
Ethical Issues in Governance: A Legal or Political Issue? A Review of Vetting of Public Officers in Kenya

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Abstract. The post-independent Kenyan constitution ushered in the issue of vetting of Public Officers before assumption of service in government. Despite this constitutional milestone, Kenyans are still grumbling as to whether this exercise has taken off effectively to meet the Citizens expectations in terms of ethics. This subject of ethical issue in governance has been a hot debate in Kenya not only in the recent past but prior to 2010 Kenyan constitution. Though the Ethics and Anti-Corruption Commission (EACC) has been formed, its efforts in clearing candidates for government positions seemed to have met bottlenecks and challenges. The paper seeks to look at highlights on the practice of ethics and context of vetting Public Officers in Kenya, the imperative of the constitution in mainstreaming the issues of ethics and governance in Kenya, and the challenges of the practice of ethics under the new constitutional order. In achieving these, this paper relied on qualitative study method in finding out if there are gains on ethical issues in governance while determining whether they are legal or political. This paper found out that the post 2010 vetting processes in Kenya have not balanced the legal and political issues thus undermining the ethics in governance. It has especially experienced lack of political will (the spirit of the 2010 constitution), again, it ideally should be a legal aspect but the expertise of the vetting committees have been lacking.

Key words: Vetting, Governance, Ethical Issue, Constitutionalism, Public Service, Politics

Introduction

Ethical issues in governance have grown as a major concern in politics and are likely to continue in the 21st century. To some thinkers, for instance, Klagba and Peter (2005) define it as a code or a set of principles by which men live, while Popkin and Stroll (1969) add two more elements to the above definition, “the general pattern or way of life itself and inquiry about the way of life and rules of conduct.

Governance ethics constitutes the application of ethical inclined rules in governance. It is that part of practical jurisprudence, or the philosophy of law, that governs the operation of government and its relationship with the people that it governs. It covers issues of transparent behaviour, accountability, and honesty in government. This deals with matters such as bribery, political corruption and institutional corruption (security corruption, law making ethics, judicial and legal ethics and other government agencies). The regulation of ethics and its practice, conflict of interest, avoiding any appearance of impropriety, open government (transparent government), and proper practice of legal ethics is very fundamental in governance and is a way of liberation to the citizenry.

Generally ethics can be a legal issue because it is an embodiment of norms that govern relations of people in government service, departments, and institutions in government. At the same time when used in political realms, it qualifies to be a political issue. In line with vetting of public officers then these norms find themselves in political play and neither, therefore, can they be legal nor political but both.

In the want of ethics, usually vetting becomes necessary. *Vetting* is a process of assessment and evaluation of the integrity of a person to determine the sustainability of the requirements for holding a public office while *Integrity* refers to a person's adherence to relevant international standards of human rights and professional conduct including financial propriety (UNHCR, 2006).

This terminology is often used in the field of transitional justice explaining ethics. When countries undergo a process of transition—after a period of armed conflict or authoritarian rule—they must determine what to do with public employees who perpetrated human rights related abuses. They also must examine and revise the institutional structures that allowed such abuses to occur. Vetting is the processes of assessing the integrity of individuals (such as their adherence to relevant human rights standards) in order to determine their suitability for public employment. Countries transitioning to democracy and peace often utilize such processes to ensure that abusive or incompetent public employees are excluded from public service. (International Center for Transitional Justice, 2007).

According to UNDP bureau for crisis prevention and recovery justice and security sector reform; publication 11-2006, Vetting is the processes aim at excluding from public service, persons with serious integrity deficits in order to re-establish civic trust and re-legitimize public institutions as well as disable structures within which individuals carried out serious abuses. Vetting public employees, in particular in the security and justice sectors, is now widely recognized as an important measure of governing reform in countries emerging from conflict.

But to maximize its impact and ensure its sustainability, vetting generally needs to be part of a much broader reform of the institution concerned. More often than not, integrity deficits of public employees are not the only shortcomings of public institutions in post-conflict settings, and the exclusion of persons who lack integrity may not bring about the changes necessary to build a fairly and efficiently functioning public institution.

