



Influence of Social meanings of Bribery on Tactics used by Matatu operators in Kisii County

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Abstract: *Bribery has become a notorious problem to both businesses and the various governments of the world including Kenya. The Kenyan government since independence has tried to fight bribery but the war is far from over. It is also believed that due to bribery and corruption, cost of doing business in Kenya has increased, there is underdevelopment and more so the wastage of human resource through road traffic accident. It is for this reason that the researcher undertook the study in order to understand the influence of social meanings of bribery on tactics used by Matatu operators in Kisii County. The study specifically tried to investigate the social meaning of bribery among matatu operators in Kisii County, establish how the social meanings influence the tactics used by matatu operators to bribe. Social construction and discourse analysis theories guided the study. The case study design was adopted. The target population was determined by the saturation method. The sample was selected using purposive sampling technique. A sample as appropriate for saturation of themes during analysis was considered. In-depth interviews and observation was used to collect data. Data analysis involved developing a coding system based on themes covered. The coded information was analyzed thematically categorized in relation to the research questions of the study. All coded information under the major themes identified was put together for summarization of the study. The understanding among the drivers and conductors gave an indication that bribery exist among Matatu operators in Kisii County. Drivers and conductors pay bribe because of carrying excess passengers, non-compliance with traffic rules and poor condition of the car. Most of the drivers and conductors consider bribery as “chai”, with others as “Riaki”, pesa and “Egento and finally as “ hongo”. This indicated that the meaning of bribery varies from one Matatu operator to another. Most of the conductors and drivers always give bribe in form of cash, a few through Mpesa. This showed that most of the drivers and conductors give out bribes in form of cash. Most of the bribing occurred in the form of cash. This is because the drivers and conductors are used to handling of cash at any given time thus easy to part away than when it was in other forms. The self-esteem of bribery has been deep rooted in the Matatu industry and has been taken to be normal. In order to eradicate corruption all the stakeholders involved in the Matatu industry should strictly adherence to traffic rules and regulations. There is need to implementation of traffic rules and regulations according to the traffic policy. Finally there is need to train the matatu stakeholders on the need of adherence to traffic rules and regulations.*

Key words: *Social meaning, Bribery, Tactics, Matatu, Operators*

I. INTRODUCTION

Bribery is an act of giving money or gift giving that alters the behavior of the recipient (Ransley, 2002). Bribery constitutes a crime and is defined by Black's Law Dictionary as the offering, giving, receiving, or soliciting of any item of value to influence the actions of an official or other person in charge of a public or legalduty (Mouree 2000). Bribery is like grease to the wheels of the instruments that help to overcome cumbersome bureaucratic constraints, inefficient public service and rigid laws especially when the country's institutions are weak and ill functioning. These meanings find negative or insignificant relation between bribery and firm's performance. In this study the researcher aims to fill in the gap in the meanings given by scholars who align to legal and economic rather than social meaning of bribery and its perception.

Bribery is no doubt a global phenomenon that has threatened and still continues to threaten the developmental efforts in many nations. A recent survey released by Transparency International (TI 2014) found that corruption is on the rise. Out of every 10 people surveyed by TI reported that corruption has worsened in the last three years. In North America and Europe, the figures were 67 per cent and 73 per cent respectively. It was found that one in every four people paid a bribe over the last twelve months when dealing with public institutions and services, from health to education to tax authorities. The police are the most frequent recipients of bribes, according to those surveyed globally.

Scholars such as Fagan and clench (2010) argue that some of the reasons why people bribe is to avoid problems with the authorities and to speed up processes. Moreover, the poor are disproportionately burdened by bribe. The definition of bribe depends on social and cultural factors; the same is true for corruption perception. Thus, social meaning of bribery can be considered as a cultural phenomenon because it depends on how a society

understands the rules and what action constitutes a deviancy. Indeed, it does not depend only on societies but also on personal values and moral vices. While one person would not pay a bribe another one does due to consideration that his/her action is justifiable. This disposition to pay is likely to be positively correlated by people's social meaning of corruption (Melgar et al., 2009). of note is that this study also does not explain the social meaning of bribery.

