MASS MEDIA COVERAGE OF CORRUPTION IN THE LAND SECTOR: IMPLICATIONS FOR POLICY AND REFORMS IN KENYA

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Abstract:

Globally, corruption poses a major challenge because it is at the heart of all other crimes, serious or petty. Kenya's commitment in the fight against corruption has severely been tested. In spite of many laws to address the scourge of corruption, the perception ratings have persistently remained high. While there is corruption in every sector, and in every nation as the Perception Corruption Indices indicates, land related corruption appear to have been given little focus by the media. We have a number of counties in Kenya where land adjudication has never been finalized since 1963 when the country attained independence. The reasons for this slow pace are probably a direct consequence of corruption. A review of literature on land related corruption indicates a paucity of studies on this sector in the country. However, there are many studies on corruption generally around the world. This desktop study set out to establish the types of land related corruption covered by the media around the world. Findings indicate that the governance challenges in land administration are the same even though their magnitudes vary. The typology includes bribes for various services; malpractices extend to preparing parallel titles for registered and unregistered parcels and titles issued outside the Government system among others. Other areas prone to corruption are transfer of property, valuations, buying and selling land, land registration, mutation, Surveying and land revenue officers. Land use planning divisions are amongst the very corrupt institutions. This study supports Borner, Brunetti, and Weder (1995) in calling for the restoration of watchdog journalism who argue that watchdog reporting is *"potentially a highly effective mechanism of external control"* against corruption. Secondly, given the power of the media to influence opinion, unless salience of land

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corruption is elevated, the public will not pick it as an issue for debate or least of all a matter of concern for policy makers to address. The study will make policy suggestions on how to deal with corruption in the land sector in Kenya by borrowing from those countries that have attempted

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1. Introduction & definition of corruption

Corruption remains one of the major global challenges. It is responsible for facilitating all other crimes ranging from terrorism, gun running, drugs, human trafficking, and illegal trade among others. No matter where it occurs, it is unacceptable and neither are all sectors nor nations free from corruption. Corruption is both a legal and social aberration and there should be national and transnational efforts to reduce its adverse effects. Harrison, E. (2007), suggests that the profile of 'corruption' in development talk has grown hugely in recent years. On the international stage, anti-corruption work takes a prominent place in the work of both bilateral and multilateral donors. She observes that from the time of James Wolfensohn's speech in 1996, when he famously, and for some, shockingly, referred to the 'cancer of corruption' in Africa, the World Bank has taken a leading role in the anti-corruption 'crusade' (Sampson 2005).

There is no universally agreed definition of corruption. However, according to Nataliya L. Rumyantseva, (2005), contemporary literature gives multiple definitions of corruption, all of which take into account one or another particular aspect, but none can account for its complexity. The most commonly used definition of corruption is the "*abuse of authority for material gain*" (Anechiarico & Jacobs, 1996). A similar definition of modem corruption is described as a violation of the legally established barriers that exist between public office and private interests or as an abuse of authority for private gain (Nye, 1967). The obvious virtue of this definition is that it provides a starting point for analysis of corruption by explicitly mentioning the separation of public and private interests. An alternative definition of corruption is the exchange of wealth for power, where the power is rooted in a public position (Jain, 2001). Lastly, *Klitgaard (1998),* developed a mathematical formula to explain or define corruption, thus C =M+D-A, since revised –C=M+O+D-A (where C-corruption, M-Monopoly, O-opportunity, D-discretion and A-accountability). *Klitgaard's* formula is however generalistic and has been described as trite and simplistic because it lacks empirical evidence to support it (Mathews Stephenson, 2014). Corruption encompasses bribery, theft, embezzlement, fraud, breach of trust, conflict of interest, and evasion of taxes among others.

Klitgaard's formulae appear to suggest that it is not entirely true to view corruption as only occurring or practiced by those who occupy public office. This perspective is echoed by Harrison, (2007), who point out that a series of scandals involving private-sector firms such as Enron and WorldCom in the USA has prompted some rethinking of the 'abuse of public office' definition. Transparency International and others now refer to 'the abuse of trusted authority for private gain'. Nonetheless, this still relies on a fairly simplified distinction between the public and private spheres, and glosses over whether, for example, those involved in particular acts see them as corrupt or not. Once the definition has been accepted and repeated, the problems with understanding its application do not trouble its users.

