence not generally familiar with sea creatures save for those who live at the coast. As such, many will only have come across an octopus in books during the course of their schooling or in popular media (film and television). There is also a sense in which this metaphor is elitist, as quoting English literature in conversation is the preserve of the highly educated and more cultured members of the society. This may be an attempt by Wako to salvage his dwindling credibility as the appointment of a commission of inquiry lay bare what he had failed to do in the past ten years as the Attorney General.

In the rest of the corpus, '*corruption*' is mostly used in reference to the Kenya Anti Corruption Commission (KACC), more so with regard to ongoing investigations and reports. Besides this, the word clusters in the corpus demonstrate the government perception of its role in handling corruption as a social issue. Thus, the phrase, '*[the] fight against corruption*' appears 177 times. Closely related are the phrases: *frontline against corruption* (107 times); *in the fight* (104 times); *the frontline against* (76 times); *in combating corruption* (18 times) and *war on corruption* (14 times).

This reinforces **eradication** by bringing to bear a **warfare metaphor** in which the government portrays the issue of corruption as one that cannot be easily dealt with, but rather one that must be forcefully removed in a scenario akin to a war, whereby there is expected resistance and retaliation from the perpetrators of the practice.

This '*fight*' against corruption calls for a more robust legal framework as described in the *Kenya Anti-Corruption Commission Annual Report 2007-2008* which states:

It is necessary to undertake a comprehensive overhaul of current anti-graft laws, including the ACECA, to strengthen the fight against corruption and economic crimes: to enact separate pieces of legislation that will complement the fight against corruption and economic crimes, such as legislation on Mutual Legal Assistance, Money Laundering, Proceeds of Crime, Whistleblower's protection...

KACCA, (2008:84)

In contrast to the GoK approach whereby corruption must be **eradicated** through the legal system, the 2006 National Corruption Perception Survey conducted by KACC indicates that members of the public put more emphasis on **prevention** as a proactive means of fighting corruption. Respondents favoured mass education as a measure that would allow members of the public an opportunity to understand what denotes corruption and make informed choices based on a clear appreciation of the factors that promote corruption and the impact that this has on the wider society. Thus:

Public education was singled out as the most effective strategy in fighting corruption by 72.5 percent of the respondents. Other strategies include reducing poverty (72.4%), creating employment (70.7%), establishing proper corruption report channels (70.6%), enhancing transparency and accountability in public affairs (69.7%) and generally improving the economy (69.3%) among others.

KACC, (2006:xi)

This is in keeping with similar findings of the study whereby members of the public interviewed by KACC claimed that “...the fight against corruption is everybody's responsibility (46.8%)” (KACC, 2006:x). Also, “According to those interviewed, the President (25%) and the KACC (14.1%) should spearhead the fight against corruption” (KACC, 2006:xi). Thus, besides individual responsibility among members of the public, a significant percentage of people reportedly see the head of the GoK as key in the fight against corruption. This perception may be due to the timing of this report (V-3), in the midst of the Anglo Leasing scandal with which the government was still grappling. This was a far cry from the ‘*zero tolerance to corruption*’ promise which had formed a key part of the December 2002 presidential campaigns. Dealing with corruption was hence a personal commitment of the incumbent, but the ‘*zero-tolerance*’ phrase appears only 16 times in the GoK corpus, most of which are with regard to the vision of KACC: *To be a World Class Institution fostering zero-tolerance to corruption in Kenya.*

Another phrase that is significant in the GoK corpus (46 mentions) is ‘*level(s) of corruption*’. This depicts the dynamic nature of corruption whereby it increases and decreases in intensity. In the 2007 *Public Officers’ Integrity Survey*, respondents drawn from members of the public were of the opinion that ‘levels of corruption’ in the country were higher in 2003

compared to 2006. (See figure 6.0.3). This seems contradictory when one considers that the Anglo Leasing case broke in 2004. In 2003, though, the Kibaki government had just taken office having won the election in December 2002, which implies that the perception of higher levels of corruption is with regard to the previous government. Thus, there is an extent to which the public perception of the new government was influenced by the reputation of the previous one, pending an establishment of their own reputation.

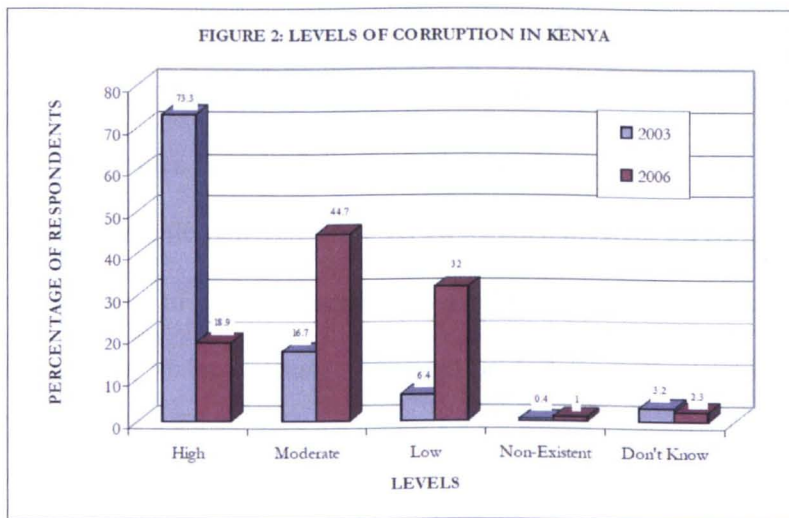


Figure 6.0.3: Levels of Corruption in Kenya

[Source: *Public Officers' Integrity Survey*, (2007:10)]

The public inquiry into the Goldenberg case which took place in 2003 and 2004 may have also contributed to making the issue of corruption more salient at that time. It was also in 2006 that senior government officials, including then Minister for Finance, David Mwiraria, resigned to pave way for KACC and PAC investigations into Anglo Leasing. This was in contrast to the Moi era, when the trend was more to do with scapegoating junior public officials at the expense of more senior ones.

Of significance is also the phrase *'causes of corruption'*, which appears 38 times in the corpus. Justice Aaron Ringera argues that "...it is critically important to address the root causes of corruption and the prevalent culture in the society" (KACC, 2005:11). Thus, KACC, on behalf of the government, sees corruption as a cultural issue. This might have to do with the general culture in relation to bribe giving and bribe taking, or more specifically with regard to institutional corruption.

The 2007 *Public Officers' Integrity Survey* found that majority of the respondents attributed corruption to poor remuneration, thus putting the economic wellbeing of participants at the heart of the matter (see figure 6.0.4). In support are the perceived high cost of living, job insecurity and poor economic policies. From an ethical perspective, greed and selfishness are also important, in addition to what is described as a culture of gift giving. Law enforcement is not considered by most to be a cause of corruption but as earlier stated, is more of an impediment to dealing with it.

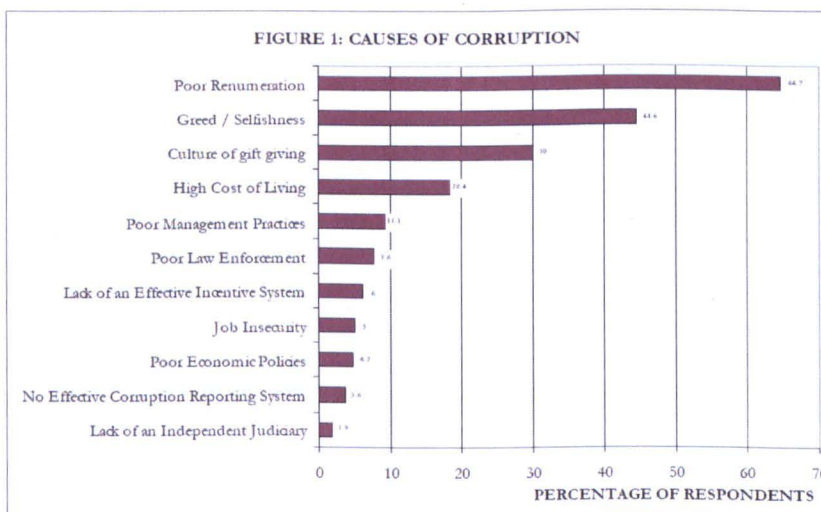


Figure 6.0.4: Causes of Corruption

[Source: *Public Officers' Integrity Survey*, (2007:9)]

To summarise, the node word '*corrupt**' is consistently used in the GoK corpus, and is applied in economic and legalistic terms, more so in explaining the state of the economy and the efforts of the GoK in dealing with it. I therefore name the overarching Discourse '**Eradication**' as the GoK articulates its desire to rid the country of corruption through the active promotion of a **warfare discourse** (fight, combat, war on corruption). This in turn heralds two approaches: on the one hand, the GoK promotes the fighting of corruption through by use of the judicial and political framework. On the other hand, the public see the issue of corruption as a cultural issue which must **prevented** through public education. Thus, the responsibility of dealing with corruption lies in the hands of the ruling elite who must lead the way by providing moral guidance to the public, whose responsibility it is to promote a culture devoid of corruption. Figure 6.0.5 shows the overarching Discourse and the supporting discourses which I have named based on my interpretation of findings in this section.



Figure 6.0.5: Emerging Discourses – GoK Corpus

6.2.1.2 *BWI Corpus*

In the BWI corpus, the node word '*corrupt**' appears 688 times in total, of which 370 are in 2007. 2003 is also significant with 121 occurrences of the word. The first and second vignettes have limited activity considering that the BWI had few dealings with the GoK during that time. However, in 2003, the landmark donor consultative meeting held in Nairobi between 24th and 25th November, led to an increase in donor activity with both BWIs issuing several press releases in support. 2007, on the other hand, was an election year which would normally be a stock-taking year for various parties as they look back at progress, achievements and failures. 2007 was pivotal because it was the first time an election would be conducted under the NARC government and with the coalition more or less disintegrating, the political future of the country was uncertain.

Top on the list of word clusters is the '*fight against corruption*', mentioned 36 times and the overlapping cluster, '*The fight against*' (25 times). '*War against corruption*', appears 19 times and '*the war against*', 16 times. These word clusters are used predominantly to describe GoK activity in handling corruption as reported by them to the BWIs, and also to articulate BWIs' expectations, conditionalities and support. For example, in a press release (number 2006/250/AFR), the World Bank announced approval of a US\$25 million credit "...to support the Government of Kenya's fight against corruption...." (Word Bank, 2006:1)

In the 2007 *World Bank's Country Assistance Strategy Progress Report for the Republic of Kenya*, the '*fight/war against corruption*' appears as follows:

*Government's effort towards the **fight against corruption** has particularly experienced challenges in the area of prosecution and restitution. These challenges, though few, have adversely affected the realization of zero-tolerance to corruption. Among the reasons for these challenges include:*

New untested legislation that has exhibited some weaknesses in the areas of:

(i) Constitutional challenges to the powers of the Commission to compel suspects to provide it with information required for investigation; (ii) challenges to the appointment of a Receiver by the Commission over property suspected to be the proceeds of corruption; and (iii) challenges to the Commission against powers to investigate and deal with Penal Code offences. These weaknesses are being addressed when they arise through amendments;

*Lack of adequate capacity and effective coordination among institutions in the front-line of **the war against corruption**, including the office of the Attorney General, the Judiciary and the KACC; Delays by suspects and their lawyers who have doggedly fought the work of the KACC through the court process; Politicisation of **the war against corruption** with political leaders supporting suspects from their ethnic communities against the anti-corruption agencies and dismissing the anticorruption efforts as a witch hunt against their supporters...*

In this excerpt, **eradication** remains key and is perpetuated via the **Warfare Discourse** in reflection of GoK rhetoric. The *'fight against corruption'* is therefore to be won by the streamlining and strengthening of the legal framework.

The second most popular word cluster in the BWI corpus is *'anti corruption commission'* (34 times) and related clusters like *'Kenya anti corruption'*, as seen in the excerpt below:

The government has placed its anticorruption strategy at the top of its reform agenda and has embarked on a major strengthening of Kenya's governance and anticorruption institutions.

This agenda includes an enforcement of the Anti-Corruption and Economic Crimes as well as the Public Officers Ethics Legislations enacted in May 2003; the institution of mechanisms for implementing those legislations, the establishment of an anti-corruption commission which will be responsible for investigating alleged corruption cases.

IMF, (2003:3)

In general, *anti corruption* appears 154 times in total, with collocates like *commission, strategy, measures and authority* to the immediate right of the two-word cluster, and with *Kenya and comprehensive* to the immediate left. In the excerpt, the phrase is largely in reference to KACC drawing attention to the importance of having a sound anti-corruption strategy supported by a robust legal framework.

Ethics is brought in with regard to legislation relating to economic crimes by public officers. Thus, the legal framework is key and reflects the approach favoured by the GoK.

In the BWI corpus then, **Eradication** emerges as the dominant Discourse in much the same way it does in the GoK corpus. In contrast though, the **Prevention** discourse is not as strong, with **Warfare** being the preferred approach to corruption. The BWI favour legal and institutional frameworks but put little emphasis on public education, which was key in the GoK corpus. Lastly, BWI talk about corruption is coloured by developmental, political and economic themes. The difference with the GoK corpus is that these themes are mobilised to a similar extent whereas in the GoK corpus, economic themes are dominant to developmental and political themes. In addition, GoK political talk is specific to leadership whereas that of the BWI is more general. Finally, cultural and ethical themes emerge in the GoK corpus but are absent in the BWI corpus.



Figure 6.0.6: Emerging Discourses – BWI Corpus

6.2.1.3 Press Corpus

This corpus, being by far the largest of the three, has the greatest number of mentions of the node word '*corrupt**', at a total of 13,173 occurrences. Of these, 5,670 are in 2006 (V-3), with the highest number of hits (per 1000 words) registered in 2001 (4.55), which is in V-2. Like the other two clusters, the most frequent word clusters are in reference to KACC: *Kenya anti corruption* (1,228 times); *anti corruption commission* (1,145 times); *the Kenya anti* (1,021 times) and *corruption commission KACC* (314 times). Also, *anti corruption* as a two-word cluster appears 2,744 times and is included in the three-word clusters above. *The Fight against corruption, war on corruption, to fight corruption, combat corruption*, alongside other warfare phrases rank second in order of frequency.

The phrase '*fight against corruption*' first appears in 1997 in an article appearing in the Daily Nation on 6th August. In the article titled "Moi Plays down the Effect of Aid Cuts", president Moi is reported as having taken issue with the IMF who had announced that they would cut aid to Kenya due to the failure of the GoK to meet conditionalities.

To this end, Moi likened the treatment of the BWI towards the GoK to that of students performing experiments on laboratory rats, whereby the death of a rat was of little consequence as the student simply picked another and continued the experiment. At the same time, some members of parliament are reported to have found Moi's utterances to be tantamount to a lack of commitment to the *fight against corruption*. The phrase gained popularity in the third vignette and soon became common in public spaces.

War on corruption, however, does not make it into the Press Corpus until 2001, when it appeared in an article in the *Daily Nation* dated 21st January 2001. The phrase is absent in 2002 and 2003 only appearing again in 2004. This is reflective of the promise upon which the new government won the election, whereby they promised zero-tolerance to corruption. This **warfare discourse** seems to stem from the perception that it would not be easy to eradicate, given the length of time that it had been allowed to continue without a concerted effort to deal with it, as well as the calibre of people involved. The expected difficulties and resistance made it clear that this was going to be a fight. The ubiquity of the KACC in the press corpus presents the institution as the main player in fighting corruption.