UK anti-bribery legislation is the most comprehensive in the world, enhancing a country's reputation as one of the safest commercial environment in which to do business (BBA 2014). The bribery act 2010 of UK represents arguably the toughest legal regime against bribery anywhere in the world. This act replaces the anti-bribery and corruption guidance with two general offences previously covering active and passive bribery and specific offences relating to the bribery of foreign public officials. It also introduces a specific corporate offence of failing to prevent bribery from occurring (bribery act 2010). This act too does not give social meaning of bribery but gives a legal explanation and consequences of bribery and also a concept of bribery.

The principles of countering bribery were developed by a multinational task force of companies working with the world economic forum, TI and Basel institute of governance (TI 2002) This was meant to provide a framework for good business practices and risk management strategy for countering bribery. They intended to assist enterprises to eliminate bribery, demonstrate a commitment for countering bribery, make a positive contribution to improving business standards(TI2002) the guidelines reflects an appreciation that corruption and bribery are corrosive of economic progress and good governance. It recognizes the need for anti-bribery principles that can be applied to industry worldwide and that are based on profound commitment to fundamental values of integrity. However they fail to define bribery or give a social meaning from the actor's perspectives. They only provide the legal meaning of bribery. These are also guidelines for the enterprise but they fail to realise that people are the root cause and hence their opinion counts on what they perceive of the same

Drakard (2009) contends that bribery is a way of life in Africa; it is like a tick on a dog. There are some places in Africa where the tick is bigger than the dog (TI 2009) yet corruption in Africa seemingly does not have its explanation. Bribery runs so rampant in the world that it has become a Darwinian business tool. Transparency international (TI 2013) finds that more than one in every four people paid a bribe. This is based on a survey of 114,000 respondents in the 107 countries. TI however does not give any meaning of bribery nor does it mention the causes of bribery. Therefore this study will endeavor to give the social meaning of bribery and its effect on society which is not given sufficient scholarly examination by this and other authors.

According to Olufemi Adekoya (2010) in his scholarly journal, *what are the effects of bribery in the success of international business transactions*, bribery affects the ethics and professional conduct of business operating in the international arena. According to him, the reason that the menace "bribery" has gained prominence in the laws and policies of most countries which he perceives that no country can survive after debilitating effects of bribery. The paper looks at the problem of corruption particularly bribery and its effects on the success of international business transactions.

According to a survey done by KPMG (2009), survey on bribery and corruption skews the level playing field, attracts less culpable inefficient organizations to execute projects thereby leading to increase in cost of operations. The survey also highlighted that in many cases corruption is induced by private sector. KPMG India fraud survey (2010) mentions of its impacts on mergers and acquisitions and the survey went on to assess the impacts of corruption on business but failed to address the social meaning of bribery.

In *The Damage Corruption is doing to Kenya* (2010) by Edward Clay, (Former British High Commissioner to Kenya), Bribery and corruption are receiving an unexpectedly high degree of attention at present. The relevance of aid to fostering or solving the problem is getting some attention. He used his own experience to illustrate the damage corruption does to countries like Kenya and how serious the problem is; how the problem carries ramifications in Britain, for its development assistance and trade policies, anti-corruption and money-laundering regimes; and whether the tide might be turning. This paper only addressed and in particular mentioned the SAPS which is the cause of corruption but did not define bribery therefore this study

The police are often believed to be working with the Mungiki as well. The police receive weekly bribes from the Mungiki on certain routes, which allow them to conduct their business with impunity (Mungiki Hit Matatu Trade, Dauti Kahura; The Standard, May 16, 2005). In two major studies carried out on transportation in the nation media agency (NMA), the Urban Mobility Scoping Study by Transport Research Laboratory as well as a report by Kenya Institute for Public Policy and Research Analysis, it found that the main reasons why operators pay bribes to police and government is to avoid harassment. It is also worth noting that in the study done by NMGS BRT Solutions, it is estimated that approximately Ksh.48 billion is lost annually because of the illegal gangs and corrupt law enforcers (NMGS BRT Solutions 2006).This too does not provide the social meaning of bribery

According to transparency international, the police are said to be the recipients of bribes given on the roads, therefore to get to the root of this, the research undertakes a research on drivers and conductors who are the givers". The respondents who are on the road and in constant contact with the police are also employees of

matatu Sacco's who know the meaning of bribery and corruption but do not know the social meaning of bribery. This study therefore will achieve this guided by the critical discourse analysis theory which studies the relationships between discourse and ideology like beliefs, attitudes and behaviour that constitutes a perspective of the world. This theory will assist in the study of language in everyday life in the business of matatu industry and social construction theory which is concerned with the ways we think about and use categories to structure our experience and analysis of the world and this study will also observe the wide range of learning experience that occur in real world in the matatu industry.