1.1 Background to the study

Corruption in the public sector is a widespread occurrence around the world. The media often reports cases of corruption in various countries and social subsystems including police stations, customs, political systems, courts, and businesses. Corruption has also become a subject of multiple research studies. Substantial efforts have been made by scholars of corruption who tried to understand the costs of corruption in customs (Larmour & Wolanin, 2001); police stations (Bouza, 2001); political systems (Kotkin & Sajo, 2002); and, more specifically, effects of corruption in one public sector (e.g., political) on other public sectors (e.g., health and education; Gupta, Davoodi, & Tiongson, 2000) and adverse consequences of corruption on economic development (Theobald, 1990). Some interesting studies try to identify the antecedents of political corruption (Fjeldstad, 2003).

The discourse of corruption in general has been increasing in recent years. However, its meaning and manifestation appear to differ. Pardo, (2004), cited by Harrison, (2007) argue that in any given society corruption is a changing phenomenon, some of its aspects and perceived morality are culturally specific and its conceptualization is affected by personal interest, cultural values and socio-economic status. In this key sense, corruption needs to be treated contextually and diachronically.

Hanlon (2002) citing the case for Mozambique, indicts development partners and the ruling party, *Frelimo*, for paying lip service to the subject of corruption and despite accolades from World Bank about how well his country was performing, "*ordinary Mozambicans have yet to see any real changes in their daily lives, despite official World Bank figures*," (p. 2). Hanlon's portrayal of the ruling elite in Mozambique compares to Kenya's, which also enjoyed western support despite evidence of massive corruption. Calderisi (2006) also indicts judicial systems in Africa for rampant corruption and frustrating delivery of justice. This aptly describes Kenya in 2002, and Goldenberg

related cases that were in courts for over 15 years with no hope of ever being concluded. A commission of inquiry had to be instituted in order to deal with Goldenberg cases and recommend a way forward (Marimba, 2010).

Writing about governance and corruption 18 years ago, Ayittey (1992) cited by Marimba (2010) blames African leaders for corruption and bad governance. The activities of political leaders and government officials in Kenya appear to fit this description, and this is where the media's role as a watchdog is in question. It is a known fact that Kenya like a number of African countries need budgetary support but it is also true that a lot of cash is stashed away in foreign capitals and the West does not appear to be in a hurry to ask questions about the true origins of such funds. However, some countries like Nigeria have been able to get some of the suspected loot back. Ayittey (1992) specifically observes that in the case for Kenya, corruption set foot in the country soon after independence and has got progressively worse with a past president institutionalizing it.

.   Ayittey (1998) revisits the issue of leadership and bad governance and suggests that African leaders and their western supporters perpetuate themselves in power, loot the national treasury and ruthlessly suppress any dissent. Further, many African countries face common problems, such as corruption, inefficient bureaucracies, inflation, and runaway government expenditures. Perhaps what Ayittey does not add here is that uncontrolled expenditure is one form of official corruption otherwise tight budget controls would easily put a stop to this. However, he further argues that Africans bear the ultimate responsibility for solving their own problems. This is a new position not noticeable in his earlier book (1992).

Calderisi (2006) suggests that the problems of Africa are traceable to culture, corruption and political correctness. This suggestion explains why governance issues in Africa particularly are difficult to deal with. Calderisi equates present day African leaders with traditional chieftains, who have enormous power and it is assumed that the spoils of political office will trickle down to their fellow tribesmen. It is no wonder corruption more often than not gets ethnicized as well, a reality that Kenya attest to. Whenever public officials are invited to appear before the anti-graft agency, they come accompanied by cheer leaders.

In Kenya, the last two decades, or so, few issues in the economy have attracted as much media attention as corruption in a general sense. While the effects of uncontrolled corruption will occupy academic discourse for some time to come, land related corruption is perhaps more visible because unlike liquid cash which is moved around, land is immovable in its location and it is ownership details that are falsified to confer unwarranted benefits.

Land is an important resource as a factor of wealth creation. When it is concentrated in the hands of few people or held for speculation purpose, then it denies the country the opportunity to be food sufficient. It is also a waste of financial resources on the part of land owners whose parcels are fraudulently taken away and have to result to expensive civil processes to recover their land back. This view is supported by Harrison, (2007) who suggests 'corruption' is also similar to 'poverty', in that it attempts to describe something, however inadequately, which exists 'in the real world' and can make people's lives miserable. Indeed, Molen P. and Tuladhar, A. (2006) citing World Bank, posit that access to land and land related benefit is an important factor to reduce poverty and create Economic growth (WB, 2003). He notes further that 'Abuse of discretion' might easily apply to the land issue, as the administration and management of land belongs to the domain of government authority (although cooperation with private sector and civil parties is common). Formal decisions are necessary to register a property, to grant a mortgage, to impose or lift restrictions and to allocate a certain land use, which implies discretionary powers of the public sector.