In the global perspective, the reality of ethics in governance has led many states to engross vetting as part of their mainstream laws in the constitutions, while to others (transitional democracies) this seems new; vetting is not a new phenomenon. It has been practiced in various parts of the world such as Asia, Europe and America. A look at a few countries here gives us experiences that form the basis of the foregoing argument.

In the African context, a few examples can highlight vetting process applied in want of integrity. Ghana passed a new constitution in the year 1992, the appointment and vetting of the ministerial nominees was manifestly made part of the constitution which represents the best effort to codify the countries aspiration for a democratic system of government. In Liberia, for example, vetting has been conducted since 2004 in circumstances of almost complete structural collapse. However, it would be important to embrace such a holistic approach to transitional justice where different measures reinforce each other.

In other parts of the world, El Salvador, for example, the fight against corruption has been seen especially in the report of the truth commission which named military personnel and provided a systematic critique of the armed forces, an action that gave impetus to the vetting of the military leadership. In its endeavour to restore confidence in the judiciary and enforce the rule of law, Bosnia put in place an effective reappointment process which a majority of the public supported.

The Problem Statement

The promulgation of the 2010 constitution ushered milestone in Kenya's governance systems and structures. Indeed, there were greater expectations of the impact of this document in transforming the ethical issues of governance but as it is watched closely by many citizens, one wonders whether they have taken more of political leanings as opposed to the desires in the 2010 constitution. By observing through the vetting processes which have so far taken place

since this document was ushered in, one may question whether ethical issues are legal or political and which one has sufficed? This is compounded by the interplay of politics and the requirements of the constitution in its quest to institutionalizing integrity in governance.

Study Objective

Guided by the objectives below, the paper attempts to:

- Highlight the practice of ethics and context of vetting Public Officers in Kenya;
- Assess how the constitution has helped in actualizing the issues of ethics in governance in Kenya; and
- Find out the challenges of the practice of ethics in the new constitutional order.

Significance of the Study

This paper is envisioned to be very useful for those in governance who find contentions of the yardstick of the ethical issues, it will be very valuable reading for practicing Public Officers, and Scholars of Politics, Governance, and Public Administration whose interest are to cause change in governance.

Methodology

In this paper, the authors opted to use qualitative study methodology. Additionally, in trying to achieve the objectives herein, analytical and evaluation of certain instruments was used. Qualitative research is inductive in nature, and the researcher generally explores meanings and insights in a given situation. Every research must involve an explicit, disciplined, systematic (planned, ordered, and public) approach to find out most appropriate results (Strauss and Corbin, 2008; Levitt et al., 2017).

Results and Discussion

The Practice of Ethics in Kenya

Overtime Kenya has seen milestones in the practice of ethics. Among many measures, there has been growing public awareness of the consequences of corruption, its negative and destructive effects on the economy and development, and the need to eliminate it. In seeking to address corruption, Parliament passed the Anti-Corruption and Economic Crimes Act 2003 and the Public Officer Ethics Act 2003. These Acts came into effect on 2nd May 2003. It is important to set out the background of past anti-corruption efforts that led to the enactment of the Acts.

Corruption as a problem in Kenya dates back to the colonial times. In 1956, the Prevention of Corruption Act, chapter 65 of the Laws of Kenya, was passed by the British colonial authorities in an effort to provide a legal framework for combating public corruption. It provided for the punishment of bribery involving holders of public office. The Act was amended in 1991 to provide stiffer penalties for those convicted of corruption. In 1993, an anti-corruption squad was administratively established in the police force to spearhead the fight against corruption.