1.1 Statement of the problem

Bribery is a form of corruption which according to oxford dictionary defines it as the crime of giving money or presents to someone so that they will help you by doing something dishonest or illegal. The problem of corruption is affected by social meaning of bribery and the authority's level of tolerance. This social meaning may affect both the demand and supply of corrupt actions. Consequently, corruption perception might facilitate or diminish the current corruption level (Cabelkova 2001). In general terms, bribery perception has favored the growth of institutional instability and the deterioration of the relationships among individuals, institutions, and states.

The Matatu industry is fast becoming the biggest corruption industry in Kenya. It has become a cash cow for traffic police officers even as it breeds criminal cartels that seek to control routes across the country (Underworld Team, 2013). As a result Kenya has experienced a rise in road accidents killing thousands of Kenyans. Matatu owners and drivers often complain of police harassment and fraudulent charges. To avoid arrest, matatu crews often pay off the officers. The purpose of this research is to begin filling this void by focusing on the relationship between social meaning of bribery and its influence on prevention. This study therefore gave bribery its social meaning and also goes deeper and gets the meaning as perceived by the drivers and conductors in the Kenyan roads.

According to Raynor and Mirzoev (2014) road traffic accidents are estimated to cause 1.3 million deaths and 50 million injuries worldwide. The Road safety is a challenge in Kenya with its causes being multi-factorial. Matatus are largely found to be involved in large proportion of these accidents. According to these authors, financial pressure on matatu drivers and excessive level of competition leads to dangerous driving. Corruption of traffic police appears to be another major barrier to improving road safety, as road safety legislations is not enforced and bribery has become the cultural norm. Despite this finding, the author did not provide the social meaning of bribery or state the causes of bribery. Therefore this study will fill in this void.

II. LITERATURE

2.1 Concept of bribery

Bribery is an act of giving money or gift giving that alters the behavior of the recipient (Ransley, 2002). Bribery constitutes a crime and is defined by Black's Law Dictionary as the offering, giving, receiving, or soliciting of any item of value to influence the actions of an official or other person in charge of a public or legalduty (Mouree 2000). The bribe is the gift bestowed to influence the recipient's conduct. It may be any money, goods, right in action, property, preferment, privilege, emolument, object of value, advantage, or merely a promise or undertaking to induce or influence the action, vote, or influence of a person in an official or public capacity. In economics, the bribe has been described as rent. Bribery in bureaucracy has been viewed as a reason for the higher cost of production of goods and services (Lewis, 2000). This definition dwells on legal issues and meaning but does not give the perception of the people and therefore this study will go beyond the dictionary meaning

The expectation of a particular voluntary action in return is what makes the difference between a bribe and a private demonstration of goodwill. To offer or provide payment in order to persuade someone with a responsibility to betray that responsibility is known as seeking Undue Influence over that person's actions. When someone with power seeks payment in exchange for certain actions, that person is said to be peddling influence. Regardless of who initiates the deal, either party to an act of bribery can be found guilty of the crime independently of the other (Anassi 2003)

A bribe can consist of immediate cash or of personal favors, a promise of later payment, or anything else the recipient views as valuable. When the U.S. military threatened to cancel Texas relocation company's contracts to move families to and from military bases, the company allegedly gave four representatives in Congress an all-expenses-paid weekend in Las Vegas in January 1989, and \$2,500 in speaking fees. The former president of the company was indicted by a federal Grand Jury in 1994 on bribery charges for both gifts (Hudson, 2014).

Amundsen, (2000) in his study argues that no written agreement is necessary to prove the crime or bribery, but usually a prosecutor must show corrupt intent. Bribery charges may involve public officials or private individuals. In the world of professional sports, for example, one boxer might offer another a payoff to draw deliberately or lose an important fight. In the corporate arena, a company could bribe employees of a rival company for recruitment services or other actions contrary to their employer's interests. Even when public officials are involved, a bribe does not need to be harmful to the public interest in order to be illegal.