Rajeev K. and Nelson, M (2011) suggest that the nexus between government and corruption has intrigued researchers, policymakers and the public for quite some time. Government, by virtue of its monopoly on enforcement and, often as a monopolist in many industries and services, is in a unique position to affect both the demand and supply sides of corruption. On the supply side, enforcement agencies can act as a check against corrupt practices by deterring, apprehending and punishing both bribe takers and bribe solicitors (La Porta et al. 2004). However, this aspect becomes somewhat muddled when some enforcers are themselves corrupt (see Banerjee 1997). On the demand side, government officials are empowered to create bottlenecks in the performance of their duties (Brennan and Buchanan, 1980). These institutional obstacles (red tape) create conditions for the public to offer bribes (dubbed the "tollbooth theory by Shleifer and Vishny, 1993, 1999 also Guriev 2004). These bottlenecks are however, illegal and the officials involved know very well what they are doing is wrong. The will to punish is usually what lacks because of state and institutional capture by corrupt interests.

Fadairo O., Fadairo, A. and Aminu, O. (2014) suggest that there is a need that conscious effort and attention is needed to curb the negative effects of corruption on socio-economic transformation of the nation and that exploiting the media to expose corrupt practices in sectors of the nation's economy is the best way in shaping public opinions on the menace of corruption. This focused attention can be achieved by a media which is committed to promotion of public interest and reclaiming its role as the

fourth estate of government. In this manner, it can continually set the agenda for public discourse on corruption and other ails in society.

2. Statement of the problem

A casual analysis of the print media in Kenya appears to indicate a heavy concentration in the coverage of corruption in government and its institutions and in unfavourable light. However, land related corruption involves private individuals who collude with public officials to falsify land records. These malpractices are not good for investments in this sector and dispossess many vulnerable citizens. Images of displaced persons from various parts of the country are beamed by the press from time to time with the latest lot camping outside the Parliament buildings for months in 2016. The question no one seems keen to ask is: What happened to the parcels of land these 'internal refugees' occupied before various election cycles? Is it not another form of corruption for government to spend public resources to perennially resettle persons who in reality are not 'landless?' What happened to the parcels they owed and legally registered in their names before access and utilization to those parcels was 'denied? These are the questions we need to ask in order to change the narrative of landlessness.

How is media framing corruption in the land sector? Reporting corruption in socially undesirable terms especially when its effects are dramatized through use of testimonies of the poor in society could bring about a change of attitude and corrupt behaviour. However, it's doubtful if media is doing this. According to Donovan & Jalleh (2000), cited by Marimba, (2010), framing an issue from both positive and negative points of view produces different outcomes or responses. Further, it suggests that if a message is framed as having negative consequences if not adopted, compliance by the target audience is higher. Besides, the *"reported superiority of negative framing is consistent with information integration studies showing that negative information receives greater weight than positive information,"* (p.392). Thus, an issue packaged/framed differently produces different sets of outcomes.

Taversky and Kahneman (1981, 1987) also found that framing of an issue from a public safety angle helps individuals make choices as recommended by the media. It is therefore for the above reason that it is necessary to investigate how media is covering corruption in the land sector and how the issues are framed. Framing of societal problems such as corruption is critical because the media would be suggesting whether the public should be concerned or not.

While a lot has been written on political and economic related corruption, there is a paucity of studies in this region specifically devoted to land governance, of which

corruption is a subset. A search in major on line journals indicate a number of studies have been done on corruption generally and few on land sector specifically. Yet, land sector is very important and it is prone to many governance challenges. This is therefore a gap in available literature which I wish to fill by making a contribution. In addition, there is widespread corruption in Kenya and, in the land sector in particular and therefore it is curious that the media as a watchdog of society appear not have given it much prominence in Kenya.

3. Objective of the paper

To establish the types of land related corruption malpractices covered by the media around the world.

4. Theoretical framework

Framing Theory is used to anchor this review. Reporting corruption in socially undesirable terms could bring about a change of attitude and corrupt behaviour. However, it's doubtful if media is doing this. According to Donovan & Jalleh (2000), cited by Marimba, (2010), framing an issue from both positive and negative points of view produces different outcomes or responses. Further, it suggests that if a message is framed as having negative consequences if not adopted, compliance by the target audience is higher. Besides, the "*reported superiority of negative framing is consistent with information integration studies showing that negative information receives greater weight than positive information,*" (p.392). Thus, an issue packaged/framed differently produces different sets of outcomes.