Having a flashback to the process of Africanization just after independence reveals a pool of skilled Kenyan Africans who were insufficient to replace the colonial staff. Himbara (1994) notes that, “in the aftermath of the changes, incompetence of severe proportions took over: financial indiscipline, failure to regulate and maintain economic infrastructures, and inability to implement development goals became the norm. He further observes that “the new institutions created after independence were hopelessly ineffective almost from the start. A decline in public administration was to be expected during and after transition period, but not

the most total collapse and disagreement of national institutions that in fact occurred.” It is these initial weaknesses derailed the issues of ethics in Kenya at her very infant stage.

Statistics for the first three and a half decades of Kenya’s independence indicates an ever rising unethical governance practices in managing public finances. Republic of Kenya Controller and Auditor’s report 1990 states that “official pillaging of state funds is almost always showing that the amounts of money involved, steadily increased, reaching enormous proportions as indicated in the table below.

Fiscal period	Amount in KShs.
1963/64	9,600,000
1971/72	90,000,000
1974/75	435,000,000
1979/80	1,500,000,000
1984/85	2,900,000,000,
1986/87	6,500,700,000,
1980/1990	15,700,000,000

Source: Republic of Kenya, controller and Auditor general reports (1964: p.1); (1972: p.1); (1976: p.1); (1980: p.1); (1985-1987: p.2); (1989-1990: p.1)

According to Ndegwa Commission report (1971) on catalyst for corruption in public service, corruption and conflict of interest in the upper levels of state management was a reality in Kenya before. As was indicated in the constitutional amendments empowering the national leadership in effect to defraud the treasury at will. What the commission’s recommendation did was to spread this addiction to the entire Kenyan civil service. To some extent, this forms the basis of ethical issues in governance today.

In 1997, the Prevention of Corruption Act was amended to establish the Kenya Anti-Corruption Authority (KACA). KACA was disbanded in the year 2000 after it was declared unconstitutional by the High Court. This decision was on the basis, among others, that the powers of KACA to prosecute went against Section 26 of the then Constitution which had then preserved powers of prosecution on the Attorney General. After the disbandment of KACA, the Anti-Corruption Police Unit was formed administratively to continue the fight against corruption.

In December 2002, a new government was voted into power, and one of its main pledges was to address the runaway corruption which had existed under the previous regimes. Among the initiatives the government put in place was enactment of new laws to establish a legal and institutional anti-corruption framework. Principal among the new laws enacted under the new regime was the Anti-Corruption and Economic Crimes Act, 2003 which established the Kenya Anti-Corruption Commission (KACC) as the main legal body with the mandate to fight corruption in Kenya. The Act came into effect in May 2003. Apart from establishing KACC, the Act provided for the various offences of corruption, the investigation and penalties for such offences. It also established the special magistrates to preside over corruption cases.

In August 2010, a new constitution was promulgated in Kenya, which made far reaching changes on governance, leadership, integrity in the anti-corruption regime. Article 79 of the Constitution required Parliament to enact legislation to establish an independent body to ensure compliance with and enforcement of Chapter Six of the Constitution. Pursuant to this Article, Parliament enacted the Ethics and Anti-Corruption Commission Act, No. 22 of 2011 which came into effect on 5th September 2011. The Act amended the Anti-Corruption and Economic Crimes Act by repealing the provisions establishing Kenya Anti-Corruption Commission and its Advisory Board, while retaining all other provisions relating to corruption offences and economic crimes, their investigation and prosecution. Being the successor institution to the

Kenya Anti-Corruption Commission, the Ethics and Anti-Corruption Commission is mandated to implement the provisions of the Anti-Corruption and Economic Crimes Act.

Ethics in the Context of Vetting Public Officers

The past regimes in Kenya have seemingly not demonstrated respect for the rule of law, human rights and general morals of public officers which are the hall marks of a democratic government. Public offices because of weak laws, institutions, and implementation were somehow turned into tools of soliciting bribes at the expense of delivering service to the public.