Tracing the use of the word ‘corruption’ in the press corpus brings to light a situation whereby the donor community is portrayed as being increasingly impatient with the GoK efforts (or lack thereof) in dealing with corruption. The GoK on the other hand, especially in the first two vignettes, claim that their efforts go unappreciated by the BWIs and once in a while, Moi demonstrates his frustration on behalf of the GoK in statements like the one about the lab-rats above. This denotes a relationship whereby the GoK feel they must placate the BWIs who in turn have little value for them and can hence treat them as they will.

An article appearing in *The East African* on 4th August 1997, states that in “...Nairobi representatives of the donor countries...reportedly lobbied their counter-parts in Washington to send a clear message to Kenya not to expect support if the government continues to condone corruption.” In the same year, President Moi gave a rare opportunity to the then *Sunday Nation* Managing Editor, Bernard Nderitu, for an in-depth interview on various issues in his regime including that of corruption. The interview appeared verbatim in *the Daily Nation* dated 28th December 2007. Below is an excerpt where the president talks about corruption:

Q. Your Excellency, you have frequently spoken out against corruption, yet the problem seems to be getting worse by the day. What steps have you taken, or are you taking, to minimise it?

A. Corruption is a serious national problem that must concern all of us as Kenyans, irrespective of our political parties. And, like any other problem, the first step to solving it is to understand it. Like other negative values that we have developed in our society today, corruption has a long history, it has not emerged in the last couple of years.

I must remind you of the high level of corruption in the '70s, when it was referred to as magendo. There were the Chepkube, Halal and Ken- Ren fertiliser scandals, the Kisumu molasses factory scandal and many other incidents of corruption reported during that period. Corruption knows no political party, no tribe, no sex, no age. It has become a deep-rooted problem that we must all unite to eliminate. I have tried hard to fight corruption, I have waged war on magendo; I became very unpopular with some people because of it.

However, I cannot do this alone and I must appeal to all Kenyans to do their part to minimise this evil. I intend to see that the anti-corruption unit which I set up recently goes about its work seriously and that the law is followed to the letter, irrespective of who is involved.

One of the most challenging aspects of corruption is re-educating our people to think in the national interest. We must train ourselves to think in terms of collective interests rather than in terms of personal and selfish interests. Greed, selfishness and individualism, which were never there in traditional African communities, have contributed greatly to our culture of corruption. We must rethink these negative values, including corruption that are a threat to a healthy and stable society. To me, this is one of the greatest challenges facing Kenya today.

Q. Critics of your Government portray the Goldenberg issue as probably the greatest example of high-level corruption in Kenya. Why has no decisive action been taken against the suspects so many years after the scandal was exposed?

A. The stories about the Goldenberg scandal have concerned me and troubled me as much as other people. However, since the matter is in the hands of the courts, it is better that I do not comment on it, to avoid compromising the outcome. Let me say, however, that I cannot encourage abuse of public funds. I have a constitutional responsibility to protect public funds.

Those who have used my name to abuse my position in order to enrich themselves know that they have never had my support and blessings.

In this text, Nderitu starts off by hinting at the discrepancy between the President's rhetoric about corruption and his actions on the issue. In response, the president manages to

side-step the issue by making vague statements about his war on corruption that has earned him numerous enemies.

He blames a cultural shift in the rise of corrupt practices and puts the responsibility of eradicating corruption on the public through education and sensitisation. This is in keeping with the findings in the GoK corpus whereby there were indications in the 2006 KACC report that the public were more interested in prevention.

In instances like the one above, the press is utilised in its traditional capacity as a disseminator of news and information, some of which may be tantamount to propaganda and self promotion. There are times though, when journalists speak out on their own behalf, be it via commentaries or by framing the news that they report. Most of the time, these commentaries are in keeping with editorial policy, although their relevance to contemporary issues and the manner in which they are written, increases their popularity and credibility. In Kenya, there are journalists of note from the two main dailies, who have a large following in the public sphere and whose commentaries imbue the character of the 'talk' about the issues which they choose to highlight.

Ultimately, based on the occurrence of the phrases relating to **Eradication Discourse** through *warfare*, I observe that the press corpus is similar in terms of discourses to that of the BWIs. The emphasis is for the GoK to establish *institutions* and a sound *legal framework* for the *eradication* of corruption. Discourses around issues of *economic* growth and *development* are also mobilised as shown through concerns regarding donor support.



Figure 6.0.7: Emerging Discourses – BWI Corpus

6.2.2 Exploring the Synonyms

Having established the relevance of *'corrupt*'* in each of the three corpora, the following section looks at occurrences of its synonyms and their use over time.

6.2.2.1 *'Graft' and 'Steal'*

'Graft' and *'steal'* are both legalistic technical terms. *'Steal'* pertains to the illegal acquisition of property while *'graft'* denotes corruption in business and political spheres. In the press and the BWI corpora, *'graft'* is the second to *'corrupt'* in number of occurrences, whereas it ranks third in the GoK corpus. *'Steal'* is less significant, being the third to last in the press corpus, the second to last in the BWI corpus and the fourth to last in the GoK corpus.

The first mention of the word *'graft'* is in an article by the Inter Press Service (IPS), appearing on May 11th 1994. The writer, Charles Wachira, writes about the rise of "...*racial and political intolerance...*" against Asian businessmen in Kenya (IPS, 11/05/0994). Wachira quotes Dr. Henry Mureithi, a senior lecturer at the University of Nairobi (Government

Department) who claims that “...*the few Kenyan-Asians involved in graft “were crucial pawns in the country’s political chessboard”.*”(Mureithi in IPS, 11/05/1994).

This notion of Asian businessmen being at the helm of corruption incidents in Kenya may not be totally misplaced. Kamlesh Pattni of Goldenberg is of Asian origin and so is his counterpart Ketan Somaia who was also linked to Goldenberg dealings. There was speculation, however, that these were merely scapegoats for public officials who used them as fronts for their illegal practices. This is an issue that is still debated and one that refuses to go away, more so after the breaking of Anglo Leasing implicated yet another group of Asian businessmen – Deepak Kamani, Anura Pereira and their associates. It remains unclear if the issue here is one of ethnicity or if this is just a coincidence in what are essentially crooked businessmen who happen to be readily and easily accessible to corrupt officials who then partner with them to commit these economic crimes.

The first direct use of the word ‘*graft*’ in the local media, appears to have been on October 24th 1997, in an article appearing in the *Daily Nation* in which the Attorney General reportedly announced the proposed conversion of the “...anti-corruption squad into an independent authority with more powers to combat *graft* in the public service and other sectors” (*Daily Nation*, 24/10/1997). Subsequent use of the word is in no way different to the manner in which ‘*corrupt**’ is used. For instance in a report by the Associated Press on 28th December 2007 an analysis of Kibaki's first tenure includes an appraisal of his “*anti-graft* campaign”, which is reported to “...have largely been seen as a failure”.

On the other hand, the word *steal(ing)* and ‘*stole(n)*’ are either used in reference to general theft or to corruption and the Goldenberg case. As an example, the lead article in *The Independent* (London) on November 15th 1994 states, “Most of those who *stole* money in what

became known as the Goldenberg scandal are free to derive the streets of Nairobi,...” (*The Independent*, 15/11/1994). In reports by *the East African*, the words are used in a similar manner. The GoK corpus follows the former pattern whereby the words appear in KACC reports in 2004, 2005, 2006 and 2007, but all in reference to crime figures (burglary). The same goes for the BWI corpus.

It would therefore seem that all three corpora do not directly refer to corruption as the illegal acquisition of property. Stealing is perhaps more personal, and involves the use of force. The type of corruption represented by the two cases is less obvious in its orchestration – although its effects are widely felt.

6.2.2.2 ‘Scam’ and ‘Sleaze’

‘Scam’ and ‘Sleaze’ refer to unethical and immoral behaviour. In both the press and the GoK corpora, ‘scam’ is the second most commonly occurring synonym, whereas it appears only three times into the BWI corpus. ‘Sleaze’ does not appear at all in either the GoK or the BWI corpora and is the least popular in the press corpus, appearing a total of 89 times. The significance of these words is that they are both introduced into the discourse by foreign media, and although they were picked up by the local media, they remain limited in their usage. This is in keeping with the complexity of discourses around ‘corrupt*’, whereby the ethical discourse is not as strong as the legal and economic discourses.

In the press, ‘scam’ is first used in Richard Dowden’s article published in *The Independent* (London) on June 8th 1993. This is the article that broke the Goldenberg case to the West, more than one year after it broke in the Kenyan newspapers on 21st April 1992 (*Daily Nation*). In this article, Dowden reports:

A private company has robbed the Kenyan government of tens of millions of pounds in an export scam sanctioned at the highest level in the Kenyan Finance Ministry and Central Bank. (Dowden,1993).

'Scam' is hence used in specific reference to the Goldenberg case and appears mainly in *The Independent*, the *Guardian* and the *Economist*. It makes its first appearance in the local press through an article written by John Githongo in *The East African*, on November 19th 1997, five years after Dowden's article.

Like 'scam' above, 'sleaze' first appears in a lead article by the *Independent*, entitled, "Steer Clear of Kenya, a State of *Sleaze*" (*The Independent* (London), November 15th 1994). The article is quite emotive, questioning relations between John Major's government and the GoK as depicted in the 'sharing of a platform' by the two parties, which included a GoK delegation headed by President Moi, to the CBI (The Confederation of British Industry) conference that took place the same week that the article was written. The writer presents Kenya as a country that was once admirable in many respects but now "...reeks of *sleaze*-if wholesale theft of state funds sanctioned by senior members of the government counts as *sleaze*" (*The Independent* (London), November 15th 1994). Use of the word in the local press is equally emotive. In a commentary appearing in *The Daily Nation* on February 17th 2006, the writer presents a number of pertinent issues grappling the society at the time. He sums these up by stating that "...our greatest challenge is to rediscover the values and principles that once guided our society if we want to escape from imminent slide to *sleaze* and sloth."

6.2.2.3 'Loot' and 'Plunder'

'Loot' and 'plunder' are closely related to 'steal' but are specific in their application, to times of war. 'Loot' is the 4th most commonly occurring synonym in the press corpus but only appears thrice in the BWI corpus and once in the GoK corpus. 'Plunder', on the other hand, is only second to last in the order of appearance in the press corpus, third to last in the GoK corpus, and is absent in the BWI corpus.

In the first instance, the word 'loot' is used in a *BBC Summary of World Broadcasts* report, attributed to a news item aired by the Kenya Television Network (KTN) in which Langata constituency MP Raila Odinga, was reported as asking for the reinstatement of his case against then Vice-President and minister for Finance, Prof. George Saitoti, pertaining his alleged involvement in the Goldenberg case. In his argument, Raila reportedly informs the Attorney-General that he "...should use the powers given to him by the constitution for public good, but not to conceal fraud and *looting* of public resources." (*BBC Summary of World Broadcasts*, 30/3/1995). There are also instances where the word is used in direct reference to the Goldenberg case, such as sentiments in an article in *The Economist* in which the writer refers to Goldenberg as "...the largest single incident of officially blessed *looting* of public funds in East African history." (*The Economist*, 19/7/1997)

In a World bank Report on Kenya (number 25840-KE) dated August 18th 2003, the bank reports that "...the most infamous example of *looting* in Kenya is the Goldenberg scam of 1992..." (World Bank, 2003:94). With regard to the GoK, the word is used in a KACC report where they talk of their attempts to institute court proceedings in two corruption related cases in a bid to "...recover millions of public funds that had been *looted* from the government." (KACC, 2003:15)

6.2.2.4 *Summary*

The emerging patterns in the three corpora seem to indicate that corruption is an unwanted practice that must be **eradicated**. With regard to the GoK and the BWI corpora, reference to corruption is predominantly in economic and legalistic terms, and either comprises of the GoK explaining its position on corruption related matters, or the BWIs responding to, commenting on or seeking clarification upon these matters.

The two seem to mirror each other in their rhetoric and promote the **Eradication Discourse** by mobilising legal, economic, and developmental discourses in support of a **warfare discourse**. Ethical and cultural discourses are more salient in the GoK corpus but are less significant in the BWI corpus.

The press corpus is also in support of the **Eradication Discourse**, favouring legal and institutional discourse in arguments that revolve around KACC as the key institution responsible for the spearheading of the 'fight.' It is also significant that the introduction of synonyms by foreign media fails to take root in the corpus, which favours the use of '*corrupt*'' above all other words. Thus, reports by foreign media with regard to the two cases are more emotive and far richer in the use of synonyms like graft and sleaze as opposed to the Kenyan media, the GoK and the BWIs. The GoK and the BWI keep their talk quite formal but are more emphatic with regard to the need to eradicate corruption. 'Fight against corruption' in the first vignette gives rise to the 'war on corruption' in the second that 'zero-tolerance to corruption' in the third. The media shares this proliferation of phrases and becomes stronger in its reporting of the issues around the two cases.

In the first two vignettes, there is a sense of struggle with the description of the two cases and their impact on society. This is evident in the adoption and rejection by the local media of synonyms to corruption introduced by the foreign media. This denotes a sensemaking process whereby progress is deterred by the use of a foreign language to make sense of what is essentially new phenomenon. Weick (2005) alludes to this when he proposes that people pull from their past experience to make sense of new occurrences. This argument can be stretched to the use of language whereby the lack of relevant terminology in any of the local languages spoken in Kenya presents a challenge for the GoK, the local press and the public in making sense of and therefore determining the appropriate response to corruption related cases.

By the third vignette, although the use of synonyms remains limited, media reporting becomes more descriptive and emotive. The zero-tolerance to corruption campaign slogan by Kibaki makes anti-corruption salient. The public inquiry into the Goldenberg affair promotes public debate and by the time Anglo-Leasing breaks, media backlash is quick and public sentiments clearly articulated. Thus, corruption is by now clearly understood as a social evil that the country can ill afford, and its economic impact is now in the realm of public experience. Thus, public pressure is higher and more targeted post-Anglo-Leasing than it was post-Goldenberg. The government moves more quickly and what took ten years in the case of Goldenberg takes only a few months in the case of AngloLeasing. An example is the resignation of public officials implicated in both cases. This denoted a development in the understanding of corruption with the development of language providing the vehicle for this development.

Ultimately, I identify the emerging and dominant discourses in the three corpora are as follows:

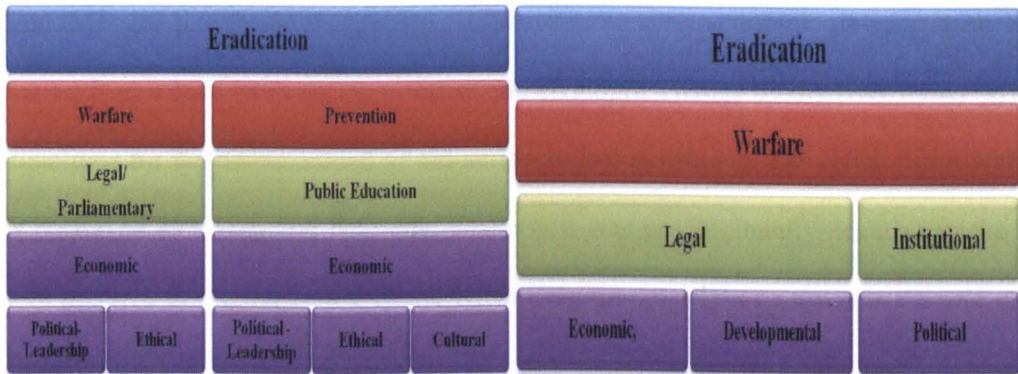


Figure 6.0.8: Emerging Discourses - GoK corpus on the left and the BWI and Pess Corpora on the left

6.3 People and institutions

Various individuals and institutions also emerge as key in the discourse. With regard to institutions, the government, the media, the Central Bank of Kenya (CBK), the Goldenberg Commission of Inquiry, KACC, Treasury, the IMF and the World Bank rank highest. The CBK is mentioned in its capacity as the supreme governing body, seen in both the BWI and the press corpora as the driving force in the fight against corruption. Although only a small number of government officials were actually involved in the two cases, the government shares the burden of blame from both the public and the donor community. The blame deepens with the apparent reluctance of the government to prosecute corruption cases, more so in the Moi era. Once Kibaki comes to power in the third vignette, the BWI rhetoric changes in support of government efforts but falters upon the breaking of Anglo Leasing.