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Mass media uses a number of determinants, including prominence, public interest, scale, personalities, oddity among others to assess their news worthiness which is then primed through framing in a manner that the viewing or reading public notices. It is assumed that anything the media publishes is a suggestion that the matter is important and therefore recommended for public discourse. An issue to assume importance, it must stand out or be prominent so that the reader notices. It is this

standing out through the choice of words, layout and graphics, placement (headlines, op end pages, back page, etc.), and prime time news that are central to framing theory. Framing theory of media effects central idea is the salience of the issues being covered or written about by the media. Its roots are traced to Erving Goffman since 1974. This is the theory, which underpins this study. If corruption and governance challenges in the land sector are not properly primed by the media, the suggestion to the public would be that these challenges are not important. How the issues are presented, or more precisely framed will create public outrage or treated as a non-issue. Framing theory is therefore at play when mass media coverage of an issue is concerned. In the following paragraphs, I trace the development of the Framing Theory (FT).

Framing since 1974 has invariably been described as a theory, a concept, second - level agenda setting or a paradigm: Goffman (1974), Scheufele (1999), Parker (2001), Severin and Tankard (2001), Luther and Miller (2005), Segvic (2005), and Smith (2007). Hallahan (1999), Severin and Tankard (2001), suggest that framing has been used as a new paradigm for understanding and investigating communication and related behaviour in a wide range of disciplines. Smith (2007) suggests that framing is now used across an array of disciplines as a concept that refers to the cognitive schemas by which people organize information about the world, while others see it as forming a paradigm by which political actors operate. Despite lack of consensus as to what framing is, it has been extensively used as a stand-alone framework in many media studies since the 1970s (Marimba, 2010).

According to Scheufele (1999) citing studies by McCombs, Shaw and Weaver (1997), framing is regarded as second level agenda setting. Scheufele further argues that *"the term second –level agenda –setting [was used] to describe the impact of salience of characteristics of media coverage on audiences' interpretation of these news stories"*, (p.103). McCombs et. al. also argues that due to the conceptual inconsistency associated with framing as a theory, *"other studies have referred to agenda setting, priming and framing without differentiation"* (p.103). Chyi and McCombs (2004) revisited the framing concept and suggest that there is a convergence of framing and agenda-setting in that since framing goes beyond the salience of an issue, both could move the two theories forward. According to the study by Chyi and McCombs (2004), *"this theoretical convergence is particularly helpful …. because [it shows how] the media build a news event's salience by emphasizing different aspects of the event during its life. Salience is, of course, the central concept in agenda-setting theory,"* (p.24). Since framing is linked to agenda setting, it becomes necessary to show the difference agenda-setting and framing theories.

4.1 Difference between agenda setting and framing

According to Wolf (2007), cited by Marimba, (2010), framing is different from agenda setting and recognizes that media content will have an effect on the audience based on existing frames that such audiences hold. This means public opinion will not shift purely on the basis of the media content alone but interplay of the two frames-media frame and audience existing frames. This is what Scheufele (1999) calls "*construction of reality built from personal experience, interaction with peers, and interpreted selections from the mass media*" (p. 105). The manner in which a news story is framed may make the audience buy what is proposed or influence in some way audience's existing frames.

The debate as to whether agenda setting is a theory or not is still evolving. Kosicki (1993) suggests, that agenda setting is a model, while others categorize it as a post-positivist theory due to "*its general explanations and causal relationships*" (p. 276). However, owing to the huge body of research available on agenda setting, those who regard it as theory are many. In a sense, both agenda setting and framing achieve the same results.

Scheufele, D. and Tewskbury, D. (1999) suggest that framing differs significantly from these accessibility-based models. It is based on the assumption that how an issue is characterized in news reports can have an influence on how it is understood by audiences. Framing is often traced back to roots in both psychology and sociology (Pan & Kosicki, 1993). The psychological origins of framing lie in experimental work by Kahneman and Tversky (1979, 1984), for which Kahneman received the 2002 Nobel Prize in economics (Kahneman, 2003). They examined how different presentations of essentially identical decision-making scenarios influence people's choices and their evaluation of the various options presented to them. The sociological foundations of framing were laid by Goffman (1974) and others who assumed that individuals cannot understand the world fully and constantly struggle to interpret their life experiences and to make sense of the world around them. In order to efficiently process new information, Goffman D. A. Scheufele & D. Tewksbury Models of Media Effects argues, individuals therefore apply interpretive schemas or ''primary frameworks'' (Goffman, 1974, p. 24) to classify information and interpret it meaningfully. Framing therefore is both a macrolevel and a microlevel construct (Scheufele, 1999). As a macroconstruct, the term ''framing'' refers to modes of presentation that journalists and other communicators use to present information in a way that resonates with existing underlying schemas among their audience (Shoemaker & Reese, 1996). This does not mean, of course, that most journalists try to spin a story or deceive their audiences. In fact, framing, for them, is a necessary tool to reduce the complexity of an issue; given the constraints they have to operate under (Gans, 1979).