The Kenyan history prior to the new constitutional order shows that little was known by the public about the manner in which judges, police commissioners, permanent secretaries, lawyers editors, ambassadors among other public officials were appointed hence rendering them passive participants in the process. It was almost impossible for one to ascend to top political jobs such as commissioners, public administrators, and university chancellors among others without associating him/herself with political heavyweights. This therefore becomes a necessity to the continual liberation by agents of democratization. This manner of appointments not only violated human rights but also made the playing field uneven for interested parties. It is therefore on this pretext that issues such as incompetency, poor performances and miscarriage of justice among other ills arose.

It is necessary to vet public officials so that the dreaded malady called impunity that has riddled this country for years becomes a thing of the past. Successful vetting process will automatically avail individuals with values that are admired by the whole public hence winning public confidence.

In the 2010 Kenya constitution, chapter on integrity suggests that parliament shall enact legislations, from this there is still no proper legislation guiding vetting of public officers. Parliament has a task of enacting bills for various sectors of the government to guide vetting process giving discrete procedures, requirements and objectives.

Chapter six of the constitution stresses on principles on leadership and integrity which includes selection based on personal integrity, competence and suitability or election in free and fair election; objectivity and impartiality in decision making and in ensuring that decisions are not influenced by nepotism, favouritism or corrupt practices, accountability to the public, discipline and commitment in service to the people. The chapter further talks about the expectations of conduct of state officers and restriction on activities of state officers.

Consequently, there is an act of parliament to advance the ethics of public officers by providing for a Code of Conduct and Ethics for public officers and requiring financial declaration from certain public officers to provide for connected purposes. Under this act are different commissions such as Judicial Service Commission, Parliamentary Service Commission, and Electoral Commission among others. These commissions shall have their own code of conduct pertaining to their respective operations. For example, the Electoral Bill 2012, sets the framework of conducting electoral process, staff management, and dealings with stakeholders.

The core objectives of the vetting process is to transform public bodies involved in abuse of human rights during authoritarian regimes and make them enjoy public trust and legitimacy, failure to which its rendered a mere public relations exercise.

Has vetting process achieved its purpose?

A vetting process needs political will especially in countries in transition where resistant to reform is a regular feature. Individuals who risks losing power through a vetting process are likely to resist. The level of vetting process is likely to be influenced by the level of political commitment.

Many vetting processes are not very well managed in terms of the procedure and is inadequately supported by some members of the public, the process has yielded some limited and relatively positive results. Most importantly, in looking at the achievement of purpose of this process in Kenya, first, it has been observed that all practicing judges have had their qualifications checked by the Judicial Service Commission which is independent and is able to vet lists of suitable candidates prior to their appointment by the executive. This is a break from the past where appointment process was handled entirely by the President; positions were awarded based on patronage rather than merit.

Secondly, to some extent, airing of the vetting process live on local televisions has increased the public interest in the process. A publicized vetting process provides an opportunity for members of the public to challenge nominees who may have given false information to the committee. This has brought into practice an objective of openness of the exercise. The quality of the approval process can be improved but we also have to acknowledge that it has improved far beyond what prevailed in the past in Kenya. Clearly, the process is now getting more rigorous; each nominee is spending longer time before the committee, something that has never been done before. Consequently, the questions asked by the committee members and the response from the nominees are beginning to have some policy and governance substance.

Thirdly, this process has developed to a level where nominees can be rejected by individual citizens, legislature, and the judiciary. The case in point was the current EACC boss who spent a long time from assuming office because of integrity issues raised.

The Areas Where the Practice of Vetting Can Be Observed

Following the post-election violence which occurred between December 2007 and February 2008, the TJRC emerged as one of the major outputs from the subsequent national dialogue process. It was formed to investigate, and recommend areas where national reconciliation would be achieved out the historical injustices. However, the chairman became a subject of contention among the Commissioners because of his past functions as a state officer and hence was recommended not suitable to chair the commission. His reinstatement became unique in the implementation of ethics because somehow politics played a big part.

The Kenyan Judiciary currently as was constituted somehow stands as one of the institutions showing successful practicing of vetting in this constitutional dispensation. This is because, first and foremost the Judicial Service Commission was well constituted, and secondly due to the openness of the conduct of the process.