KACC, the Treasury and the CBK are also GoK bodies, with the former being directly charged with anti-corruption initiatives and the latter two being the custodians of public funds and hence culpable in the event of fraudulent loss of public money.

The IMF and the World Bank dominate the discourse on economic development. Their contribution is as a catalyst to social, political and economic change by the GoK based on their conditionalities for the disbursement of aid and technical assistance. The relationship with the GoK is portrayed as a love and hate one, whereby it was predominantly negative in the Moi era, more positive at the beginning of the Kibaki regime, and less so towards the end of the third vignette.

There is also reference to individuals who at times speak on their own behalf, and other times speak on behalf of the institutions that they represent. For instance, ministers make statement on behalf of the ministries that they represent as well as on their own behalf. For instance, in a BBC (summary of world broadcasts) excerpt, then Minister for Finance, Musalia Mudavadi is quoted denying the existence of the Goldenberg scandal as claimed by press reports. Giving a statement on behalf of the government, the minister is quoted as follows:

Some foreign newspapers have alleged that fraud has been committed in Kenya in connection with exports of gold. The government is not aware of such a fraud. It would seem that the allegations are designed to discredit the country on grounds of perceived corruption.

BBC, (6/4/1993)

It is hence not surprising that the press has continued to shed doubt on government rhetoric on corruption, when such blatant statements are delivered on its behalf by ministers, only to be proved untrue in days to come.

Both presidents are also widely mentioned in the discourse, either by name or metonymically as 'the president' or 'His Excellency'. Moi's name comes up repeatedly in relation to allegations that he was deeply involved in the Goldenberg case, allegations that he has continued to publicly deny. Former Vice President and Minister for Finance, George Saitoti, faces a similar fate. Kibaki, on the other hand, although originally lauded for his stance against corruption, has faced accusations of allowing corruption to go unpunished as he protects his kith and kin who are commonly referred to by the local press as the Mount Kenya Mafia. For instance, in an article by *The Standard* dated 19th February 2006, the writer reports of the resignation of the key government members post-Anglo Leasing, referring to them as part of the Mount Kenya Mafia.

Locally, 'Mafia' seems to refer to individuals especially from a specific region viewed as being in control during a president's term of office. During president Kenyatta's time, we had the Kiambu Mafia and when former President Moi assumed office, the Rift Valley Mafia emerged while Kibaki's tenure ushered in the Mount Kenya Mafia.

The article then goes on to describe the power held by these ministers, as well as their colourful lifestyles and arrogance. With most of those implicated in the Anglo leasing case, the inference is that although they stepped down from their ministerial positions, they are unlikely to face legal proceedings, at least for as long as Kibaki is in power.

Of the key personalities who influenced the discourse, one of the most notable in the third vignette is the British envoy, Sir Edward Clay. During his tenure, clay was highly critical of the government, more so with regard to corruption, and often spoke out on the issue on numerous occasions.

One such occasion was a local journalists' award ceremony held at a Nairobi Hotel. In what turned out to be a well orchestrated move, Clay produced a speech in which he attacked the president and the government of overseeing twenty fraudulent deals through the "Mount Kenya Mafia" whom he proposed to rename the "Mount Kenya Marionettes" because of the way they danced "like puppets" to the tune of influential outside businessmen (The Daily Nation, 3/2/2005). Clay talked of the mismanagement of resources and the outright theft of public property at the behest of these public officials. He reiterated the will of the donors to help the people of Kenya but insisted that the government's lack of commitment to fighting corruption was making the task next to impossible. Clay concluded his speech with a shortened and adapted version of TS Eliot's poem Macavity the Cat - a devious creature who somehow always escapes justice - which contained the lines:

*"He likes to be in transit and he's partial to hotels,
He has a place in Manchester, he's fond of the Seychelles,
So when the nation's revenue's in European banks,
Or you need a team of tractors but acquire a troop of tanks,
Or the nation's full of caviar but hasn't any bread,
Or you want a road for Christmas but a frigate comes instead,
You can look behind the scenery or stare up in the air
But the ministers will tell you that Macavity's not there
He's a menace to the donors, he's the taxpayers' despair,
For the Treasury is empty - but Macavity's not there!"*

(The Daily Nation, 3/2/2005)

The result was a hive of activity in the press with other envoys coming forward to make public statements in support of Clay. In addition, the GoK spokesman made a statement in a press conference the next day, in which asserted that "... the Narc Government has drastically reduced rampant looting of public funds thus saving the Government and the people of funds and resources" (The Daily Nation, 4/2/2005). Further, the Government spokesman reportedly accused Clay of taking advantage of his diplomatic status to incite the public against the government.

In contrast, the press reports ignored government rhetoric and reported the incident in Clay's favour. Some even went a step further and wrote commentaries on the issue, both on behalf of their media houses and on their own behalf. An example of the latter can be found in a commentary that appeared in the *Standard* dated 6th February 2005, whereby popular columnist Mutuma Imathiu wrote the following:

I wish to associate myself with the views expressed by British High Commissioner Edward Clay in connection with Narc National Rainbow Coalition corruption. These are my views in my personal capacity as a free man and a corruption-hating Kenyan citizen and are not necessarily those of my newspaper.

After this preamble, Mutuma continues to articulate his stance as demonstrated in the excerpt below:

On his part, the minister for justice and constitutional affairs, the honourable Kiraitu Murungi, has proceeded in his fast-developing Kanuist ways. Rather than challenging Sir Edward Clay's views on the state of corruption in this

government on their merit, he has chosen to indulge in an extremely vacuous outburst about Clay being an enemy of the government.

Like his more untalented KANU predecessors, he has threatened to report the high commissioner to Whitehall. Well, to whom is he going to report the people of Kenya? Because we believe and support what the envoy is saying, though perhaps not always how he says it.

Enemy of the government? Well, get off your high horse, sir. Being an enemy of the government in Kenya today is not a big deal.

There are two mistakes Mr Murungi shouldn't make. First is to imagine that only he is familiar with the geopolitical underpinnings of Sir Edward's functions, actions and utterances. He is here to represent the commercial and other interests of his country and when these are challenged, as some people are claiming they are now, he is expected to react in certain ways.

We, the Kenyan people, are intelligent enough to disentangle these issues; we are also intelligent enough to see how he, Mr Murungi, is appealing to our nationalism to cover the government's apparent reluctance to fight corruption.

Secondly, Mr Murungi must resist the temptation to question the patriotism of those who support the envoy in his criticism of this government's shambolic, half-hearted attempts to control corruption.

If patriotism means talking garbage in defence of an ineffective regime, then there are a couple of ministers in this government who fully deserve the gongs palmed out to them last Christmas.

But, if patriotism means, as I think it does, loving one's native land and making sacrifices on its people's behalf, then I should think that there are many men in expensive suits who are ripe candidates for the gallows on the charge of treason.

Corruption is totally unacceptable to Kenyans. And in fighting it, Edward Clay is a rather effective ally of the people of Kenya - the ordinary citizens who have borne the burden of poverty and death because the country has been looted again and again and again.

In its election rhetoric, Narc promised not only to run a clean government but also to punish all those who in the past stole public property. The fact that not a single person is in jail today for corruption is in itself a resounding indictment of this government's complicity in corruption.

As for the contribution - if one were so generous as to term it so - of the Government Spokesman, Dr Alfred Mutua, to this debate, I have no comment whatever.

This powerful albeit emotive commentary was a reflection of the sentiments of many members of the public, who in the consequent press interviews rallied behind the envoy's sentiments. This display of public anger continued in the press to the point where those

implicated in the Anglo Leasing scandal were forced to step down to pave way for investigations into the matter.

It is also interesting to note the disdain for and lack of faith in the government spokesman depicted in the last sentence of this excerpt. Even in the face of crises and intense issues, the spokesman's communication style remains largely propagandistic which does not seem to placate the BWI and the public.

6.4 Making Sense of the Not-So-Usual Suspects

In describing the two cases, the GoK often refers to the two cases as '*scandals*', which implies that the GoK is aware of the disgrace caused by the two. Examples of references to the two '*scandals*' can be found in John Githongo's 2006 Anglo Leasing Report as well as the report of the Judicial Inquiry into the Goldenberg Case. In the Githongo report for instance, Kiraitu Murungi (then Minister for Justice and Constitutional Affairs), is reported as having described Anglo Leasing as 'the scandal that never was' (Githongo 2006:19).

Thus, the GoK refers to the Goldenberg Case as a '*scandal*' a great deal more than the Anglo Leasing case, which is more commonly referred to as an '*affair*'. This points to an attempt by the GoK in V-3 to frame the Anglo Leasing case as an occurrence which is not deserving of the same treatment as the Goldenberg case.

This attempt by the GoK to downplay the Anglo Leasing case is however not shared by the press, whose use of the word '*scandal*' is more in reference to Anglo Leasing than to Goldenberg. In the word clusters from the node word '*scandal**' in the Press corpus, the highest occurring is '*the Anglo Leasing*' (1,753 times); '*Anglo Leasing Scandal*' (1,649 times);

'*Anglo Leasing Scandals*' (210) and so on. In contrast, '*The Goldenberg Scandal*' appears 882 times and '*In the Goldenberg*', 185 times. In reporting about the two cases together, the press also refers to them as scandals with '*Goldenberg and Anglo (Leasing)*' occurring 117 times.

In the BWI corpus, both cases are referred to as scandals. Although they do use the word 'Affair' in reference to Anglo Leasing, the BWI distance themselves from its application and revert to 'scandal'. For instance, in the World Bank country report for Kenya, corruption is presented as a major issue in Kenya, whereby in substantiating this point, the bank talks of "...a scandal that came to be known as the Anglo-Leasing Affair" (World Bank 2006:3). In the report, the Bank continues to refer to Anglo Leasing as a scandal, which shows that although they recognise the GoK attempts to downplay the issue, they nevertheless desist from buying into it.

With regard to activity around the two cases, the GoK corpus has the node word '*implement*' occurring the greatest number of times. This is also true of the BWI Corpus. In both, the word is used in relation to the implementation of policies whereby the BWI spell out the need to ensure that anti-corruption initiative/policies are effectively implemented whilst the GoK, in agreement, reiterate their commitment and explain their progress. For instance, in the GoK's National Corruption Perception Survey of 2007, one of the recommendations given as a means of fighting corruption is: to "...*implement* appropriate measures in public institutions that are perceived to be most corrupt so as to improve service delivery, integrity, ethics and accountability." (GoK, 2007:34). Also, in referencing their achievements, the GoK in V-3 talk of the Goldenberg Judicial Commission of Inquiry, which they put forth as an achievement in their efforts to **eradicate** corruption.

The Press also refer to the Commission of Inquiry on numerous occasions as denoted by the use of the node word *'inquir*'*, whereby word clusters around the Commission of Inquiry appear the most in the Press corpus. Most of these appear in V-3 and are a basic reference to the Commission in the daily reporting of the case.

Also of significance in the Press corpus, are the words *'deal'*, *'resign'* and *'explain'*. *'Deal'* is used to denote the financial transactions in the Anglo Leasing case as well as financial agreements with the BWIs, for instance. In addition, the word cluster *'deal with corruption'* and related clusters appear the greatest number of times. (See graph below which I have put together based on the afore mentioned WordSmith data).

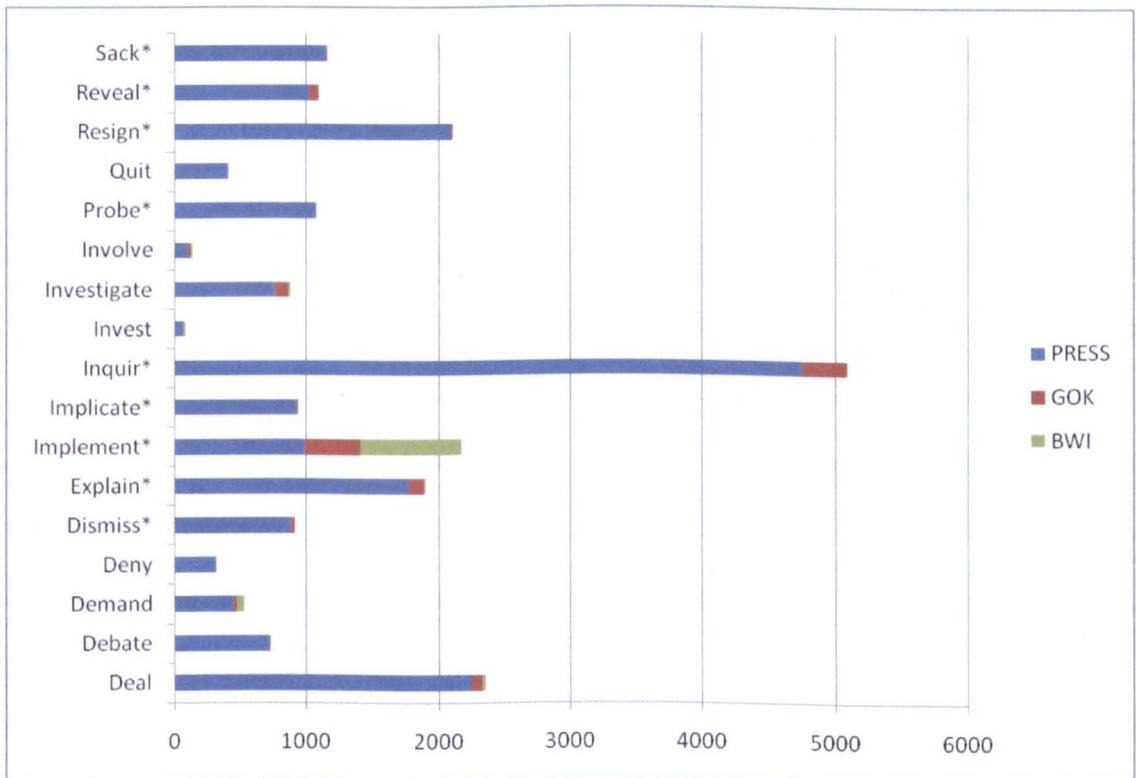


Figure 6.0.9: Activity around Goldenberg and Anglo Leasing

In most cases the press carry reports of members of the public, those in the civil society as well as some MPs calling for the GoK to deal with the two corruption cases. In the BWI and the GoK corpus, 'deal' is mostly used in reference to various financial transactions between them although the GoK refers to 'Anglo Leasing deals' or 'passport deals' with reference to transactions in the Anglo Leasing Case. The Press corpus also has many references to 'resign' both as reports of occurrences whereby key officials were forced to resign to pave way for investigations (V-3) but also as a reflection of public sentiments that those implicated in corruption should resign. The GoK and the BWI barely talk of resignation, with both of them engaging more with discussion around prosecution instead.