When a public official accepts a bribe, he or she creates a conflict of interest. That is, the official cannot accommodate the interests of another party without compromising the responsibilities of her or his position. There is not always consensus over what counts as a bribe. For instance, in many states and at the federal level, certain gifts and campaign contributions are not considered bribes and do not draw prosecution unless they can be linked to evidence of undue influence. In this regard, negative public perception of private contributions to elected officials as gifts has caused most states to establish legislative ethics committees to review the public-private relationships of house and senate members (Lewis, 2000)

2.2 Social meaning of bribery

Public duty in the society should be performed in an objective and impersonal manner that avoids the use of public office for personal gains. Thus, socially in the society at large when a public official accepts a bribe in exchange for the performance of some favors, he or she essentially disrupts the level playing field owed to all as citizens' equal under the law (Rosen 2010). However, not all societies view bribery as being tantamount to corruption. In *Understanding Corruption*, Lawrence Rosen describes the shift in meaning that bribery takes when practiced in different cultural and social contexts particularly as it takes place in Arab societies. Unlike western democracies that stress individuality and equality, the Arab culture conceives the notion of society as an electrical system in which it is the relationship of pluses and minuses perpetually darting about that hold the system together (Rosen 2010).

Within this cultural setting, social cohesion takes precedence over individualism. Rather than interpreting bribery as corruption, most societies view bribery as a process that facilitates mutual interdependence and interpersonal ties or aspects that are crucial to social cohesion. When society as whole exchanges gifts in return for favors, there is a sense of indebtedness that all society owes to one another. Bribery facilitates these webs of obligations which are crucial in the formation of deeper social bonds. Given the cultural significance of forming and maintaining social ties, Arab societies for example view public officials beyond their role of official duty (Rosen 2006). An official remains to be the son of so-and-so or the nephew of so-and-so, despite his official title. Indeed, an official who refuses to perform an act for his family member is seen not as someone who is honoring his public duty, but rather as someone who has deserted his principles of familial ties. In this cultural context, nepotism is viewed as just family solidarity. Thus, the link between bribery and corruption, while being quite clear in liberal democracies, becomes slightly obscure in Arab societies (Rosen, 2010).

The moral, legal and societal consequences of bribery have widely been studied by professionals in the field of ethics and legal scholars. The bribery of government officials, it is argued, not only obstructs the democratic process but it also weakens the integrity of the governing institution (Lessig 2012). Yet the ways in which bribery relates to the social and cultural foundations of particular societies is seldom explored. In fact, bribery can be viewed as a mechanism that democratizes the staunchly autocratic rule of the Arab societies that exploit this practice. When a citizen bribes a public official, for example, they are effectively creating a means to address their interests through a system that would have otherwise ignored those interests. When viewed in this way, the process of bribery creates democratic advantages for both the bribed and the briber: in exchange for a more reasonable income, public officials offer citizens the opportunity for their interests to be recognized (Rosen, 2010)

2.3 Bribery practices among matatu operators.

Bribery in the transport sector particularly among Matatu operators is a form of police misconduct in which law enforcement officers seek personal gain, such as money or career advancement, through the abuse of power, for example by accepting bribes in exchange for not pursuing, or selectively pursuing, an investigation or arrest (Wedel, 2001). One common form of bribery among matatu operators is soliciting or accepting money in form of bribery in exchange for not reporting, prosecuting or not pulling them off the road for lack of compliance with the traffic rules organized drug or prostitution rings or other illegal activities. Another example is police officers flouting the police code of conduct in order to secure convictions of suspects for example, through the use of falsified evidence. More rarely, police officers may deliberately and systematically participate in organized crime themselves (Prenzler, 2002)

In most major cities there are internal affairs sections to investigate suspected police corruption or misconduct. Similar entities include the British Independent Police Complaints Commission. Police corruption is a significant widespread problem in several countries, such as Peru. Bribes are often demanded in situations where road users have committed an offence such as over speeding, overloading, or driving unlicensed or un-roadworthy vehicles. Bribery in these instances may be used to ensure that the offender escapes a stiffer penalty. More often than not police officers solicit for bribes from matatu operators and the drivers and conductors are exempted from paying huge fines if their cases were to be taken to court. (Jonston, 2004)

The most commonly paid bribe is for traffic offences, driver testing and licensing irregularities. Most drivers are often caught driving even when the traffic lights are red. In this case police officers are given some money in form of bribes so that they can be let off the hook. Most matatus are often un-roadworthy and under normal circumstances would not be allowed to go on the road. They are often doing business on illegal terms since their

vehicles are un-roadworthy. They often give bribes to police officers to allow them operate their businesses. A vehicle might be checked and correctly passed only because the police inspectors were bribed (Hudson, 2014).