On the other hand, Scheufele, D. and Tewskbury, D. (1999) argues that frames, in other words, become invaluable tools for presenting relatively complex issues, such as stem cell research, efficiently and in a way that makes them accessible to lay audiences because they play to existing cognitive schemas. As a microconstruct, framing describes how people use information and presentation features regarding issues as they form impressions. An explication of the relationships between agenda setting (and priming) and framing needs to bridge levels of analysis and answer (a) how news messages are created, (b) how they are processed, and (c) how the effects are produced. The development of a conceptual model that adequately explains the three effects should therefore address the relationships among them related to these three questions. Failing to do so will leave the field with a confusing set of concepts and terminologies. Perhaps the academy needs to come out clearly and explain that agenda setting, priming and framing occur simultaneously and it would be frustrating to point out where each begin and ends.

4.2 Frames and framing

Severin and Tankard (2001) cited by Marimba (2010), define a frame as *"a central organizing idea for news content that supplies a context and suggests what the issue is through the use of selection, exclusion and elaboration"* (p.277). Audiences/consumers of media content are all 'wired' and socialized differently. The communicator and the reader have pre-existing frames of mind. However, the communicator through selection, exclusion, framing and reframing attempts to influence the reader in some way-usually to buy in whatever perspective is being proposed thereby changing existing frames.

The idea of existing frames in audience's minds is supported by McQuail, (2002), when he suggests that "*analysis of frames illuminates the precise way in which influence over a human consciousness is exerted by the transfer of information from one location (such as a speech, utterance, news report or novel) to that consciousness*", (p.391). Other studies by Wolf (2007), Scheufele (1999), Shoemaker and Reese (1996) have also argued that audiences have existing frames, which media attempts to tilt. They call these pre-existing frames schemas.

In addition, according to Wolf (2007) therefore, "*framing refers to modes of presentation that journalists and other communicators use to present information in a way that resonates with existing underlying schemas among their audience*" (p.2). This suggestion implies that the media can deliberately influence public discussion of certain issues through framing in a bid to influence existing positions.

Severin and Tankard (2001) further reinforce the idea of "frames" by demonstrating that one idea can be presented in different ways. They cite the debate on

abortion, which invariably take two sides- the right of the unborn child on one hand and proponents of the rights of a woman to choose what to do with her body. Thus, "*to a certain extent, the advocates that succeed in making others accept their framing of the debate have already won the battle*" (p.277). This is particularly useful in health and marketing communication, where recommended behaviour is coached in desirable outcomes (Donovan & Jalleh, 2000; Taversky & Kahneman, 1981; 1987).

Chong and Druckman (2007) posit that framing helps audiences to think in certain ways or change their positions on the basis of what is being proposed. Ordinarily, according to these scholars, a consumer of communication content may have one frame of mind or a mixture of frames in varying degrees of clarity or vagueness. It is these 'frames' existing in the minds of the audience that the media target and influence. Media "*cynicism on the war against corruption*" is an example of a frame that can be deduced from the content in the print media. Gan, Teo and Detenber (2005), support the suggestion that media has certain enduring frames which they invoke while writing their stories. Thus, "*dominant news frames can be seen as journalism as usual,*" (p. 449) by non - media literate audiences. Chyi and McCombs (2004) also argue that journalists decide what to write or not. Therefore, a single news event can be framed in various ways, producing different versions containing different attributes. The motivation behind the story finds its way through framing. In the case of corruption news, journalists may introduce extraneous issues like ethnicity in order to divert public attention from real issues at stake.

According to McQuail (2002), frames are to be found across social sciences and humanities, and more importantly, they become part of the journalists' frame of reference and manifest themselves in what they write. Conversely, audiences too have existing frames and media attacks those frames or recommends how they should think. Indeed, McQuail argues that "*what journalists cover and how they cover it are not spur of the moment decisions but rather the news process is governed by predetermined organizational routines, among which is the use of pre-existing frames to cover news events,*" (p.449). McQuail further adds that framing is at work when media selects, and uses highlights of certain aspects to "*construct an argument about problems and their causation, evaluation, and or solution,*" (p.392). Those parts of the frame, which are selected and highlighted, create noticeability, which has been described as salience. Salience is the central concept in both agenda setting and framing.