The Jubilee government being the first after the adoption of Kenya's 2010 constitution was another milestone in against the spirit of grounding ethics into governance. The case is synonymous with conflict of interest by political elite in making their way through constitutional frameworks by justifying a constitutional process done but under what guidelines? This is an area that must be addressed as Kenya moves towards full liberation beyond the 50 years of independence.

The Constitution of Kenya 2010 codifies the country's constitutional democratic system of government and State. It also enshrines integrity and moral probity of public and state office holders who are obliged to uphold, defend and protect the Constitution.

Ndungu Wainaina of International Center for Policy and Conflict observes on the Jubilee Cabinet Secretary vetting process and notes, vetting of state and public officers institutionalizes core constitutional democratic values and principles of governance which include accountability, strengthens parliamentary oversight and provides well-established institutional checks, balance and inter-state institutions accountability. Parliament is the watchdog of the public interest. However, serious questions are raised on the competence and credibility of the

Cabinet Secretaries vetting process that the Appointments Committee of the National Assembly conducted under the 'strange leadership' of the Speaker.

In his further dilemma he points that clearly, the process lacked rigour. The questions asked by the Committee members were shallow and the responses from nominees in many situations had little depth on policy and governance substance. The internal procedures and rules Parliament adopted were disabling. Deep inquiry into the background of the nominees was completely missed. The degree of public input and accessibility to the proceedings was minimal. The vetting process was highly pro-forma, perfunctory and rubber-stamping. Appointments Committee vetting provides evidence of the unhealthy growth of constitutional democracy. The wholesale approval of the nominees, including those with questionable pasts says a lot about the quality of our MPs.

The Kenya Police force is among the institutions that have been radically changed under the New Constitution yet been implemented. The first vetting of senior police officers started on 6th June and ended on 10th June. The government approved 148 million for the process. The panel for vetting police officers included Public Service Commission, Police Reform Implementation Committee, Kenya Anticorruption Commission, National Security Intelligence Service, Administration Police and the University of Nairobi.

Kenya National Commission on Human Rights termed the process as unconstitutional and unacceptable. The group challenged the police department to push for the enactment of the National Police Service Commission (NPSC) to vet the officers. The human rights commission also took issue with the membership of PSC saying it was not clear who exactly was carrying out the vetting process. According to Ransley report in 2009, the task force on police reforms revealed that there were serious management problems arising from among others, poor leadership, patronage, outright corruption and low staff morale.

In general there is no proper mechanism for vetting public officer, based on a group called the Association of Professional Societies in East Africa (APSEA) which has 30 professional associations from diverse professional disciplines. Professionalism is embedded within the constitution of Kenya and as such, as the umbrella body of all professionals in Kenya, APSEA has stake in the implementation. A major area of importance in the constitution is leadership values through its advocacy program for Governance Reforms project which has one of its main objectives as the improvement of ethical leadership in the public sector through vetting of public officers.

The vetting frameworks are governed by existing laws such as chapter six of the constitution of Kenya. Anyone appointed in state office should be a person of integrity and competence. He/she should practice honesty in the execution of public duties and should not compromise the interest of the public for his own interest. Article 35 provides for right to access information and such information can be used to deal with vetting of public officials. Article 260 provides the definition of those who are subjected to the standards contained in chapter six and they include all who hold constitutional offices as well as governors and others.

Challenges faced in Recent Vetting of Public Officers

Failure in vetting. The appointment of the chair to the TJRC sparked a lot of disagreement with some human rights activists filing a suit. Surprisingly, even as pressure piled for the chair to resign, he vowed to stay put posing the question as to how the vetting was done only to arrive at an individual whose integrity is in question. How could a committee comprised of diverse representation settle for a chair whose past actions are in question? This is just one example of a vetting process that was unsuccessful and that led to resignation of the chairperson Ambassador Kiplagat (<http://www.standardmedia.co.ke>).