'*Explain**' is also significant, more so in the Press and the GoK corpora. In the former, the press carries numerous reports whereby the GoK is asked to explain their role in the two cases and their efforts in dealing with them as well as the wider issue of corruption. In other applications, the word is used by writers in their speculation about events surrounding the two cases. For example, in a commentary appearing in *The Daily Nation* on June 24th 2007, the writer states: "Ideally, spending money from the CFS requires Parliamentary approval, save for payments to holders of constitutional offices and servicing of public debt. This is currently done in an opaque manner, and helps *explain* Anglo Leasing-type and Goldenberg scams in which billions of public funds were lost." In the latter (GoK corpus), the word is used in terms of giving reasons to the BWI specifically, for action (or lack thereof) in eradicating corruption, which is one of the main BWI conditionalities.

In describing the two cases, it becomes apparent that the GoK and the BWI put more emphasis on legal frameworks within which the two cases can be dealt with, as well as the wider issue of corruption. The Press corpus on the other hand, calls for more immediate action whereby those implicated should resign or be sacked, and the government should offer requisite explanations, over and above mobilising the legal framework in investigating/probing emerging issues as well as establishing the guilt or innocence of those implicated.

6.5 Chapter Summary

In this chapter, I have traced the ‘talk’ about corruption in the three corpora, whereby I started by exploring the use of the node word ‘*corrupt**’ and its synonyms. I also considered individuals and institutions based on their salience in the emerging discourses alongside key phrases and specific utterances. Ultimately, **Eradication** emerged as the overarching Discourse and was perpetuated through the **warfare discourse**. A discourse of **prevention** emerged but was not as strong. These discourses were further given credence through economic and legal discourses. Political-leadership, public education, ethical and cultural discourses were also found to be significant as presented (in descending order) in figure 6.0.10.



Figure 6.0.10: Summary of discourses

CHAPTER 7

DISCUSSION AND CONCLUSION

In this study, I have engaged with the following research problem:

How do institutions make sense of and give sense to protracted crisis situations and what are the effects of the ensuing discourse(s) on stakeholder relations?

In addressing this question, I have combined computer aided Corpus Linguistic Analysis with Critical Discourse Analysis in exploring the use of Corporate Communications approaches to Crisis Communication Management in the public sector. Therefore, I have conducted an analysis around the Goldenberg and Anglo-Leasing corruption cases of Kenya and explored their impact on the relationship between the Government of Kenya (GoK) and the Bretton Woods Institutions (BWI) as important stakeholders (here taken to be representative of the donor community).

To deliver this aim, I started at the micro level by: identifying linguistic patterns within the select texts relating to the two cases; interpreting what these patterns represent; and demonstrating how these representations lead to the emergence and mobilisation of concepts within the data. I then lifted the analysis to a more macro level where I: analysed the linguistic patterns in and across three contextual vignettes context; identified emerging and competing Discourses within and across these vignettes; and explored what these Discourses represent as part of the GoK's sensemaking/giving efforts with regard to the Goldenberg and Anglo-Leasing cases, and their impact on the relationship between the BWI and the GoK over time.

As a result, I have found that the Eradication Discourse dominates and is largely mobilised through the use of Warfare metaphors. In this regard, the GoK mirrors the BWI to a large extent as they are accepting of the negative impact of corruption on the economy and agree that they ought to eradicate it. The difference lies in that the GoK suggests public education as an alternative approach to dealing with corruption but this fails to get the buy-in of both the BWI and the media.

There are also differences in the language used in the three corpora. In the BWI and GoK corpora, the two cases are discussed in economic and legalistic terms drawn from institutional rhetoric. In the first vignette for instance, the talk is centred on economic and developmental issues as all parties strive to make sense of the Goldenberg case and determine its economic impact.

In the second vignette, legal frameworks are mobilised as a means to deal with the case whereby a number of court cases are brought against the suspected perpetrators. The slow phase of prosecution and the reluctance by the GoK to effectively deal with the case leads to strained relations with the BWI. By the third vignette, anti-corruption initiatives by the GoK are more visible and as the Goldenberg case goes to public trial, the legal discourse competes for dominance with economic discourse as details of the case emerge and its impact on society becomes clearer. Donor relations are momentarily restored as the BWI seem keen to support GoK anticorruption and development initiatives. The breaking of the Anglo-Leasing case sees the GoK back-peddalling on promises made at the 2003 Donor Consultative Meeting and thus relations with the BWI are once again strained. Talk turns to political leadership and its role in ensuring that anticorruption promises are kept by the GoK.

The press reflects this sensemaking process as the GoK (in both cases) at first denies the existence of the crisis and then goes on to scapegoat various parties in a bid to avoid blame. In the first and second vignettes in particular, the GoK strives to gain public sympathy by depicting themselves as victims to the BWI's whose role is presented as that of a bully. The language used by the foreign press is quite emotive with Kenya being labelled a 'state of sleaze'. In contrast, the local media sticks to the use of standard terms around corruption and their reporting is exploratory in nature, whereby they seek to uncover the details of the Goldenberg case and share this information with the public. By the second vignette, there is an attempt to adopt emotive language used by the foreign press but this fails to take root. The press blame the GoK for the state of affairs and reject GoK sensemaking attempts. By the third vignette, there is greater use of strong language and the press openly support envoys, the donor community and civil society in pressuring the GoK to act on corruption.

Ultimately, the Anglo-Leasing case finds a socio-political environment in which the public has a voice, the press is freer and the ten year debate around the issue of corruption has heightened expectations. Consequently, events surrounding this case are quite different to those in the Goldenberg case.

In order to explore how institutions make sense of and give sense to protracted crisis situations and the effects the ensuing discourse(s) on stakeholder relations, I embark on a discussion of these observations in the following section. I begin by discussing the findings presented in chapter six in accordance with the main tenets of CDA as summarised by Fairclough and Wodak(1997:271-80). Following from this discussion, I present the contributions of this study to both theory and practice, before articulating the limitations and recommendations for further research.

7.1 Critical Discourse Analysis: Elaborating the main Tenets

As this study is conducted as a Discourse Analysis, I start by discussing the findings in the light of CDA as presented in the third chapter of this thesis.

7.1.1 The Importance of Power in shaping the Discourse

Critics are concerned with the "...role of the Bretton Woods institutions in shaping the development discourse through their research, training and publishing activities. As the World Bank and the IMF are regarded as experts in the field of financial regulation and economic development, their views and prescriptions may undermine or eliminate alternative perspectives on development" (The Bretton Woods Project, 2005). The "intellectual resources" of the World Bank "... are so rich that it has sometimes been accused of having a position of market dominance in the area of development research. For several decades, it, perhaps more than any other institution, has set the agenda for development debates" (Stiglitz 2007: 2). Thus,

...developmentalism is based on the superiority of the west. [] Complimented by Western domination in the international system, this ... constitutes the foundation on which the discourse on "development" can grow. [] This enables Multinational Corporations, international financial institutions and Western countries to go on following their interests in African countries under the guise of "development aid" and assistance for democratisation.

Garuba, (2004:5)

In support of this argument, this study demonstrates that domination by western countries and financial institutions has led to dynamics of power akin to those of master and subject, with Kenya being subservient. As shown in the discourse, reluctance by the GoK to meet laid down conditionalities (more so in the first two vignettes), led to punishment and an adherence to the rules elicited rewards in the form of donor aid and technical assistance. This pattern of reward and punishment was enacted through a system whereby aid and assistance was dangled like a carrot in front of a donkey, to get the GoK to do the bidding of these more powerful forces.

This study also finds that the GoK and the BWI tend to mirror each other in their rhetoric about corruption. There is an unequal partnership whereby the BWI set out the agenda, and the GoK seeks to fulfil laid down expectations. Corruption is spoken about in the same economic, development and legalistic terms used by the BWI, and the promises made by the GoK in dealing with corruption mirror BWI conditionalities.

Delving deeper, this study also finds that the GoK seldom challenges BWI expectations with regard to corruption. Instead, they accept that corruption must be eradicated, and that there has to be a battle which calls for anti-corruption institutions, legal frameworks as well as a political agenda built around good governance, accountability and transparency. The GoK adopts these concepts readily and sets about proving to the BWI that they are indeed 'fighting' corruption. This becomes a Public Relations exercise steeped in the archaic press agency approach to PR, whereby the GoK makes cosmetic changes to placate the BWI. The media becomes a platform for propagandistic rhetoric, more so in the first two vignettes.

There is an amplification role whereby the GoK, politicians, and the donor community endeavour to influence public discourse through media coverage of their utterances and activities. This works alright in the first vignette where media freedom is restricted but as press freedom increases, it becomes more and more difficult for the GoK to control what is printed and aired.

In the third vignette, there is a real move to engage the donor community in a more meaningful and balanced relationship. The GoK, through the 2003 consultative meeting, seeks to promote a mutually beneficial partnership, but by going to the meeting with the proverbial 'begging bowl' in hand, the power relations between them and the BWI remain skewed in favour of the latter. Thus, for the BWIs, it's business as usual, whereby their assistance (including the funding of GoK anti-corruption initiatives) is conditional, amidst allegations that this approach "...undermines country ownership of these policies, [and] also undermines democracy and the effectiveness of aid" (Stiglitz 2007:9). See also (Killick, 1984; Bond, 2006; Stiglitz 2001, 2002; Walton and Ragin, 2002; Biersteker, 1990).

Ultimately, this thesis demonstrates that the discursive nature of power means that power relations are often negotiated, and are established over time based on these negotiations. Therefore, those with greater access to resources, be they in the form of material resources or other resources such as knowledge, tend to dominate

7.1.2 The Role of Discourse in Constituting Society and Culture

Culture is dynamic and it constantly evolves as people interact with the environment in which they live, interacting with new phenomenon, ascribing meaning to it and constantly re-evaluating commonly held beliefs and norms which in turn, shape the society.

This study has shown that corruption is a societal issue which in the case of Kenya, has been allowed to grow out of proportion. Practices steeped in the collectivist ideology common in this part of Africa are stretched beyond their original scope of providing a platform for equitable distribution of wealth and resources (see former President Moi's interview in chapter 6). By adding these to the capitalist ideology, collectivism becomes a conduit for nepotism and the inequitable distribution of wealth and resources along tribal lines and within social classes. This gives rise to a powerful upper class dominated by a political and business elite, who in turn manipulate loopholes in the legal and economic framework of the GoK for their benefit.

Like Amos Wako's metaphorical octopus, corruption in Kenya has become so entrenched in the Kenyan society that its tentacles are far reaching and have got to a point where they have become a nuisance and need to be dealt with as seen in the dominance of the Eradication Discourse. One of the consequences of this is that economic partners such as the BWI in this case, find it difficult to maintain a meaningful economic relationship with the government and lose faith in the ability of the ruling elite to put funds given to them as donor aid, into its intended use. The cancellation of aid, in this case, then leads to economic difficulties as the government struggles with the funding of project work and essential services. In turn, the public bear the brunt of these complications, such as the infrastructural collapse experienced in the first and second vignettes. For those in business, the cost of starting and running their businesses increases. The country becomes an unattractive investment destination, which leads to a decrease of foreign direct investments. Jobs are lost and poverty increases with rising inflations. Ultimately, it gets to a point where the talk about corruption increases in public spaces and the ensuing pressure forces leaders to move the issue to a different arena, such as the public inquiry arena in the case of Goldenberg, for more meaningful resolution.

Unfortunately, this study also found that the underlying complexities in these corruption cases and the ensuing crises are vast. This is more so because those implicated tend to be members of the political and economic elite, which means that they have access to power and wealth and can thus influence both the legal and political framework. The common societal practice then becomes one in which the elite are protected at the expense of lower ranking public officials, who then become scapegoats in the judicial and political system. Thus, a new cultural practice is born – the rich and powerful prosper at the expense of the general public.

All these cultural practices are important because people are generally a product of the societies in which they live and grow. This informs their world view and forms their frame of reference from which they make sense of events and occurrences. In turn, this influences their attitudes to various things, including work and business practice, which has a further impact on investment potential and opportunities from both local and international investors.

Thus, this study shows that discourse shapes society as cultural practices evolve alongside emerging, competing and dominating discourses.

7.1.3 The Way Discourse Works Ideologically

As per the findings of this study, Discourse informs policy. In the corruption cases, the dominant Eradication Discourse supported by the various developmental, economic, parliamentary, judicial and ethical discourses, left the Gok with little choice but to implement policies to this end. The prevention discourse also saw a rise in public education, whereby the KACC designs and implements public sensitisation programmes countrywide, in addition to which they encourage companies and organisations to support similar initiatives as part of their Corporate Social Responsibility.

The result has been the enactment of laws pertaining to the declaration of wealth by public servants, whereby those with as much wealth as Goldenberg's Kanyotu, would have to give a plausible explanation as to how they acquired their wealth. Significantly, this has also led to an increase in civil servant salary packages in keeping with private sector pay levels. This is in a bid to curb bribe taking by public officials, an assertion that is based on the KACCA survey in the previous chapter whereby members of the public felt that good remuneration would make public servants less inclined to ask for bribes.

Other policy changes are in the area of public procurement. In this case, the GoK has had to undertake a review of its procurement policies via the Public Procurement and Disposal Act number 3 of 2005 which, according to Transparency International, is the panacea to public scandals in the public sector (TI, 2007:1).

In public spaces, the ubiquity of signs warning of the consequences of corruption and urging people not to take part in corruption practices (see chapter one of this thesis) is a vivid example of ideological development. Avenues to report corruption are open to the public, which provides vital information to KACC, upon which requisite action can be taken.

Besides these public sector reforms in the face of corruption, there is also a notable ideological shift in the way the GoK engages with the public and other stakeholders in the third vignette. By introducing the Office of the Government Spokesman, the GoK recognised the need to provide a single source of information regarding government activity. Unfortunately, this office has been reduced to little more than a propaganda mouthpiece for the government, and has hence lost credibility in the face of the public as discussed in the previous chapter.

Nonetheless, the GoK seems to recognise the importance of stakeholder engagement and the need to support their verbal claims with action. It will, however, take greater effort to formulate a robust communication framework for the GoK which goes beyond press agency.

7.1.4 The Historical Nature of Discourse

By conducting a longitudinal study, this thesis sought to bring the past to the present in a bid to gain deeper understanding of the occurrences and motivations that inform the current approach to corruption.

In the Goldenberg case, both the GoK and the public find themselves dealing with an occurrence that had never been experienced before in the history of the country. Thus, their ability to pull from past experience in dealing with new phenomenon, as suggested by Weick (1988), was limited.

Consequently, it took ten years of public debate, legal and parliamentary battles as well as external pressure by the donor community and other key stakeholders for the case to finally go to public inquiry. This hastened the sensemaking process as witnesses delivered their testimony and the public could engage in meaningful debate.

There were also a number of attempts to institutionalise the 'fight against corruption' through the police force, the various anti-corruption authorities and the enactment of laws. By the third vignette when the Anglo-Leasing case breaks, lessons learnt from the Goldenberg case serve to guide both the public and the GoK in their sensemaking efforts. The result is that high ranking government officials were either forced to resign or were relieved of their duties, a first in Kenya's history. John Githongo, who was regarded as the whistleblower in this case, escaped from suffering the same fate that had befallen whistle blowers before him.

Therefore, this thesis indicates that the near crippling of the economy post-Goldenberg may also have served as a stark reminder for all of what this type of corruption can do to a nation. Their calls for an immediate rectification of the situation may thus have heralded a greater sense of urgency than would have been experienced before.

In addition, this research has established that by delving into the past, contemporary issues and the development of power relations and cultural practices are better understood. The continued public preoccupation with corruption is as a result of a very uncomfortable past in the wake of Kenya's largest corruption case, a past few are willing to revisit. Thus, contemporary discourses are born out of historical discursive practice.

7.1.5 The Role of Language in Discourse

This study finds that, in the two corruption cases, the ten year sensemaking process surrounding the Goldenberg case gave rise to a development in the linguistic description of ensuing events as well as individual and institutional discursive practice. As a result, by the time the Anglo leasing affair broke, the media, the public, civil society and other stakeholders were firm and unanimous in their articulation of what they expected of the president and the GoK.