Taversky and Kahneman (1981, 1987) also found that framing of an issue from a public safety angle helps individuals make choices as recommended by the media. Their widely cited experiment proved that respondents would make risk adverse choices as opposed to risk seeking choices depending on how the issue was framed. In

addition, they further suggest that *"by emphasizing a subset of potentially relevant considerations, a speaker [or a text] can lead individuals to focus on these considerations when constructing their opinions,"* (p.230). While acknowledging that there is evidence to support isolated cases of incompetence of citizens in use of media frames, Druckman's (2001) study suggests that citizens generally will respond to frames in the media content in a competent and well-reasoned manner. However, according to Hallahan (1999), what is clear is that framing operates by biasing the cognitive processing of information by individuals and by providing contextual cues that guide decision making and inferences drawn by message audiences. Research has demonstrated that cues, which propose positive and socially desirable outcomes, receive favourable appraisals. Agenda setting looks at which issues are trafficking in the press, while framing looks at how these issues are presented. Looking at the Kenyan media and how it operates, the role it can play in creating a hostile environment to corruption has perhaps not been fully exploited.

4.3 Literature review on corruption studies

Fadairo O, Fadairo A and Aminu O (2014) posits that corruption cut across all sectors of the economy as it is evidence in every sphere of the nation be it government/public sectors, unions, corporate or non-governmental organizations. They further suggest that corruption could be political, electoral, bureaucratical, institutional or cultural. Corruption take different forms which include accepting and giving bribery, theft, fraud, embezzlement, extortion, blackmailing, favouritism, nepotism, accepting undue advantage, using influence or paying for it, abusing power, documents forgery, exploiting conflicting interests, misappropriation of funds even if they were legally obtained.

What motivates people to engage in corruption? Aminu O et al. suggests that the reasons for the persistence of corruption in Nigeria has been attributed to factors such as obsession with materialism, compulsion for a shortcut to affluence, glorification and approbation of ill-gotten wealth by the general public (Ndiulor, 1999 cited in Dike, 2008). Dike (2008) asserted that lack of ethical standards throughout the agencies of government and business organizations in Nigeria is a serious drawback. The issue of ethics in public sector and in private life encompasses a broad range, including a stress on obedience to authority, on the necessity of logic in moral reasoning, and on the necessity of putting moral judgement into practice (Bowman 1991 cited in Dike, 2008). Dike however holds the view that, many Office holders in Nigeria whether appointed or elected do not have clear conceptions of the ethical demands of their position; even as corrupt practices are going off the roof, little attention, if any, is being given to this

ideal. The Nigerian situation is replicated in Kenya and many other developing countries, especially those at the bottom of the Transparency International Perception Index.

Corruption cuts across all sectors of the economy. According to Fadairo O., Fadairo A. and Aminu O. (2014) there is no one universally agreed definition. Nevertheless, their definition of corruption was very basic and would have expected them to cite scholarly definitions like those of Klitgaard. Citing Lipset and Lenz, (2000), they define corruption as efforts to secure wealth or power through illegal means, private gain at public expense or a misuse of public power for private benefit.

Fadairo O., Fadairo A. and Aminu O. (2014) used content analysis to determine the Newspaper coverage of corruption news in the major sectors of the Nigeria economy over a period of 5 years (2006 - 2010). They employed a multi-stage sampling technique to select three newspapers namely Tribune, The Nation and Guardian; and a total of nine hundred and thirteen (913) corruption articles generated from the 540 issues were analysed in this study. Data were collected on frequency of coverage, categories of items/stories, prominence, space allotment and depth of treatment of articles on corruption. Descriptive statistics such as frequencies, percentages and means was used to summarise the data collected. The method and sampling frame was in line with similar studies. However, content analysis only dwells on manifest content, which is cited as a weakness.

Fadairo O., Fadairo A. and Aminu O. (2014 found that frequency of coverage of corruption articles in year 2010 carries the highest percentage of 23.7% while the Nigerian Tribune ranked first on the coverage of corruption articles with a total number of 381 (41.7%) articles. Overall, prominence was given to inside page articles (87.4%) in all the three newspapers, however, the Guardian newspaper, reported the highest in the front page having 41.7%. Majority (76.7%) of the corruption articles fell in the news category with the Nigerian Tribune having 42.4%. More than half (56.8%) of space allotted to corruption articles is one-quarter page while the Nigeria Tribune recorded highest (61.4%) space allotment of full page. The politics/governance sector ranked first with a total of 522 news items accounting for 57.2% of the whole corruption stories while agriculture, transport and energy sectors occupied the lower rung of the ladder. Also, politics/governance sector had the highest level of prominence with score of 654. Study concluded that Politics/Governance, Service oriented (i.e. telecommunications and banks), and sports sectors are perceived to be more corrupt sectors in Nigeria.