III. METHODOLOGY

The study used qualitative methodology and the paradigm used in the study was interpretivist/constructivist. The interpretivist /constructivist approaches to research have the intention of understanding "the world of human experience" (Cohen & Manion, 1994), suggesting that "reality is socially constructed" (Mertens, 2005). The interpretivist/constructivist researcher tends to rely upon the "participants' views of the situation being studied" (Creswell, 2003) and recognises the impact on the research of their own background and experiences. The qualitative methodology shares its philosophical foundation with the interpretive paradigm which supports the view that there are many truths and multiple realities. Constructivist generates or inductively develops a theory or pattern of meanings as opposed to post positivists throughout the research process (Creswell, 2003). The qualitative methodology shares its philosophical foundation with the interpretive paradigm which supports the view that there are many truths and multiple realities. Additionally, the interpretive paradigm is associated more with methodological approaches that provide an opportunity for the voice, concerns and practices of research participants to be heard (Cole, 2006).

The qualitative approach to research strategy is characterized by lower sample numbers, than quantitative research, and participants selected to expand variability and represent the natural population. Normally forms of non-probability sampling such as purposive are used (Sarantakos, 1993). This approach is often time consuming as patterns slowly emerge. The interpretivist also explores first and then develops theory, thus allowing deeper explanations and insights. However, some uncertainty exists as it is possible that nothing of value may emerge. Typical techniques include participant observation, in depth interviews, group interviews and documentation collection with an emphasis on fieldwork. Data analysis and interpretation is ongoing activity for the interpretive researcher.

The study used a case study design. A case study is an approach that focuses on gaining an in-depth understanding of a particular entity or event at a specific time. Willig (2008) asserts that case studies "are not characterized by the methods used to collect and analyze data, but rather focuses on a particular unit of analysis; a case". A case study is a story about something unique, special, or interesting stories can be about individuals, organizations, processes, programs, neighborhoods, institutions, and even events (Yin, 2003). The case study was used because it gives the story behind the social meaning of bribery by capturing what happens among the matatu business. It also gave an opportunity to bring attention to the bribery challenge or difficulty in this industry. Case study design was appropriate because there is a unique or interesting story to be told.

The advantage of using the case study was to provide more detailed information than what is available through other methods, such as surveys. Case studies will also allow the presentation of data to be collected from multiple methods (such as surveys, interviews, document review, *and* observation) to provide the complete story. This design was used to provide context to other data, by offering amore complete picture of what is happening in the matatu industry and why. The respondents of interest were thoroughly investigated in their places of operation so as to freely give more information without the manipulation of unfamiliar environments in order to understand the social meaning of bribery.

The study area was Kisii County. Kisii County is a county in the former Nyanza Province in south-western Kenya. Its capital and largest town is Kisii. The county is inhabited mostly by the Abagusii people. Kisii County is one of the forty seven counties in Kenya. It shares common borders with Nyamira County to the north East, Narok County to the south and Homabay and Migori counties to the west. The county lies between latitude 0 30' and 1 0' South and longitude 34 38' and 35 0' East. The county covers a total area of 1,332.7 km square and is divided into nine constituencies namely: KitutuCache, KitutuMasaba, NyaribariMasaba, NyaribariCache, Bomachoge, Borabu, Bobasi, South Mugirango and Bonchari. It has 9 sub-counties and 45 Wards respectively.

The county's total population is projected at 1,226,873 persons in 2012. This represents 586,062 and 640,811 males and females respectively. By 2017, this population is expected to rise to 1,362,779 persons (650,982 males and 711,797 females). Population distribution in the county is influenced by such factors as physical, historical, patterns of economic development and policies pertaining to land settlement.

Population densities are high in areas with large proportions of arable land such as KitutuCache South (1348), NyaribariCache (1128), BomachogeBorabu (992), BomachogeCache (992) respectively. The county is characterized by a hilly topography with several ridges and valleys and it is endowed with several permanent rivers which flow from East to West into Lake Victoria. Soils in the county are generally good and fertile allowing for agricultural activities. The researcher chose this county because it is a business hub in the wider Kisii region and owing to media houses highlighting on the risk means of transport using saloon probox vehicles on the roads triggered my interest to establish how they escape the traffic police. There is no similar evidence of such study having been done in the study area. It is therefore believed that the study area will give a wider and variety view of the problem under study.