As earlier mentioned, the development in the linguistic descriptions is complicated by the fact that the word 'corruption' has no equivalent in any of the 42 local languages spoken in Kenya. Thus, from a linguistic perspective, the sensemaking had to be conducted in a foreign language and the meanings accrued from this process, translated into Kiswahili as the national language, and then perhaps into local languages. This linguistic struggle is evident in the GoK definition of corruption presented in chapter one of this thesis, whereby the approach taken is

one that seeks to break down the practices that constitute corruption and is thus more descriptive than definitive.

This description provided by the GoK is drawn from legal and institutional discourse and does little to aid the development of public discourse. It is therefore difficult for people to determine what they should feel about corruption and therefore how they ought to relate to it. Consequently, in the Press corpus, emotive words like 'sleaze' are introduced by the foreign media but fail to take root in local public discourse. This implies that the concept has not been adequately internalised and the sensemaking remains purely at a cognitive level. Emotional engagement only starts to become more apparent in the third vignette as the tone in media reports increasingly becomes one of anger, distaste and impatience with GoK's approach to the two cases.

In addition, the linguistic struggle is also apparent in the choice of metaphors used to describe the two cases. Ordinarily, these would be drawn from pre-existing discursive practice and applied to new events to aid understanding (Weick, 1998; Cornelisses, 2006). However, in the case of Goldenberg for instance, Attorney General (Amos Wako) draws from English literature in describing corruption as the metaphorical octopus whose tentacles have permeated all sectors of society and must therefore be cut. As argued in the previous chapter, this is an unfamiliar metaphor for most Kenyans and it does little to aid understanding.

Thus, the hegemonic struggle becomes apparent as the GoK's elitist approach to sensemaking contributes to slow public understanding of corruption, more so in the era of limited press freedom in the first and second vignettes. As this freedom increases, so does public debate and ultimately the media provides a platform for greater negotiation and

understanding. This leads to alignment between the public, the media and BWI in their articulation of the effects and solutions for the two cases and the wider issue of corruption.

This study therefore demonstrates the importance of language in discourse and its role in the sensemaking and sensegiving processes by various parties. It is hence important to develop appropriate linguistic descriptions of events and new phenomenon and to ensure that these are understood in the same way by all parties, as a prerequisite to meaningful negotiation and a more coherent approach to problem solving.

7.1.6 Linking Text and Reality: Interpretations and Explanations

Although, as argued in 7.1.5 above, language is key in the sensemaking, this study also demonstrates that it is not the only determinant in the construction of the society in which we live, but rather acts as a medium through which cognitive processes can be communicated, negotiated and understood. In a crisis situation, individuals, groups, and organisations have different expectations and experiences. These differences are not just based on a world view shaped by cultural experiences. Instead, they go beyond this to encompass individual, group and organisations' interests. As such, in the two cases, the dominant coalition comes out in defence of its own in what may be seen as an attempt at self preservation. The media, on the other hand, have the arduous task of keeping the public informed and entertained, but in these circumstances can also be a powerful tool for change.

In this case, their reporting must be both relevant and fair, a task that they seem to perform successfully, but once in a while, they push a higher agenda whereby they lose all impartiality and take a solid stand on issues. An example is the Edward Clay speech whereby they rallied behind the envoy against the government.

This means that, sensemaking in crisis situations begins as a cognitive process, which leads to the production of texts (linguistic or otherwise), and the interaction between these texts then brings about the negotiation of meaning, which in turn shapes the society in which we live.

7.1.7 Discourse as Social Action

Finally, the findings of this research demonstrate that discourse becomes a form of social action because it drives activity around issues. In the two cases discussed in this thesis, the mounting pressure from the BWI, the press and the general public, gives rise to the dominant Eradication Discourse, allowing for the following sequence of events:

- the Kibaki government comes to power promising zero-tolerance to corruption
- the KACC is born
- various anti corruption laws are enacted
- the Goldenberg Commission of Inquiry takes place
- the ministry for Justice and Constitutional affairs is formed
- a Permanent Secretary for Governance and Ethics is appointed
- the office of the Government Spokesman is created
- government ministers implicated in the Anglo Leasing case are forced to step down

If the ensuing discourses were different, then the resultant social action would have been in keeping with those emerging discourses.

7.2 Contributions to Literature

Following on from the above discussion of the findings of this study based on the CDA approach, I now present its contributions of to the area of Corporate Communications. This includes Crisis Communication Management (CCM), Stakeholder Relationship Management and Media Relations. I also consider Sensemaking/Sensegiving as applied in CCM.

7.2.1 The Need to Rethink Crisis Communication Management (CCM)

In engaging with CCM in protracted crisis situations, I have demonstrated through the two cases that there are often layers of crises and issues of varying intensity in what may be perceived as a single event. Therefore, whereas existing crisis response strategies are invaluable to organisations as basic guidelines, the complex nature of modern crises calls for a multifaceted approach in their application. This study therefore makes a contribution to the manner in which crisis response strategies are selected and applied by suggesting that practitioners should consider both the breadth and the depth of a crisis event. This means that instead of classifying a crisis event and applying a corresponding (or set of corresponding) responses to it as suggested in existing literature, attention should be given to the various strata of issues, which can then be grouped and responded to based on their individual attributes. Therefore, a combination of approaches is employed and orchestrated in a manner that caters for these different layers of crises.

Secondly, in engaging with the nature of crises, this study supports current thinking that crises are stakeholder driven – that is, an event becomes an issue or a crisis because stakeholders perceive it as such (see Benoit (1997), Coombs (1995)). Therefore, the resolution of a crisis lies in stakeholder perceptions and the organisation must plan their responses in line

with these expectations. Thus, a crisis is never truly resolved unless stakeholders deem it to be so. This is exemplified in through the GoK's handling of the Anglo-Leasing case whereby the fraudulent payments were stopped and money already paid out was traced, returned, and confirmed by the CBK. This was further publicized through the press and in GoK reports. However, even though the crisis was technically resolved in as far as the GoK was concerned, this failed to win public trust and rebuild the faltering relations with the BWI.

Third, CCM assumes that the restoration of reputational assets is the main objective of practitioners post-crisis, and that crisis resolution automatically leads to a restoration of robust stakeholder relations (Benoit, 1997 & 1995a). This study has empirically proved this not to be entirely true. Whereas in the Goldenberg case little effort was made by the GoK to resolve the crisis, they made more of a concerted effort to resolve the Anglo Leasing case but Kenya's reputation as a 'state of sleaze' remained the same post-crisis in both cases. This study therefore thus suggests that the restoration of reputational assets lies in the rebuilding of stakeholder relations, whereby the former is the driving force for the latter and not the other way round.

Finally, in keeping with findings by Gregory, (1998) and Coombs (2007), reputational capital is vital in helping organizations recover more quickly from a crisis. Building on this argument, this study shows that in instances of takeovers, mergers and other forms of ownership and management changes, reputational assets (and liability) are transferrable. This means that if a crisis occurs before the acquiring group has had the opportunity to build its own reputational stock, then the reputation of the previous group may be all they have to draw from. Should this be negative, then the organisation finds it more difficult to recover.

In this study, the Kibaki government assumed power on a positive note whereby they were seen as the champions of the anti-corruption campaign. Unfortunately, although they had gained some ground by instituting legal proceedings on Goldenberg, revamping the Kenya Anti-Corruption Commission, for example, the breaking of the Anglo Leasing case occurred before the real impact of these developments had become apparent and stood the test of time. In dealing with Anglo-Leasing, the new GoK found that the reputational assets of the previous government played a major role in stakeholder perceptions. Thus, despite taking a different approach in dealing with Anglo Leasing to that taken by the previous regime on Goldenberg, they were also perceived to be a corrupt regime with the ruling elite acquiring the title 'Mt Kenya Mafia.'

7.2.2 Stakeholder Relations in Crisis Situations

In keeping with the research problem, this thesis sheds light on the effects of discourses on stakeholder relations in protracted crisis situations. In so doing, the thesis starts off from the theoretical premise that stakeholders are classified and communicated to, based on the nature of their stakes (Clarkson (1995); Mitchell et al (1997)). The findings however suggest a different approach, whereby stakeholder communication initiatives should also take into considerations stakeholder interests and expectations. In this study, the GoK is aware of the importance of the BWI as an important stakeholder group wielding power and legitimacy. They are also aware of the salience of 'corruption' but perhaps misread the urgency with which the BWI expect it to be dealt with. The lack of a shared understanding as discussed earlier further exacerbates this and the result is that GoK efforts to placate the BWI bear little fruit.

Thus, for stakeholder engagement to be effective, more so in crisis situations, organisational messages need to be aligned to stakeholder expectations and this should be incorporated in stakeholder mapping. Therefore, determining stakeholder groups should be closely followed by an understanding of their expectations of the organisation and engagement with them should be on the basis of these understandings.

In addition, this study also shows that in engaging with stakeholders, environmental considerations are important. Based on a social constructionist epistemology, this thesis has demonstrated that the nature of relationships is discursively constructed in tandem with environmental changes and the underlying events that bring about these changes. Thus the relationship between the GoK and the BWI is depicted in the light of the socio-economic environment in which communicative exchanges take place, as these influence both the production and consumption of texts.

7.2.3 The Importance of the Media and its Role

In institutional sensemaking efforts during and post-crisis, the media can be a powerful driver of and participant in public debate. Traditionally, the role of the media has been seen as one of setting the agenda by amplifying issues and making them salient. (Carrol (2004); Lippman (1992); McCombs and Shaw (1968, 1972,1976)). This in turn influences individuals and organisations in terms of what they consider to be important and what view or stance they adopt in regard to these issues (Livingston 1997). One way the media does this is by framing whereby they draw attention to aspects of an issue, making these stand out in relation to others and thus influencing the way in which they are perceived (Nelson et al., 1997).

This study finds that the GoK shares this sender dominated view of the media whereby they treat the media as a publicity tool. By channeling organizational discourse through the media, GoK hope that relevant constituents will be influenced into adopting organizational codes. This is sender dominated view of communication is the premise upon which PR as a propagandistic tool is based. In contrast, this study demonstrates that the media is more than a channel for communication and that placing messages in the media does not always elicit the desired outcome. This thesis therefore challenges traditional conduit communication models and their subsequent application to media relations, favoring instead, an arena model where the media is a key participant and partner in organizational sensemaking especially during crisis situations. Consequently, media houses are not inanimate information dissemination machines. They are profit making corporations whose news routines are geared towards meeting this, among other organizational goals. Their coverage of events is hence determined by their own interests on one hand, and the interests of their readership and other stakeholders, on the other.

As such, although the agenda setting role of the media is not in question, this study found that the media were as much a communication interface as they were active participants in the discourse.

Secondly, in relating to the media, organisations needs to bear in mind that journalists are products of the wider society and are hence shaped in some way by that society. They therefore bring with them a certain world view in their interpretation of events and occurrences and their covering of them. Their experiences as participants in this society also come to bear. In reporting about the Goldenberg case for instance, it may be difficult for a

journalist to put a positive spin on the government's involvement when he or she is affected by and witnesses the subsequent damage to the economy emanating from the case.

Over and above their interpretation of events in news reports, journalists also at times choose to speak on their own behalf and where they are perceived by readers to be credible, can be a powerful force in determining the direction in which discourses develop. In the Kenyan context for instance, there are popular columnists like Mutuma Imathiu and Clay Mganda, who have a wide following and whose opinion pieces are often the subject of discussion in public places. There are also cartoonists like Gado, who aptly capture contemporary issues in a way that resonates with the general public. Their impact cannot be underestimated, nor can the impact that wider society has on them. This is demonstrated in the commentary by Mutuma Imathiu written on his own behalf in the wake of the controversial speech by sir Edward Clay discussed in the previous chapter. Ultimately, in relating with the media, the role of the journalist is important and they too should be seen as participants.

7.2.4 The Significance of Institutional Sense giving and sense making

In sensegiving and sensemaking, there is an assumption that institutions make sense on behalf of their constituents and that these constituents adopt the sense that these institutions give to events. As earlier explained, the role of the media in this process is taken to be that of setting the agenda by drawing attention to events (or certain aspects of these events) and thus rendering them salient. Therefore, the general assumption is that organisational narratives gain dominance and the meaning given to events by these organisations should be accepted by stakeholders as such.

However, this study found that sense making and sense giving are not simple sequential processes driven by information sharing as proposed in previous studies (see Weick, (1993) and Shrivastava et al., (1988)). Instead, there exists a complex interplay of factors that influence the sensemaking process for stakeholders, which favours an arena model over more linear models.

Moving an issue to a new arena can change the key actors, relevant resources, incentives for action, influence relationships and governing rules (and hence winners and losers) in policy struggles. Therefore, establishing the arena in which to deal with specific events is a fundamental political strategy (and often the subject of intense conflict), for this limits and prefigures the 'who, how, and what' of their enactment (Mazzoni, 1991). See also, (Riley & Baldrige, 1977).

In the Goldenberg case, the matter remained in the court of public opinion save for the few times select individuals appeared in court to answer charges with regard to aspects of the case. Thus, there really was very little in way of information for people to go by. Government rhetoric remained one of denial. The talk about corruption was limited in comparison to 2003/2004, when the new government moved the case to a public inquiry arena, where members of the public could participate in the inquiry proceedings and the press could give extensive media coverage for those who couldn't make it to the proceedings. This 'arena shift' (Mazzoni, 1991) provided an opportunity for the GoK to give sense to events surrounding Goldenberg and for the public to evaluate their understanding based on the arguments presented before the commission. They began to understand the extent of the heist and to draw parallels with the economic state of the country. Thus, when Anglo Leasing broke, it was a savvier and better informed public and civil society that forced the GoK to take action.

Government sensegiving efforts failed to resonate with the public, which demonstrates that institutional sensemaking can sometimes be rejected.

Further, this study found that sensemaking and sensegiving happens at various levels, and at times, simultaneously. In this thesis, it is apparent that in both cases, only a minority of public officials were involved in the heists that took place. As such, other members of the dominant coalition had to make sense of the unfolding events, ascribe meaning to them and then endeavour to share this meaning through a sensegiving effort. The first reaction for most people in such situations is panic. This is often followed by an effort to stonewall the issue through denial or some other means, in a bid to buy time to 'get to the bottom of things'. This might explain the government statement by then Minister for Finance, Musalia Mudavadi, who denied the existence of the Goldenberg heist, and blamed the international media for propagating inaccurate information (see previous chapter). At this point, it is likely that he was as much in the dark as most members of public but he felt that it was required of him to give a statement in response to what were very serious allegations. Also, this news appeared when the GoK was in negotiation with the IMF with regard to the resumption of aid, which would also explain the urgency with which Mudavadi delivered the ministerial press statement.

This study therefore demonstrates that the presence of multiple players in an arena model means that sensegiving for institutions has to begin with an understanding that all players involved are active participants. This means that there are no passive spectators as even those on the sidelines provide the ambience and imbue the arena with its own unique character. This should form the basis upon which sensegiving activity is conducted, and will determine the form it takes, the timing of it as well as the content.

7.2.5 Summary – Contribution to Knowledge

In a nutshell, I have made a contribution to the area of Discourse Analysis as a methodology, where I demonstrate that by combining CLA and CDA in a study of this nature, it is possible to avoid the problem of myopic observations, as well as the possible generation of theories that are either too wide or too narrow to be of much use. In addition, I have demonstrated that CLA provides a more objective means of labelling Discourses, which I suggest as a basis for the development of a more standardised approach to Discourse Analysis.