Fadairo, O., Fadairo, A. and Aminu, O. (2014) posit that corruption attention has now shifted to the media due to what they describe as the pervasiveness of the vice. They also concluded that there is an increase in the coverage of corruption articles by

the media but articles are concentrated more on the inside pages of newspapers and space allotment to corruption articles is small as majority of these articles occupied one-quarter page of the newspapers. Politics/Governance, Service oriented (i.e. telecommunications and banks), and sports sectors are perceived to be more corrupt sectors in Nigeria given the relatively high prominence corruption news in these sectors attracted across the sampled newspapers. It is necessary to place the reportage of corruption articles on the front burner of Nigeria newspapers agenda giving the pervasiveness of the problem in the country. Also, efforts should be intensified by journalists in the area writing of editorials on corruption. This is required to raise a virile social movement against corruption in the country.

Park, C. (2012) provides a glimpse of corruption practices in America by reviewing press coverage in the State of Illinois. He analysed the news articles about political corruption published by the Chicago Tribune for the last ten years and suggests some alternative solutions to overcome the inappropriate framing routine of the media. He clearly identifies the problem of corruption in Illinois contrary to public opinion that the Americas are less corrupt. Thus he notes , 'Public corruption has been a serious problem for Illinois politics for a century and a half and Citing Dick Simpson (2012) suggests that Illinois is the third most corrupt state in America, and corruption costs Illinois residents about $500 million each year. He goes to posit that this appears more shocking considering that most international measures of corruption rank the United States among the lowest 10 percent of corrupt countries worldwide (Glaeser & Goldin, 2004). In terms of the important role media play in society, Park argue that Scholars often believe the media lead people to be informed, and informed citizens, in turn, are better able to hold public officials accountable. Thus, the media are especially expected to play a major role in preventing and fighting corruption by serving as watchdogs and mobilizing popular opinion against corruption.

In addition, the media usually provide a certain interpretation of corruption influencing the way they are discussed and evaluated in public debate. In the process of the social construction of political affairs, the media often adopt a framing strategy (Iyengar & Kinder, 1987; Valeda, 2002; Verdoolaege, 2005). Frames, first conceptualized academically by Goffman (1974), refer to, "*persistent patterns of cognition, interpretation, and presentation, of selection, emphasis and exclusion, by which symbol handlers routinely organize discourse, whether verbal or visual*" (Gitlin, 1980, p. 7). The manner of framing the news has a significant impact on how people come to understand social, cultural, and political realities (Gamson, 1992).

Park defines corruption as "*the process by which a well-functioning system of government decays into one that fails to deliver and maltreats its citizens*" (Glaeser & Goldin,

2004, 5). The Greek historian Polybius (c. 200-118 BC) stated that monarchy corrupts into tyranny, aristocracy into oligarchy, and democracy into mob rule (McGing, 2010). He continues to add that during the nineteenth century, the definition of corruption focused on systemic failure of a regime changed into a notion specifically related to public officials receiving bribes from private individuals. Bribery was generally an illegal reward in exchange for some government-controlled resources, such as an overpayment for a service or public property or an exemption from government regulation.

Park further posits that today, the complex nature of corruption is increasingly making it difficult for scholars to agree on a single definition of corruption. The definition of corruption varies depending on differences in culture, attitude and environment. What is seen as a corrupt act in one society may be accepted as legitimate in another society (Nye, 1967). Sandholtz and Koetzle (2000) have suggested three approaches in analyzing corruption: public interest, public opinion, and the legal norm. The drawback of this argument is that it is not clear who should define the public interest – the elite or the ordinary people -- and how public opinion can be sufficiently representative of the view of the majority.

Parks study, though not examining corruption in the land sector has looked at corruption generally as a social ill. It specifically deals with how the media portray political corruption, based on the framing theory, i.e., how the media frame news about corruption and describe its consequences. Among the numerous variants of the framing approach, his paper especially employed Iyengar's episodic/thematic method. According to Iyengar (1991, 1996), media coverage of political issues falls into two distinct genres: "thematic" and "episodic" news frames. The thematic frame places an issue in some general context and usually takes the form of an in-depth, structural report, whereas episodic framing describes issues in terms of individual instances or specific events. If the episodic frame predominates over the media coverage on political corruption, we can say the media are not doing their watchdog role well, which a majority of audiences expects in a democratic society.

Park's study focuses on the media coverage of political corruption. He used content analysis to investigate how the media framed political corruption in Illinois newspapers. Park chose Chicago Tribune because it had sizeable public reach. Chicago Tribune is the biggest daily newspaper in Chicago and Illinois. Using the Chicago Tribune's electronic archival database and the ProQuest Service, Park conducted a ten-year retrospective search from July 1, 2001, to June 31, 2011, of Chicago Tribune articles.