A target population is that population to which a researcher wants to take a broad view of the results of a study (Coolican, 2013). Kasomo (2006) describes the target population as the aggregate of all cases that conform to designated sets of specifications to which the study will generalize the results. In this study, the target population was achieved through saturation method

The researcher took into consideration the sample size that reached saturation or redundancy and how large a sample is needed to represent the variation within the target population. Saturation was achieved more quickly because the sample is cohesive as all participants are members of a particular demographic group that is matatu industry. Participants and the site was selected on purposive sampling explaining occurrence (Creswell, 2008). Since, the drivers and conductors are more informed and have a similar characteristic that is near equal level of education, therefore more homogeneous than when they have different levels of education, included as part of the sample.

The researcher interviewed the respondents using in-depth interview, observation and focus group discussion to collect data relevant to the study. The respondents were matatu operators in Kisii County drawn from the drivers, conductors and matatu owners. This was achieved through the various registered SACCOs in the county to get access to the drivers and conductors whom the researcher interviewed. This study made use of face to face interview as a method of data collection. An interview schedule is a set of questions that an interviewer asks while interviewing the respondent. Interview was used in collecting data from the respondents until saturation. An interview schedule made it possible to obtain information necessary to meet exact goals of the study (Orodho, 2012). The study will modify Seidman (2005) interview techniques'. Interviews are easy to administer since questions are already prepared.

An introductory letter was sent to the targeted SACCO prior to the study. Some of the advantages of using interviews are that the researcher may obtain more information as well as supplementary information about the respondents. The researcher interviewed SACCO managers of the selected routes. Each Driver and conductors was interviewed individually. The interview squared against confusing questions which needs clarification since respondents had a chance of seeking for clarification on any of the questions that will be deemed ambiguous. Interviews are flexible can take care of sensitive remarks and have a high rate of response. On the other hand, interviews are disadvantageous in that they can be abused, time consuming and cannot be used effectively if the population target is too large.

Observation in qualitative research generally involves spending a prolonged amount of time in the setting. Field notes were taken throughout the observations and are focused on what is seen. Recording of notes assisted in determining what the observed events might mean and provided help for answering the research questions during subsequent data analysis (Bogdan&Biklen, 2007; Pitney & Parker, 2009). The task of a qualitative researcher was to make sure that the participants become accustomed to having the researcher (and, if appropriate, a recording device) around. For example, the researcher may want to visit the site for at least a couple of days before the initial data collection. The researcher was a participant observer, by taking part in the situation in order to further understand the workings of the social phenomenon. Observation was used because it gives more reliable information about certain things such as how the respondents actually behave during the act of bribery in matatu industry.

When formulating a detailed tool, reliability and trustworthiness/validity are two of the most important characteristics to be considered (Kothari, 2008). Trustworthiness refers to the demonstration that the evidence for the results reported is sound and when the argument made based on the results is strong (Krefting 1991). In this study, four criteria to ensure valid interpretation of data was used; truth value, applicability, consistency and neutrality. In the qualitative approach, truth value is measured by credibility; having an adequate engagement in the research setting so recurrent patterns in data can be properly identified and verified.

A pilot study was conducted after which responses to each item scrutinized to identify any misunderstandings and ambiguity. Items found to be unclear or ambiguous was modified thereby improving face validity. The researcher tried to make sure that multiple methods used for data collection triangulate each other (Creswell & Miller, 2000, Gibbs, 2007; Hatch, 2007) Triangulation ensured consistency and validity of the data. Expert Opinions Literature searches and pre-testing of open-ended questions was used to improve the content validity used. The questions were brainstormed with colleagues and there after necessary corrections made. To determine the content validity of interview schedule, expert's judgmental panel from Moi University examined them. Suggestion and advice offered was used as a basis to modify the research items and make them more adaptable in the study. Their feedback was used to revise the instrument. In addition, the researcher conducted all the study in person in order to ensure systematic validity.

Reliability refers to the degree to which the instrument yields the same results on replicated trials (Orodho, 2009). It is therefore the degree of consistency or whether it can be relied upon to produce the same results when used in two or more attempts to measure theoretical concepts. Reliable measuring tool need not be applicable (Kothari, 2008). To ensure reliability of the questions, a pilot study was carried out in neighbouring Nyamira County. This area was used for piloting because the two counties share similar conditions. The test- retest

method was used in order to test reliability of the instrument. The pilot study enabled the researcher to assess the clarity of the questions and observation schedule to improve the quality of the instruments. The instruments deemed reliable after any typographical errors and omissions detected are corrected.