Lack of constitutional clarification. Consequently, there is lack of clarification from the constitution, for example, section 11 (5) of the first schedule states that all interviews shall be conducted in private. Private interviews negate the whole system of transparency and accountability. Opening candidates' interviews to the public gives people an insight into the process and sense of candidates being considered for the bench.

Candidates for high judicial office must explain and justify themselves to the public which they pledge to serve. Article 159 is clear that judicial authority is derived from the people of Kenya who have a right to see and scrutinize for themselves the kind of people being appointed to the bench. Opening interviews to the public allows people to determine for themselves whether the commissioners act in a manner that best ensures the best candidates are selected. Open interviews are the apex of transparency.

Vetting manual. The committee has not set up standardized methods of vetting public officials. A vetting manual should be developed to guide and direct the committees on how to carry out the vetting process. This is particularly important as the new constitution is expected to significantly expand the number of public officials requiring vetting and approval by parliament before appointment.

Expertise of the vetting panel. When identifying colleagues to vet an application, it is important to make sure that the colleagues selected have expertise in the general area of research being proposed, though it is not necessary for them to have specialized expertise in the specific topic being proposed.

Indeed, a well written application enables even people working outside the field to understand the logic and rationale for the proposed project and to understand how the project was designed.

When colleagues vet an application, they will likely raise questions that may help the applicant refine ideas or simply help the applicant restate these ideas in a manner that is consistent with a general, rather than a specific, audience. Since the people who review applications for judicial merit are not necessarily experts in the specific field of research being proposed, they need sufficient information to help them fill in the intellectual gaps between what they know and what is being proposed (27 Kenya jurist Friday14, 2011; the task of judicial service commission).

Hostility of the panel. The interviews should be conducted in such a manner that the individual does not get intimidated in the process. Additionally, questions asked should strictly reflect the constitutional requirement. The panel at times goes an extra mile of attacking individuals on personal liking and disliking. A perfect example is when tourism assistant minister looked at chief justice nominee straight in the eye and posed, "are you gay?" Vetting process especially under the new dispensation is a historic process that should reflect the spirit of nationality hence should not be used as a forum to unleash hatred towards a candidate.

Gender. Consequently, the question of gender balance which is a constitutional requirement seems not to have received serious prominence since the shortlisted candidates reflect a totally imbalanced picture in terms of gender. For instance, in the position of chief justice only two ladies applied.

The extent to which the process is publicized is worrying. Apart from live coverage of the process on television, wider public especially in rural are disadvantaged.

Criteria for short listing. The key area where vetting seems to have missed the point is in the criteria used to nominate public officers. Technically, the process should be systematic, for example, by beginning with advertising vacancies in an open and public manner. This should be followed by short listing of successful candidates. At this stage, the public have a right to information on which criteria was used in short listing. It is indeed a fact that this process has so far failed in this area since the public only learn of candidates selected through media channels.

Restriction. On the other hand, interviewing of candidates is restricted only to the board. Civil societies and other legal practitioners are locked out in the interviewing session. Again, the board is more concerned on legal practice; judgments, academic qualifications and integrity while ignoring other aspects such as financial status, business associates which are very important and determinant in predicting the future behaviours of the candidates should they ascend to the higher office.

Asset declaration. Assets declaration should be adhered to as a part of code of conduct for public office holders in a bid to regulate their activities and safeguard their integrity of the public service thus deterring corruption. Without the possibility of the verification to confirm the authenticity of assets and liabilities declared by public office holders at the beginning and conclusion of their term of office, it seems an exercise is in futility to require public office holders to declare their assets.

Recommendations

- The vetting process should be multi-sectoral. For example, it should include representation from all interested parties like civil societies, religious groups, and student organizations where possible.

- Affirmative action should be adhered to when considering candidates for various posts. This should take care of constitution of Kenya 2010, Art. 20(2), 27(2-8), and other related rights. However, it is proper that rights must correspond with obligations set forth. The panelist in actualizing these should take caution to keep the processes within the objective.