With regard to Crisis Communication Management, I have demonstrated that:

- There are often layers of crises and issues of varying intensity in what may be perceived as a single event. Therefore, whereas existing crisis response strategies are invaluable to organisations as basic guidelines, the complex nature of modern crises calls for a multifaceted approach in their application.
- The restoration of reputational assets lies in the rebuilding of stakeholder relations, whereby the former is the driving force for the latter and not the other way round as suggested in previous studies (See (Benoit, 1997 & 1995a).
- In instances of takeovers, mergers and other forms of ownership and management changes, reputational assets (and liability) are transferrable. Therefore, if a crisis occurs before the acquiring group has had the opportunity to build its own reputational stock, then the reputation of the previous group may be all they have to draw from.

In managing stakeholder relations in crisis situations, I suggest that:

- Stakeholder communication initiatives should be developed with stakeholder interests and expectations in mind, when planning Crisis Response Strategies, as opposed to concentrating on the nature of their stakes (Clarkson, 1995; Mitchell et al, 1997), to the exclusion of the former.
- The nature of relationships is discursively constructed in tandem with environmental changes and the underlying events that bring about these changes and should therefore be an important consideration in stakeholder engagement.

When considering the importance of the media and its role, I demonstrate that:

- The media is more than a channel for communication and that placing messages in the media does not always elicit the desired outcome. I therefore challenge conduit communication models and their subsequent application to media relations, favoring instead, an arena model where the media is a key participant and partner in organizational sensemaking especially during crisis situations.
- The role of the journalist is important and they too should be seen as participants.

Finally, with regard to the significance of Institutional Sensegiving and Sensemaking, I show that:

- Sense making and sense giving are not simple sequential processes driven by information sharing as proposed in previous studies (see Weick, (1993) and Shrivastava et al., (1988)). Instead, there exists a complex interplay of factors that influence the sensemaking process for stakeholders, which favours an arena model over more linear models.
- Sensemaking and sensegiving happens in multiple levels, often simultaneously.

- The presence of multiple players in an arena model means that sensegiving for institutions has to begin with an understanding that all players involved are active participants – there are no passive spectators.

Thus, the main contribution of this research lies in the proposal of an arena model to Communication and specifically, to CCM as well as adopting a stakeholder approach. Below is a graphic presentation of what this model might look like. The arena is built around the issue/crisis and the institution and its stakeholders are all participants in dealing with it.

The institution is closest to the issue/crisis and different participants are positioned based on their contribution to the discourse. Positions are not static and it is important to continuously map these as participants move within and around the arena as their communication needs change in relation to the crisis or event. Also, interpretations of the crisis might change, or even the nature of it. That is why this approach is issue driven as opposed to being focuses on the institution.

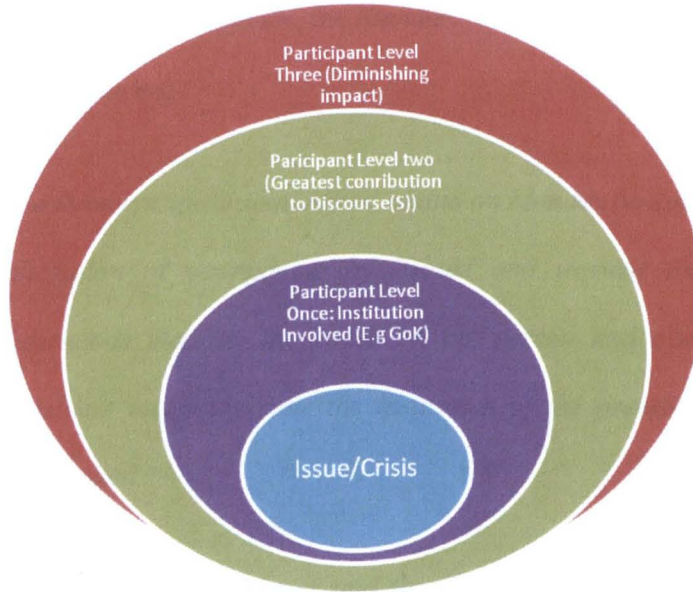


Figure 7.0.1: Basics of the Arena Model

Next, I propose an approach to the formulation of a government communication strategy by the GoK, using the office of the Government Spokesman in overall strategic management of communications which will better serve the GoK in times of crisis.

7.3 Reworking the GoK Communication Strategy

This study found that the GoK has made an important first step in acknowledging the importance of PR and Corporate Communications in its own communication efforts. The office of the government spokesman, for example, often invites journalists for press conferences, issues written statements on behalf of the government, produces PR reports of government activities and achievements, and stages PR events among others. Unfortunately, as demonstrated by this thesis, the model employed by the GoK is one steeped in press agency and propagandistic activity which has earned Dr. Alfred Mutua a reputation as the

'government spin doctor'. For instance, the *Standard* carried an article on 1st February 2006, which reported the following:

Government spokesman Alfred Mutua on Monday furiously denied any allegation of wrongdoing by Kibaki and warned that "malicious falsehoods that are an attack on the person and character of the president and undermine the institution of the presidency" could be prosecuted.

At the same time Mutua said the government was stepping up anti-graft operations in a bid to dispel perceptions it was not meeting its obligations.

These remarks were in response to details of the Githongo dossier on Anglo leasing, which had appeared in the press as a nineteen page open letter to the president discussed in previous chapters.

In another incident, Dr. Mutua is reported to have taken out full colour advertisements in the local dailies in which he praised Kibaki and the NARC government for delivering freedom for the Kenyans (*The Standard*, 16/12/2006). Criticism with regard to the advertisements came from members of the same press that had carried the advertisements. This pattern of events does little for the credibility of the office and the government which it represents.

The research therefore extends thinking on the application of PR in society (See: Heath (1997 and 2009); Kuckerberg and Starck (1988); German (1995); Gandy (1992) and Cutlip (1994)) by demonstrating that although PR and Corporate Communication principles are

useful in public settings, caution should be exercised in applying them in a literal sense with little consideration to the mandate of the institution in question and the environment in which it operates. Instead of seeking to apply private sector practices to the public sector, the approach should be one in which these practices are evaluated in the light of organisational needs and respective stakeholder expectations.

The findings in this study also indicate that by reorganising government communications and broadening the horizon to include contemporary (and relevant) PR and Corporate Communication concepts, government communications can be an important, powerful and necessary means for stakeholder engagement and issue/crisis communication management. This study proposes the development of a framework for government communications based on current research and practice in PR and Corporate Communications, yet taking into consideration the unique environmental and cultural factors that have an impact on the day to day running of these organisations. In developing a framework for government communicators, Anne Gregory (through her work on the 'evolve' communications framework for the UK government) posits that such a framework "... provides clear standards and guidance focused on providing personalised, practical and professional support." (Gregory A., 2006:208)

Thus, the challenge is to move from a reactive public information model to a proactive model which encompasses environmental scanning and planning of communication activities in keeping with modern ideological and technological advancements in the area. This implies that by utilising, "...the environmental scanning and analysis expertise of the public relations professional, along with their knowledge of how values and culture are managed, ...issues will be identified and the organisation "positioned" to deal with them..." (Gregory A.1999:6).

7.3.1 Considerations in Developing a Better Communications Framework

In developing a better communications framework for the GoK, the findings of this study suggest the following considerations:

- a) The communications docket should ideally be located high in the organisational hierarchy, with a sit in the dominant coalition, to allow for strategic communications management (Dozier and Grunig in Grunig, 1998). The current structure has the Office of the Government Spokesman reporting to the Minister for Information, which means that the reporting lines are such that the office bearer has limited access to the president and the cabinet on whose behalf he is meant to speak. This reduces his role to that of a tactician and furthermore, limits access to vital information requisite for proactive crisis communications management.

- b) In terms of structure, the current centralised approach could benefit from incorporating ministerial representatives to manage day to day communications on behalf of government ministries. More importantly, they can be very useful in crisis situations whereby they can inform the content and delivery of ministerial statements and being located within the ministry, quickly gather requisite information which can go a long way in the formulation of appropriate crisis response strategies. For instance, in the two cases in this study, there are numerous statements from Finance Ministers and other government officials but it is unclear when they are speaking on their own behalf and when they are speaking on behalf of the government. The arenas they use for both and their style of delivery remains largely the same with press conferences being the most favoured.

This breeds confusion more so in the case of George Saitoti, who was implicated in the Goldenberg case and yet had to give statements as finance minister on behalf of the GoK. The same is true of David Mwiraria and Moody Awori in the case of Anglo-Leasing. A ministerial representative can help provided much needed guidance in cases such as these.

- c) It is also important to consider the proficiency and persona of the Government Spokesman (as well as the ministerial representatives). In addition to training and experience, the holder of this position should inspire confidence in the members of the dominant coalition so that they can trust him to speak on their behalf. He also must have credibility in the eyes of the public which is not the case in this study. For instance, the response of the government spokesman to Edward Clay's Macavity Speech discussed earlier was deemed inconsequential by *Standard* reporter Mutuma Mathiu who wrote: "...as for the contribution – if one was so generous as to term it so – of the Government Spokesman, Dr. Alfred Mutua, to this debate, I have no comment whatever." (*The Standard*, 6th February 2005). This lack of confidence renders the function ineffective and limits its ability to be effective in crisis situations.
- d) In relating to the press, there should be greater effort in building a mutually beneficial relationship and ensuring that government framing of issues and events resonates with media frames (Cornelissen, 2004) to facilitate understanding. This includes the content of press statements, briefing sessions and conferences.

Traditional publicity tools such as advertising have to be applied with caution as they can easily be seen as propagandistic. It may be better to frame an issue or an event in a manner that renders it newsworthy and have it reported as such.

- e) Lastly, communications should be aligned to government aims and objectives and prioritised accordingly. The interests of the opposition should also be considered and factored into communications strategies and stakeholder relationship building. Thus, the functions should engage in proactive planned communication as opposed to the ad hoc manner in which communication around the Anglo-Leasing case was conducted. By adopting the arena approach, government communications can be more issue centred and give due consideration to various players, understanding their roles and contributions and planning communication efforts accordingly.

7.4 Methodological Implications

This is the first time a study combining Corpus Linguistic Analysis (CLA) and Critical Discourse Analysis (CDA) has been conducted in a BBusiness School setting. By taking this approach, I present a powerful tool in the study of business practices and the underlying events and occurrences that inform them. These are researched from the level of discursive practice, in which case the process of creating the environment in which organisations operate is as important as the activities that take place within these environments. Thus, in this study I engage with the issue of corruption through an analysis of two corruption cases whereby the relationship between the GoK and the BWI is viewed longitudinally as it changes alongside developing discourses.

I believe that this approach can be useful in studying complex issues and events such as the ongoing global financial downturn with an aim of understanding their cause(s), stakeholder actions and reactions, and formulating cohesive solutions.

In addition, by starting from CLA and laddering up to CDA, this study extends Alvesson and Kärreman's (2000) approach to Discourse Studies whereby the study moves gradually from a micro to a macro perspective. This ensures that the research is neither so close-range that it leads to narrow observations and myopic theories, and at the same time not so long-range that it breeds ambiguity.

Finally, in starting with CLA and using computer aided analysis, this study brings some clarity in the labelling of discourses, an issue that remains the subject of academic debate (Phillips and Hardy, 2002). Current approaches are rather subjective and hence difficult to explain as each researcher has their favoured approach and there is no agreed standard. In this study, I demonstrate that researcher can have a certain level of objectivity and let the labelling of discourses emerge from the data. In this case, I was guided by the keywords and phrases generated by wordsmith and could therefore not only label the discourses but also order them based on their dominance as illustrated in the data analysis chapter. This ordering may be interpreted in the light of Alvesson and Kärreman's (2000) approach whereby there are mega Discourses and micro discourses but the important thing is to observe the manner in which they emerge and compete for dominance. Thus, Discourse Analysis is best conducted longitudinally.

7.5 Reflecting on the Thesis

In a study of this nature, the challenge is to maintain reflexivity whereby the researcher is disinterested in the study without being uninterested. Unfortunately, the closeness with which researchers interact with the phenomena under study means that a certain level of subjectivity cannot be avoided.

In this case, I am a Kenyan and I was present in the country when these two cases took place. As such, I was an active participant in public debate surrounding the two issues and had my own opinions. However, by starting the study off from computer aided Corpus Linguistic Analysis, I was able to step back from the cases and engage in a relatively objective process. This allowed me to look at the cases anew, whereby I realised just how juvenile my previously held notions were, considering they were based on the limited information available in the public domain. It was eye-opening to find elements that were interesting, perplexing or new and as such, this is an approach I would recommend for CDA research.

Secondly, even though WordSmith has the capacity to sift through very large data sets, I overestimated my ability to interpret these and present them in a meaningful manner. The press corpus was too big and in hindsight, I would have selected a number of representative articles for each vignette which would have allowed me to delve deeper into the discourse.

This problem of too much data in the press corpus was in stark contrast the GoK data. Although some of the data was freely available online, most of it wasn't and especially with regard to the first two vignettes. I managed to gather some data from Mars Group Kenya, an organisational run by former Transparency International Director, Mwalimu Mati.

Unfortunately, the government closed down this portal and with it, access to vital government records. Fortunately, I had managed to gain access to key documents such as the official report of the Goldenberg Commission of Inquiry and vital Public Accounts Committee and Kenya Anti-Corruption Commission reports on both cases before the portal closed. Having these documents is not tantamount to breaking the law, but then the interpretation of that law is subjective and I have had to be relatively cautious with certain bits of information in my possession that may be perceived as sensitive by the GoK.

Thirdly, I considered conducting interviews in Kenya to add to the richness of my data. Unfortunately, the GoK requires that one applies for a research permit before conducting research. I knew I couldn't work without it because I needed to interview government officials who were likely to ask for it. Due to the sensitive nature of the two cases I was researching, I was advised against applying for this even though my research had nothing to do with establishing the guilt or innocence of those involved. I decided to heed this advice. Thus, I concentrated on making sure the study was good enough without the interview data as suggested during my upgrade, of which I believe that I have achieved.

7.5.1 Avenues for Future Research

Below are suggestions for future research based on opportunities identified during the course of this study.

7.5.1.1 The Role of China

In the process of conducting this research, I noticed that power dynamics between the GoK and the BWI had started changing towards the end of the third vignette and more so in the recent past. One factor that has contributed to this change is the emergence of China as an

economic superpower, whereby financial resources are now no longer predominantly held by the west. This means that developing countries, for the first time, have an alternative source for donor aid and technical assistance – one that does not come with a myriad of conditionalities as prerequisites.

China's approach to donor aid is purely economic, driven by their need for natural resources which they seek to access in exchange for financial and technical development assistance. To capture this shift, Gado produced the following cartoon for *The Daily Nation*:



Figure 7.2: Africa - China Relations

The entry of China has certainly changed developmental discourse, and the GoK, alongside other Sub Saharan countries welcome this shift, perhaps seeing it as an opportunity to break away from the shackles of their colonial heritage.

Unfortunately, the Western conditionalities have been replaced by a thirst for natural resources whereby China is happy to turn a blind eye to socio-political issues in as long as they don't interfere with their access to the vast mineral and agricultural resources in these countries.

Further, one gets the sense that these countries have swapped one slave master for another. Although China doesn't interfere with the political running of these countries, they none-the-less impose economic conditions to their assistance, whereby, for instance, their development projects are almost wholly run by them to the exclusion of local contractors and manpower. This form of development therefore comes at a cost – but in the meantime, it has allowed governments like the GoK to have some form of breathing space from Western domination. This presents an opportunity for further research into the impact of China on development and Africa's relations with the west.