After all data has been collected, the researcher conducted data cleaning, which involves identification of incomplete or inaccurate responses and correct to improve the quality of the responses. The research yielded qualitative data. Qualitative data was presented thematically. Open-ended items were analyzed through coding themes and quotas that emerged. The themes emerging from secondary data were identified to augment primary data. Qualitative data was transcribed and organized into themes in order to check on their frequencies based on the research objectives. Qualitative data analysis involved coding the data, dividing the text into smaller units that is phrases, sentence and paragraphs assigning a label to each unit and grouping the codes into themes, the research then discuss the themes (Creswell and Clark 2011:208). The findings were presented by use of frequency distribution tables that gave record of a number of times a score or a response occurs. Qualitative data was analyzed using content analysis based on analysis of meanings and implications emanating from respondents information and observed data. Data was based on the objectives and research question of the study. Permission to carry out the study was sought from the relevant authority and from those who participated in the study (Kombo & Tromp, 2009). The researcher took into account the confidentiality of the conductors and drivers in order to protect them. Ethics distinguishes between acceptable and unacceptable behaviour. A number of ethical issues can arise during the academic research writing and publishing process. These include plagiarism, fabrication or falsification of data, conflicts of interest, confidentiality, treatment of human subjects and animals in research and authorship issues (Hammersley & Traianou, 2012).

In this study, the researcher assured all the respondents/interviewees confidentiality of the information given was used for academic purposes only. This was done to ensure honest information was given and also to enhance the process of data collection. The researcher assured the participants that nobody was questioned about any information they gave, moreover, no names or personal identification numbers is reflected in the questions. The researcher further assured the respondents the information they gave was confidential and would be used for the purpose of the study. Sufficient time was allowed for them to respond to the instruments accurately.

The sensitivity of bribery practices may make respondents shy away from exposing their corrupt practices. The reluctance by respondents to share information was solved by creating a rapport with the respondents and giving them assurance about the confidentiality of whatever they said. Finally, research findings may not reflect the status of the whole country and therefore the findings will only be generalized to other areas with caution.

IV. RESULTS AND DISCUSSIONS

The objective was to investigate the social meaning of bribery among Matatu operators in Kisii County. This was achieved using the interview schedule for the drivers and conductors. The respondents were required to describe their understanding of bribery, identify what triggers them to giving a bribe, the nature of the bribe and the social meaning of bribery among the youth.

4.1 Understanding of bribery

On the understanding of *what bribery is?* Conductors and drivers viewed it as the “*pesayapolisi*”, as “*Hongo*”, “*chai*”. Other conductors and drivers identify that it was giving money to pave way, as acquiring something through unfair means and as giving unnecessary pay. This understanding among the respondents gave an indication that bribery exist among Matatu operators in Kisii County. This agree with Ransley, (2002) that bribery is an act of giving money or gift giving that alters the behavior of the recipient.

The conductors and drivers identify what triggers the giving of a bribe includes; carrying of excess passengers, non-compliance with traffic rules. Other reasons that trigger bribery comprise of condition of the car, as a practice and entice the police to be allowed to operate freely along the route. This indicates that the drivers and conductors were triggered to bribe because of carrying of excess passengers, non-compliance with traffic rules and poor condition of the car. This finding concurs with Fagan and clench (2010) that some of the reasons why people bribe is to avoid problems with the authorities and to speed up processes. Also it agrees with Jonston, (2004) that bribery is used to ensure that the offender escapes a stiffer penalty. More often than not police officers solicit for bribes from matatu operators and the drivers and conductors are exempted from paying huge fines if their cases were to be taken to court. Most matatus are often unroadworthy and under normal circumstances would not be allowed to go on the road. These findings agree with Hudson, (2014) that a vehicle might be checked and correctly passed only because the police inspectors were bribed.