- All aspects of vetting should be captured in the process. This should include the criteria used in terms of advertisement, short listing and interviews. In addition, the criteria used in short listing should be clear and made public on what was considered when short listing.

- There should be proper legislation on the process. All areas that require vetting should clearly be spelt out and the procedure for specific areas put in place. This will help in avoiding haphazard vetting like the one witnessed in police force where the police vetted themselves and there was no publicity hence rendering the process opaque.

- Political intrigues should not mix with the vetting process because by doing so, the process loses its objectivity. Candidates should be vetted based on their qualifications and in accordance with chapter six of the constitution and not on party affiliations.

Conclusion

The ethical issues in governance, ideally should be a legal aspect in that it should be guided by a set of procedures or rule to ensure that the process achieve its indented purpose and objectivity. However, the issue has been politicized in Kenya since the law making authority (legislature) has not legislated laws governing the vetting process. In the recent vetting process of the cabinet secretaries, the legislature acted as the rubberstamp to the executive appointees. The expertness of the vetting committee is also in doubt since the parliamentarians (political aspirants) were not vetted. This coupled with lack of political will to push for the enactment of laws on ethics and integrity.

Ethical issues come as a result of conflict with the laws, though, in as much as this is true; they are more of a political issue than legal. Why? The legal underpins itself on political elites in many a transitional democracies which Kenya is part of. Additional to this is the fact that the legislative role which is a political process takes charge of law making.

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References

- Chapter 6 of The New Constitution of Kenya 2010, Cap 84, Laws of Kenya.
- Developing Grounded Theory (3rd Ed.). Thousand Oaks, London, New Delhi: SAGE Publications.
- Development of a vetting frame work for public officers. Association of Professional Society in East Africa. Vetting of public employees in post conflict settings. Retrieved May 27, 2011, from U.N.D.P. bureau for crisis prevention and www.allafrica.com
- Fithen, C. (2009). The Legacy of Four Vetting Programs. An Empirical Review. Security System Reform Program, International Center for Transitional Justice, New York.
- Kenya jurist Friday 14, 2011; The task of judicial service commission.
- Levitt, H. M., Motulsky, S. L., Wertz, F. J., Morrow, S. L., & Ponterotto, J. G. (2017). Recommendations for Designing and Reviewing Qualitative Research in Psychology: Promoting Methodological Integrity. *Qualitative Psychology*, 4(1), 2–22.
- Mureithi, F. (2011). *Kenya TJRC Doesn't Deserve More Time*. March 5, 2011. Retrieved from Kenya anti corruption commission; Press release March 3, 2011.
- Ndegwa, A. (2010). TJRC Troubled As Clock Ticks To Its 2011 Deadline. *The Standard*, Online Edition Published on 16/04/2010. Retrieved May 25, 2011, from www.standardmedia.co.ke
- Office of the United Nations High Commissioner for human rights (2006). Rule of Law Tools For Post Conflict Status-Vetting, An Operational Frame Work. New York, Geneva.
- Ransley Report (2009). Ransley Report: a Task Force on Police Reforms 2009 recovery justice and security sector reform; publication 11-2006.
- Strauss, A., & Corbin, J. (2008). Basics of Qualitative Research: Techniques and Procedures for The Common Wealth Human Rights Initiative. *Round Table Conference on Police Reform In East Africa* (April 24, 2003), Retrieved April 5, 2011, from www.humanrights.org
- The Nairobi law monthly: the rational for judicial officers (2011). The Common Wealth Human Rights Initiative. *Round Table Conference on Police Reform In East Africa*, (April 24, 2003), Retrieved April 5, 2011, from www.humanrights.org
- The Public officer ethics act. Chapter 183-revised edition 2009. The National Council for Law Reporting Part 2 and 3.
- Wainaina, N. (2013). The International Center for Policy and Conflict. Retrieved from nwainaina@icpcafrica.org