7.5.1.2 Sensemaking in a Foreign Language

I engage with the issue of language to some extent in this research whereby I note the difficulty in the sensemaking process around corruption. The problem seems to emanate from the fact that corruption has no linguistic equivalent in any of the local languages spoken in Kenya, as argued earlier in the thesis. The closest interpretation of the word is in the Kiswahili language (commonly referred to as Swahili), which is an amalgamation of Bantu African languages with Arabic, German, Portuguese, Persian and (more recently) English influences. The language is spoken in fourteen African states and is the official language in four of these, including Kenya. Thus, the language is fast developing in a bid to keep up with modernisation and the new civilisations.

In Swahili, the most commonly used word for ‘corruption’ is ‘ufisadi’, which interestingly also means ‘adultery’. Thus, the lack of clarity is still evident here. It would be interesting to delve deeper into this and find out what implications it has for Corporate Communication and Public Relations in a global arena.

7.5.1.3 Testing the Arena Model

In this study I suggest the arena model as an alternative to conduit models of communication and as a new approach to crisis communications management. Thus, there is scope for further research whereby the arena model can be tested against the crisis response strategies already in existence.

7.6 Conclusion

In this study I have used Critical Discourse Analysis to look at the contemporary issue of corruption through two of the largest corruption cases in Kenya’s history. In doing so, I have mobilised literature in Corporate Communication and Institutional Sensemaking and Sensegiving whereby I have taken a closer look at the impact of protracted crisis situations on stakeholder relations depicted by the relationship between the government of Kenya and the Bretton Woods Institutions. I therefore take into consideration the authoring of accounts by these two parties as well as the media, giving due attention to the differences and similarities and engaging with what these represent and the ensuing discourse(s).

It is evident that when a crisis occurs, discourses emerge and get mobilised around it as they seek to gain “...hegemonic understandings [that] seem ‘natural’ and are ‘taken for granted’.” (Brown 2005:1582). By conducting Discourse Analysis, the development of these

hegemonic understandings becomes clear and provides a deeper understanding of underlying issues, their interpretation and subsequent explanation.

In essence, this is tantamount to sensemaking and sensegiving whereby individuals and institutions seek to engage with new phenomena, ascribe meaning to them and share this meaning. In this study, I consider the efforts by the GoK to give sense to the two cases and share this with the BWI, the general public and the press. By analysing this process, I too engage in a sensemaking process whereby I endeavour to understand events as they occur, and share the product of my sensemaking process through this thesis.

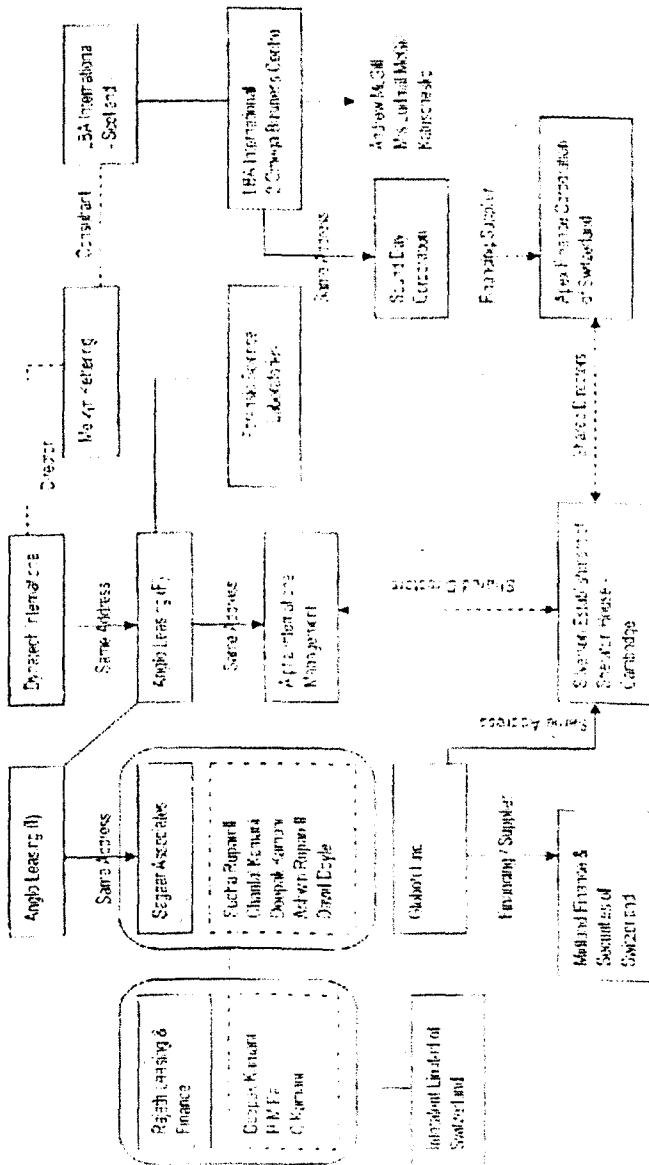
At the end of this process, I propose the arena model as an alternative to linear models of communication under Corporate Communication, and make suggestions for a communications framework for the Government of Kenya.

APPENDIXES

Appendix 1

Inter-relations of the Financing Companies involved in Security Projects

[Source: Public Accounts Committee Report 2006:56]



Appendix 2

Analysis of the 18 Security Related Projects funded through foreign supplier/credit arrangements

[Source: Public Accounts Committee Report 2006:52-54]

	Project	Date Agreement Signed	Equipment/ Consultant Supplier	Funding/ Credit Provider	Main Types of Equipment Consultancy	Foreign Currency Value	Total Paid to Supplier as at 30.6.05
1	Kenya Prisons Security and Telecommunications Project Phase I	1007	LBA Systems	LBA Systems	Digital Multi-channel Security Telecommunications Network	US\$24.6 million	US\$24.6 million
2	Kenya Police Airwing Project	8.6.98	Sound Day Communications	Aero Finance Corporation	4 M. 17 helicopters	US\$36 million	US\$36,000,000
3	Explosive Lease Purchase	18.8.01	Leyland Explosives Ltd	Gibson Establishment	Security vest vests for Police	US\$10 million	Not known Refunded - KSh72.8 Million
4	Toxicology Scientific Laboratory	16.8.01	Anglo Leasing & Finance Ltd	Anglo Leasing & Finance Ltd	Establishment of a Forensic Science Laboratory	US\$4.6 million	US\$4.7 million - amount has been refunded
5	Kenya Prisons Security and Telecomm Project II	19.1.02	LBA Systems	LBA Systems	Digital Multi-Channel Security Telecommunications Network	Euro 29.7 million	Euro 5.6 million - Refunded KSh572.8 million
6	Kenya Police Security Equipment - Addendum 2	9.4.02	Sound Day Communications	Sound Day Communications	Various Security equipment for the Kenya Police	US\$30 million	US\$ 30 million; KSh2.9 billion & interest; KSh572.8 million
7	National Early Warning System	7.6.02	LBA Systems	LBA Systems	Supply & Installation of Early Warning Radar Systems	US\$35 million	US\$ 5.6 million; KSh1.5 billion & interest; KSh171.5 million
8	Kenya Police Security Equipment - Addendum 2	14.6.02	Sound Day Communications	Sound Day Communications	Various Security Equipment for the Kenya Police	US\$31.9 million	US\$ 9.7 million; KSh1.8 billion & interest; KSh161.5 million
9	Bandwidth Spectrum and Network	11.7.02	Universe	Universal	Independent Data Network and	US\$25.1 million	US\$ 3.2 million

Project	Date Agreement Signed	Equipment/ Consultant Supplier	Funding / Credit Provider	Main Types of Equipment Consultancy	Foreign Currency Value	Total Paid to Supplier as at 30.6.05
Operations Control Project		Satspace (North America)	Satspace (North America)	Internet Service Link - Postal Corporation of Kenya		KSh1.2 billion & interest; KSh32 million
10. Broad Band Communications Equipment	11.7.02	Space Net Corporation	First Merchant Securities Corp	Broad Band Communications Equipment for Postal Corporation of Kenya	US\$1.8 million	US\$5.9 million; KSh1.1 billion & interest; KSh8 million
11. Kenya Police Airwing Support Project II	12.7.02	Sound Day Communications	Apex Finance Corporation	Procurement of Operational Technical Support & Warranty Services M. 17 Helicopters	US\$12.5 million	US\$2.1 million; KSh635 million & interest; KSh69.8 million
12. Project Nexus - DCC	18.11.02	Nedehar Technology	Nedehar Technology	Drawing & Execution of various works, delivery and installation of various security & communication equipment at the DCC	Euro 35.9 million	Euro 12.5 million; KSh 1.26 billion
Total Contracted Pre-December 02					US\$355 million Euro 67 million KSh35 billion	
11. Oceanographic Survey Vessel	15.7.03	Euro Marine Industries	Euro Marine Industries - Imprensa de Financas International Ltd	Construction of Survey Vessel - One Navy Ship	Euro 10.9 million	Euro 4.55 million; KSh432.5 million & interest; KSh40.5 million
	15.7.03		Imprensa de Financas International Ltd		Euro 17.5 million	Euro 1.9 million; KSh180 million & interest; KSh63.7 million

	Project	Date Agreement Signed	Equipment Consultant Supplier	Funding / Credit Provider	Main Types of Equipment Consultancy	Foreign Currency Value	Total Paid to Supplier as at 30.6.05
		15.7.03		Naviga Capital International Ltd		Euro 31.0 million	Euro 33 million; KSh 313 million & interest KSh 121.4 million
	Sub-total Oceanographic Survey Vessel					Euro 60.2 million	Euro 68 million
14	Telecommunication network for the Administration Police	29.9.03	Glottel	Milken Finance	MU Channel Security Telecom network for Administration Police	Euro 49.6 million	Euro 53 million; KSh 613 million & interest KSh 74.2 million
15	Kenya Police Law & Order (E-Govs)	19.11.03	Infotear Ltd	Infotear Ltd	Installation, commissioning & establishment of Police Law & Order Security Systems	Euro 59.7 million	Euro 53 million Amount since returned
16	Immigration Security Document Control System	4.12.03	Anglo Leasing & Finance Ltd	Anglo Leasing & Finance Ltd	Hardware and Visualising Systems	2,071,100 million	2,071,100 Amount since returned
17	Modernisation of Police Equipment & Accessories	17.12.03	Sound Day Corporation	Apex Finance Corporation	Modernisation of Police Equipment	Euro 42 million	Euro 42 million
18	Flagstaff NCIS NCTC	20.1.04	Cialis Systems Inc	Cialis Systems Inc	Design, supply and installations of various Flagstaff Facilities	US\$41.8 million	US\$27 million; KSh 123.6 million
Total Contracted post-December 02						US\$42 million Euro 242 million KSh 28 billion	
Grand Total						US\$397 million Euro 309 million KSh 63 billion	

Appendix 3

Final Key Word List and Number of Occurrences

	PRESS	GOK	BWI
Deal	2240	86	34
Debate	708	10	13
Demand	437	27	62
Deny	310	3	2
Dismiss*	876	34	0
Explain*	1772	109	23
Implement*	982	418	773
Implicate*	920	10	8
Inquir*	4743	338	8
Investigate	756	109	15
Involve	104	14	21
Probe*	1075	0	1
Quit	403	0	0
Resign*	2090	16	8
Reveal*	1019	67	10
Sack*	1147	10	0
Corrupt*	13173	3,341	688
Graft*	3338	19	11
Loot*	716	1	3
Plunder*	97	2	0
Sleaze	89	0	0
Steal	357	7	1
Stole*	551	15	1

Scam	1937	27	3
Bosire	10840	11	0
Clay	761	6	0
Commission*	13476	1,612	136
Court*	6014	447	131
Donor*	1767	67	201
Envoy*	705	0	0
Githongo	3993	160	4
Government	19562	1,235	1554
Journalist*	647	7	0
KACC	3210	848	84
KANU*	3011	35	3
Leader*	3276	144	53
LSK	835	43	0
Mafia	81	0	0
Media	2507	116	59
Minister*	14089	346	225
Moi*	5594	60	2
Mwiraria*	2422	100	22
MP*	6195	182	2
NARC	2608	35	16
Opposition	1939	12	10
PAC	1752	93	12
Parliament*	5063	229	145
Police	3163	370	88
President	15428	510	95
Saitoti	2941	53	0
Spokesman	342	1	0

Transparency International (TI)	644	7	16
Treasury	3748	327	46
CBK*	4228	640	107
IMF	1334	50	39
World Bank	791	36	7

Appendix 4

Press/GoK

Example of WordSmith Key Word Output Table

(Showing 284 out of 500 generated key words)

		WordSmith Tools -- 19/3/2011				
Total		0	0	0	0	0
Max		0	0	0	0	0
Min		0	0	0	0	0
Mean		0	0	0	0	0
Sd.		0	0	0	0	0
1/8		0.98403		0.99002		0.9002
2/8		0.01198		0.005988		0.065868
3/8		0		0		0.015968
4/8		0.002		0.001996		0.003992
5/8		0		0		0.00998
6/8		0		0		0.001996
7/8		0		0		0
8/8		0		0		0

N	Key word	Freq.	%	RC. Freq.	RC. %	Keyness
1	THE	307137	6.607195	25131	5.9129958	315.4554
2	TO	140164	3.015237	10375	2.4411018	471.3744
3	THAT	68871	1.481567	4616	1.0860845	463.2762
4	A	64661	1.391001	5039	1.1856108	126.5752
5	WAS	53675	1.154668	3466	0.8155045	441.0591
6	IS	49724	1.069673	2478	0.583041	1058.409
7	HE	39107	0.841278	1671	0.3931645	1188.439
8	IT	38598	0.830328	1770	0.4164579	1007.504
9	MR	36777	0.791155	2255	0.530572	384.9244
10	YOU	30107	0.647668	257	0.0604687	3591.475
11	NOT	27661	0.595049	1476	0.3472835	481.6509
12	I	27252	0.586251	1154	0.2715211	841.5944
13	KENYA	25805	0.555123	1504	0.3538715	331.6604

14	BE	25638	0.55153	1874	0.4409277	93.82591
15	HAVE	23947	0.515153	1039	0.2444631	703.4583
16	SAID	23567	0.506978	301	0.0708214	2393.034
17	AT	21737	0.467611	1187	0.2792856	351.3244
18	MY	21112	0.454166	283	0.0665862	2093.023
19	FROM	20431	0.439516	1322	0.3110493	165.0751
20	HAD	20377	0.438354	1419	0.3338721	106.9257
21	HIS	19868	0.427405	890	0.2094054	544.7855
22	ARE	18825	0.404967	1143	0.2689329	204.8656
23	GOVERNMENT	17990	0.387005	1176	0.2766974	137.7068
24	WE	15888	0.341786	917	0.2157581	211.4825
25	HAS	15517	0.333805	767	0.1804651	335.4999
26	WHO	15105	0.324942	549	0.1291725	609.9668
27	THEY	15036	0.323458	558	0.1312901	587.3249
28	BEEN	14763	0.317585	954	0.2244637	119.9552
29	LORDS	14735	0.316982	50	0.0117643	2161.123
30	WOULD	14543	0.312852	687	0.1616421	352.5226
31	BUT	14043	0.302096	459	0.1079967	661.8492
32	PATTNI	14011	0.301408	446	0.104938	683.9557
33	PRESIDENT	13454	0.289425	487	0.1145847	546.6362
34	GOLDENBERG	12565	0.270301	358	0.0842327	701.6516
35	AFRICA	12450	0.267827	39		1846.624
36	THERE	12296	0.264514	523	0.1230551	375.4091
37	PAGE	12080	0.259867	33		1824.184
38	NEWS	11450	0.246315	11		1885.493
39	WILL	11314	0.243389	820	0.1929353	44.24168
40	WHAT	10756	0.231385	234	0.0550571	779.2416
41	BOSIRE	10744	0.231127	11		1763.078
42	WORDS	10166	0.218693	11		1662.942
43	WHEN	10035	0.215875	398	0.0936442	349.7198
44	MINISTER	9720	0.209099	276	0.0649392	544.6323
45	ONE	8760	0.188447	395	0.0929383	236.285
46	HIM	8651	0.186102	466	0.1096437	145.7465
47	IF	8638	0.185822	247	0.0581159	480.1073
48	SO	8432	0.181391	359	0.084468	256.7621
49	FORMER	8359	0.179821	244	0.05741	453.6874
50	DID	7879	0.169495	343	0.0807034	229.2081
51	ANGLO	7855	0.168978	408	0.0959971	147.7979