On the nature of bribery, most of the conductors and drivers always give it in form of cash, with through Mpesa, at the office and of the Matatu operates does not give bribe. This showed that most of the drivers and conductors give out bribes in form of cash. This agrees with Rose, (2004) that officers on such assignments were found to be regularly receiving money through cashing agents of mobile phone companies. Recently, the Kenya Anti-Corruption Commission found out such cases may have reduced, but warned that the level of corruption by traffic police officers remained high, thanks to advances in technology. Detectives at the

commission unearthed a new method by which corrupt officers receive bribes via mobile phone-based technology, like M-Pesa and airtel money.

On the meaning of bribery most of the drivers and conductors consider it as “chai”, with some “Riaki”, as pesa and “Egento”, finally as “hongo”. This indicated that the meaning of bribery varies from one Matatu operator to another. This concurs with Melgar et al., (2009) that bribe depends on social and cultural factors; the same is true for corruption perception. Thus, social meaning of bribery can be considered as a cultural phenomenon because it depends on how a society understands the rules and what action constitutes a deviancy. Indeed, it does not depend only on societies but also on personal values and moral vices. On the feeling of drivers and conductors after giving bribery some felt mutual, other were normal, discouraged, usual and felt satisfied. This indicated that the drivers and conductors consider the vice of bribery to be normal activity.

The willingness of the drivers and conductors to pay a bribe was their fear of being victimized and having no option. However a few of them were always willing to pay the bribe. Most of the drivers and conductors were worried on the bribery because it wastes much of their time instead of concentrating on reaching their destination. Other worries includes; loss of job and victimization. Their self-esteem was found to be high and few had low self-esteem. This indicated that the self-esteem of bribery has been deep rooted in the Matatu industry and has been taken to be normal.

There were many impediments to bribery, including how to give it out, what they will do if asked for more, number of passengers they have in excess and presence of base commander increases the amount required to give. However, a few of the drivers and conductors had no impediments in giving out bribe. Most of the bribing occurred in the form of cash, with a few of them not giving out the bribe. This is because the drivers and conductors are used to handling of cash at any given time thus easy to part away than when it was in other forms.

The consequences of not bribing were not felt among the shuttle matatus operating Kisii route. This was attributed to them meeting the conditions and regulations and did not offer any bribe. But the other 14 seater Matatus are fond of carrying excess passengers and the consequences of not bribing include rebuked by fellow colleagues, relieved of their duties, vehicle impounded or booked at the cell and felt bad if caught.

V. CONCLUSION AND RECOMMENDATIONS

What triggers the giving of a bribe include; carrying of excess passengers and non-compliance with traffic rules. Other reasons that trigger bribery comprise of condition of the car, as a practice and entice the police to be allowed to operate freely along the route. This indicates that the drivers and conductors pay bribe because of carrying of excess passengers, non-compliance with traffic rules and poor condition of the car.

Most of the drivers and conductors consider it as “chai”, with others as “Riaki”, pesa and “Egento and finally as “hongo”. This indicated that the meaning of bribery varies from one Matatu operator to another. Most of the conductors and drivers always give bribe in form of cash, a few through Mpesa. Most of the bribing occurred in the form of cash. This is because the drivers and conductors are used to handling of cash at any given time thus easy to part away than when it was in other forms. The willingness of the drivers and conductors to pay a bribe was their fear of being victimized and having no option. However a few of them were always willing to pay the bribe. The self-esteem of bribery has been deep rooted in the Matatu industry and has been taken to be normal.

The socialization of the drivers and conductors after giving out the bribe was considered a normal activity. The consequences of not bribing were not felt among the shuttle matatus operating Kisii route. This was attributed to them meeting the conditions and regulations and did not offer any bribe.

- In order to curb bribery in Kenya most of the drivers and conductors identify the steps that should be followed to ensure that Matatu owners, drivers, conductors, passengers and traffic officers each should comply with the traffic rules and regulations. Also there was need to encourage the shuttle 10 passengers carriers in Kenyan roads, enhance effective monitoring of matatu's by using ICT and introduce stiffer penalties to those found giving/receiving bribes.
- In order to eradicate corruption all the stakeholders involved in the Matatu industry should strictly adhere to traffic rules and regulations. There is need to implementation of traffic rules and regulations according to the traffic policy. Finally there is need to train the matatu stakeholders on the need of adherence to traffic rules and regulations.
- The drivers and conductors have wonderful future expectations in Matatu industry despite the rampant corruption and bribery in the industry. There was need to minimize bribery in order to enhance public perception on the industry. They also identify there was a need to develop a bribe/corrupt free nation where everyone is against the vice.

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