52	NATION	7850	0.168871	40		1070.38
53	LEASING	7762	0.166978	417	0.0981146	131.8517
54	YES	7747	0.166655	29		1118.165
55	OUT	7493	0.161191	499	0.1174082	51.67395
56	OVER	7477	0.160847	364	0.0856444	167.9545
57	DOCUMENTS	7352	0.158158	255	0.0599982	318.349
58	MONEY	6952	0.149553	383	0.0901149	108.8421
59	THEN	6939	0.149273	282	0.0663509	231.1654
60	ABOUT	6663	0.143336	384	0.0903502	89.02468
61	AFTER	6650	0.143056	207	0.0487044	333.7145
62	DO	6618	0.142368	258	0.060704	237.6313
63	BECAUSE	6602	0.142024	269	0.0632922	218.8652
64	TIME	6396	0.137592	307	0.0722331	148.873
65	SHOULD	6395	0.137571	409	0.0962323	54.6623
66	KIBAKI	6252	0.134494	9		1003.478
67	COULD	6225	0.133914	263	0.0618805	192.428
68	BEFORE	6061	0.130386	399	0.0938795	44.56481
69	CAN	6041	0.129955	174	0.0409399	332.8569
70	LIST	6033	0.129783	96	0.0225875	543.6565
71	NOW	6009	0.129267	100	0.0235287	526.9833
72	BILLION	5977	0.128578	201	0.0472927	270.5063
73	SOME	5975	0.128535	331	0.07788	91.81184
74	KHAMINWA	5851	0.125868	15		889.7357
75	SCANDAL	5806	0.1249	27		806.2172
76	TWO	5740	0.12348	264	0.0621157	147.9698
77	YOUR	5720	0.12305	162	0.0381165	321.2408
78	UP	5711	0.122856	259	0.0609393	152.0009
79	ENGLISH	5684	0.122275	9		905.6842
80	THEM	5605	0.120576	289	0.0679979	107.6906
81	DATE	5582	0.120081	138	0.0324696	360.813
82	COPYRIGHT	5530	0.118963	0		968.1741
83	THOSE	5507	0.118468	304	0.0715272	85.62193
84	RETURN	5420	0.116596	26		748.002
85	TOLD	5372	0.115564	132	0.0310579	349.2465
86	PEOPLE	5346	0.115004	207	0.0487044	194.1959
87	LANGUAGE	5046	0.108551	13		766.809
88	AFRICAN	5017	0.107927	135	0.0317637	297.8624
89	ONLY	5011	0.107798	284	0.0668215	71.13287

90	INTERNATIONAL	4958	0.106658	229	0.0538807	126.5505
91	MILLION	4957	0.106636	269	0.0632922	81.50931
92	LENGTH	4880	0.10498	13		738.6025
93	POLITICAL	4870	0.104764	100	0.0235287	369.1544
94	FEBRUARY	4845	0.104227	73	0.0171759	450.4911
95	LOAD	4824	0.103775	3		809.0825
96	HOW	4692	0.100935	196	0.0461162	148.2693
97	MOI	4625	0.099494	60	0.0141172	464.9518
98	LAST	4460	0.095944	95	0.0223523	328.4217
99	KNOW	4429	0.095278	136	0.031999	226.0156
100	NAIROBI	4427	0.095235	268	0.0630569	48.65519
101	STANDARD	4374	0.094094	36		526.282
102	JUSTICE	4301	0.092524	138	0.0324696	207.4647
103	EAST	4258	0.091599	40		489.9003
104	ALLAFRICA	4239	0.09119	0		742.0513
105	DR	4220	0.090782	192	0.0451751	111.4759
106	YESTERDAY	3973	0.085468	1		681.851
107	STATE	3920	0.084328	182	0.0428222	98.83392
108	BBC	3841	0.082628	1		658.8031
109	NEW	3800	0.081746	183	0.0430575	87.67963
110	BYLINE	3790	0.081531	0		663.4216
111	MINISTERS	3779	0.081295	34		441.4219
112	KENYANS	3723	0.08009	186	0.0437634	78.07537
113	KENYAN	3705	0.079703	51	0.0119996	361.5636
114	WHY	3656	0.078649	91	0.0214111	234.7232
115	FIRST	3654	0.078606	189	0.0444692	69.54423
116	PARLIAMENT	3628	0.078046	178	0.0418811	79.82079
117	SAYS	3547	0.076304	16		495.2852
118	HOUSE	3547	0.076304	117	0.0275286	164.828
119	EVEN	3530	0.075938	146	0.0343519	113.6934
120	CABINET	3498	0.07525	74	0.0174112	258.9664
121	TYPE	3474	0.074733	46	0.0108232	345.7059
122	GITHONGO	3444	0.074088	145	0.0341166	107.1473
123	GO	3422	0.073615	69	0.0162348	262.9777
124	LIKE	3373	0.072561	90	0.0211758	201.9864
125	SAY	3346	0.07198	46	0.0108232	326.7261
126	GRAFT	3336	0.071765	19		443.6317
127	SAYING	3335	0.071743	21		432.8927

128	MP	3267	0.07028	170	0.0399988	61.09611
129	JULY	3235	0.069592	111	0.0261168	142.2054
130	WITNESS	3218	0.069226	71	0.0167054	230.1772
131	INC	3173	0.068258	25		386.9628
132	WAY	3090	0.066473	148	0.0348225	72.26367
133	PUBLICATION	3064	0.065913	24		374.3354
134	JUST	3061	0.065849	44	0.0103526	291.9832
135	KOTUT	2989	0.0643	94	0.022117	147.9613
136	MUST	2980	0.064106	128	0.0301167	89.05386
137	MARCH	2957	0.063612	127	0.0298814	88.38335
138	MONITORING	2947	0.063396	89	0.0209405	153.4646
139	PARTY	2901	0.062407	44	0.0103526	268.6623
140	THREE	2895	0.062278	160	0.0376459	44.81186
141	BACK	2885	0.062063	112	0.0263521	104.2852
142	TAKE	2876	0.061869	115	0.027058	98.6461
143	SEE	2875	0.061848	95	0.0223523	133.2655
144	MPS	2855	0.061417	6		443.4621
145	MURGOR	2830	0.06088	27		323.7277
146	KANU	2821	0.060686	35		289.5969
147	KURIA	2753	0.059223	22		334.2619
148	COME	2725	0.058621	55	0.0129408	209.2369
149	YEARS	2718	0.05847	131	0.0308226	62.57381
150	SAITOTI	2708	0.058255	53	0.0124702	212.7646
151	WORLD	2699	0.058061	84	0.0197641	135.3878
152	OFFICIALS	2642	0.056835	102	0.0239993	96.4153
153	NARC	2601	0.055953	35		256.7308
154	MAKE	2567	0.055222	138	0.0324696	43.4725
155	CENT	2540	0.054641	100	0.0235287	89.57771
156	JANUARY	2521	0.054232	71	0.0167054	142.4025
157	WANT	2512	0.054039	40		226.1636
158	ANOTHER	2506	0.05391	118	0.0277639	61.09176
159	MEDIA	2504	0.053867	116	0.0272933	63.44471
160	CAME	2457	0.052855	80	0.018823	116.1871
161	THURSDAY	2427	0.05221	12		332.7889
162	RIGHTS	2393	0.051479	62	0.0145878	147.6668
163	MANY	2390	0.051414	119	0.0279991	50.56725
164	GIVE	2383	0.051264	124	0.0291756	44.55803
165	NEVER	2377	0.051135	76	0.0178818	115.1543

166	GATONYE	2365	0.050876	8	346.5363
167	SUNDAY	2365	0.050876	17	296.2922
168	SHE	2342	0.050382	35	218.683
169	PROF	2331	0.050145	77	0.0181171 108.0869
170	TUESDAY	2326	0.050037	15	300.0587
171	GET	2302	0.049521	66	0.0155289 127.4364
172	PUT	2301	0.0495	79	0.0185877 101.0449
173	WEDNESDAY	2289	0.049241	8	333.7536
174	FRIDAY	2281	0.049069	10	320.1614
175	STILL	2265	0.048725	103	0.0242346 59.88063
176	HERE	2262	0.048661	49	0.0115291 164.2516
177	AM	2259	0.048596	21	260.8163
178	DEAL	2240	0.048187	86	0.0202347 82.52231
179	OJAMBO	2219	0.047736	29	222.2068
180	MWIRARIA	2215	0.04765	95	0.0223523 66.38454
181	CHAIRMAN	2204	0.047413	109	0.0256463 47.47604
182	LOOK	2203	0.047391	29	219.8231
183	MUCH	2193	0.047176	101	0.023764 56.3212
184	GOING	2177	0.046832	70	0.0164701 104.6789
185	LAWYER	2170	0.046681	19	255.7855
186	DOES	2170	0.046681	83	0.0195288 80.45503
187	NOVEMBER	2148	0.046208	86	0.0202347 73.4959
188	OWAYO	2139	0.046015	31	203.1121
189	TOOK	2137	0.045972	75	0.0176465 90.85558
190	OCTOBER	2104	0.045262	97	0.0228228 53.9074
191	KOINANGE	2060	0.044315	102	0.0239993 44.23322
192	BRITISH	2042	0.043928	17	244.7248
193	POWER	2039	0.043863	91	0.0214111 56.19337
194	WEEK	1996	0.042938	27	196.4795
195	NEWSLETTER	1992	0.042852	0	348.6256
196	WENT	1981	0.042616	59	0.0138819 104.8923
197	SHILLINGS	1967	0.042315	64	0.0150584 93.09782
198	CORRECT	1948	0.041906	29	182.2733
199	MBINDYO	1917	0.041239	75	0.0176465 68.35249
200	OPPOSITION	1911	0.04111	12	248.1836
201	DECEMBER	1911	0.04111	92	0.0216464 44.11478
202	THINK	1906	0.041002	62	0.0145878 90.23966
203	COUNSEL	1874	0.040314	71	0.0167054 70.59815

204	MONDAY	1865	0.04012	21		199.8582
205	DOWN	1857	0.039948	68	0.0159995	73.94941
206	OWN	1848	0.039755	90	0.0211758	41.42952
207	KILONZO	1839	0.039561	27		173.3919
208	PRESS	1835	0.039475	34		149.8991
209	DON'T	1826	0.039281	28		168.0341
210	LEADERS	1810	0.038937	57	0.0134114	89.42445
211	RIGHT	1805	0.03883	43	0.0101173	120.7091
212	ACCUSED	1803	0.038787	40		128.3438
213	QUESTION	1788	0.038464	73	0.0171759	59.00265
214	FIRM	1783	0.038356	50	0.0117643	101.1866
215	BOWRY	1777	0.038227	4		274.0455
216	CANNOT	1759	0.03784	70	0.0164701	60.84633
217	AAGM	1757	0.037797	0		307.4901
218	TEAM	1741	0.037453	38		125.6265
219	YET	1730	0.037216	57	0.0134114	80.49514
220	WAKO	1725	0.037109	11		223.1526
221	RINGERA	1720	0.037001	29		149.5292
222	SCAM	1693	0.03642	21		173.7926
223	NEXT	1679	0.036119	71	0.0167054	51.76881
224	LET	1676	0.036054	14		200.6344
225	SCANDALS	1673	0.03599	7		236.7981
226	TELL	1661	0.035732	19		176.7979
227	READ	1653	0.03556	29		140.0873
228	MULILI	1642	0.035323	10		214.8655
229	CLAIMS	1639	0.035259	69	0.0162348	50.98393
230	TIMES	1592	0.034247	60	0.0141172	60.49828
231	SMITH	1582	0.034032	37		107.5667
232	RAILA	1578	0.033946	8		215.2364
233	KENYA'S	1560	0.033559	47	0.0110585	81.45547
234	I'M	1552	0.033387	0		271.6076
235	ELECTION	1548	0.033301	40		95.76846
236	GLOBAL	1538	0.033086	20		154.3737
237	OFF	1522	0.032742	62	0.0145878	50.43514
238	GROUP	1505	0.032376	63	0.0148231	47.33992
239	ODINGA	1495	0.032161	12		181.2408
240	SATURDAY	1491	0.032075	6		212.4739
241	POINT	1487	0.031989	50	0.0117643	67.26202

242	LAWYERS	1482	0.031881	20		146.0462
243	EXHIBIT	1473	0.031687	41		84.28072
244	MOVE	1467	0.031558	20		143.8251
245	QUESTIONS	1466	0.031537	44	0.0103526	76.90029
246	WORLDWIDE	1462	0.031451	2		235.392
247	LEFT	1457	0.031343	41		82.36377
248	WANTED	1445	0.031085	46	0.0108232	70.39405
249	TOP	1442	0.031021	25		123.1486
250	TODAY	1422	0.03059	23		126.8179
251	KIBAKI'S	1413	0.030397	0		247.2784
252	KENYATTA	1375	0.029579	21		126.8133
253	AWORI	1368	0.029429	22		122.4223
254	MAN	1358	0.029214	17		138.8016
255	PLEASE	1343	0.028891	18		132.8034
256	HER	1343	0.028891	48	0.0112938	55.53911
257	HIMSELF	1342	0.028869	49	0.0115291	53.68164
258	RYAN	1310	0.028181	38		71.54272
259	WIRE	1306	0.028095	0		228.5506
260	ADDED	1302	0.028009	21		116.3105
261	CONSTITUTION	1298	0.027923	39		67.99664
262	BUSINESSMAN	1293	0.027815	20		118.3856
263	FREE	1291	0.027772	46	0.0108232	53.63963
264	DAYS	1279	0.027514	53	0.0124702	41.02777
265	ODM	1276	0.02745	0		223.2999
266	LOST	1260	0.027105	39		63.62932
267	PASSPORTS	1251	0.026912	25		96.75963
268	DEALS	1249	0.026869	33		75.53756
269	PARLIAMENTARY	1246	0.026804	49	0.0115291	44.02059
270	WAR	1242	0.026718	27		89.91051
271	TOO	1241	0.026697	49	0.0115291	43.53206
272	INTELLIGENCE	1225	0.026352	42		53.89186
273	SEEN	1221	0.026266	35		67.59743
274	OSUMO	1217	0.02618	3		185.8097
275	ELECTIONS	1214	0.026116	28		83.5673
276	CROSS	1195	0.025707	42		50.68916
277	PAC	1184	0.02547	45	0.0105879	44.3637
278	THINGS	1180	0.025384	38		56.61577
279	DONORS	1170	0.025169	12		130.2155

280	LORD	1169	0.025148	7	153.5912
281	GOVERNMENT'S	1156	0.024868	30	71.2028
282	REMEMBER	1132	0.024352	21	92.38449
283	ASK	1130	0.024309	30	67.99992
284	GEORGE	1130	0.024309	31	65.68111

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