Using descriptive analysis Eighty-five percent of the articles showed a negative attitude toward corruption scandals, while fifteen percent of the sample articles held a

neutral position. The neutral tone articles did not indicate any specific judgmental attitude. The analysis revealed that the Tribune prioritized investigation as a subject over other content types. About one third (37.6 percent) of all cases were about investigations, hearings, trials from the police, prosecution, and court. By comparison, stories about systemic explanations or remedial actions accounted for only 17.3 percent of all news stories. Stories describing individual life explained 6 percent of all stories.

Park in analysing episodic and thematic frame stories, he found some significant results. First, although the number of media reports about political corruption scandals is considerable, local newspapers typically do not engage in meaningful corruption debates. Second, media coverage tends to employ the episodic approach, ignoring the wider context in which the corruption scandal has occurred. This bias leads to an illusion that the corruption problems will disappear when the perpetrators are convicted. And by obscuring the connections between an individual corruption scandal and its context of occurrence, episodic news trivializes public discourse on fundamental reasons of the scandal. Third, popular perceptions about corruption are distorted due to the type of media coverage received. Citizens would not be active in anti-corruption debates if the information they obtain from the media puts little emphasis on the backgrounds, consequences, and solutions of corruption and no active public participation is encouraged.

The news stories in Illinois papers did not center on the 20 structural variables that nurtured political corruption, but on the individual, moral, and ethical problems. The protagonists of the story were not structural entities such as the political system or the party structure, but concrete subjects such as the politicians investigated. The media did not bother to throw light on the structural factors favouring corruption, preferring to concentrate almost exclusively on the lack of professional ethics among politicians. Although it is often entertaining when the press goes on a feeding frenzy and topples a powerful politician, the public is seldom invited to think about larger questions of power, systemic corruption, or the possibility of participating actively in devising institutional reforms (Paletz & Entman, 1981). Rather, media coverage characterized by personalization and dramatization consistently marginalizes citizens and the vitality of democracy is threatened (Bennett, 1992). In my view, the media should get the citizens directly involved in fighting graft. Corruption matters should be framed in a way that encourages citizen's activism against it and discourage passivity. When play grounds and road reserves are grabbed, it is a passive community that allows the grabbers quiet enjoyment. The community has the power to say no to such malpractices and the media should be at the forefront in encouraging resistance against malpractices in society. The

media has to choose between public interest, for which it exists or to be on the side of the corrupt individuals.

Transparency International (TI), (2011), recognizes that corruption in the land sector is a serious governance challenge globally. Thus, 'as evident around the globe, where land governance is deficient, high levels of corruption often flourish. Weak land governance tends to be characterised by low levels of transparency, accountability and the rule of law. Under such a system, land distribution is unequal, tenure is insecure, and natural resources are poorly managed. As a consequence, social stability, investment, broad-based economic growth and sustainable development are undermined'.

TI further suggests effective and enforceable land governance provides a necessary framework for development and an important defence against many forms of corruption. Proper land governance supports food security and ensures sustainable livelihoods that are essential for people and countries that rely on land as one of their main economic, social and cultural assets. Citing empirical findings from more than 63 countries, data suggest that where corruption in land is less prevalent, it correlates to better development indicators, higher levels of foreign direct investment and increased crop yields.

Further, TI posits that corruption in land is often the culprit or an offspring of the breakdown of a country's overall governance. Recent findings by TI show that there is a very strong correlation between levels of corruption in the land sector and overall public sector corruption in a country. This result suggests that countries confronting pervasive public sector corruption are also suffering from a corrupt land sector — a finding which has broad and important implications for ensuring the integrity and effectiveness of initiatives related to natural resource management, including climate mitigation projects and agricultural output initiatives.

Corruption in the land sector can be found in statutory as well as in customary systems and is generally characterised as pervasive and without effective means of control and manifest in "*small-scale bribes and fraud (e.g. administrative corruption), to high-level abuse of government power and political positions (e.g. political corruption). Corruption, whether administrative or political, does not favour the establishment of long-term national or local land strategies. When corruption is present in the land sector, related actions and decisions are driven by distorted interests and policies that favour the few*", (TI, 2011)

TI further suggests administrative corruption occurs in public administration and government services are a common feature in the land sector. It can take the form of small bribes that need to be paid to register property, change or forge titles, acquire land information, process cadastral surveys, and generate favourable land use plans.

Such bribery is facilitated by complicated processes and limited information about available services and any applicable fees. For example, a recent World Bank study on land administration in Vietnam found that incomplete and unclear information about administrative procedures was made available to the public. It also noted that the processes for issuing property rights and certificates were complicated and expensive. These suggestions are familiar with Kenyan situation.

Ebiede, T (2011) study on the Niger Delta explains the conflict in the region by examining the failures of the oil industry to promote the development of the region. It argues that the oil industry has instead undermined development in the area (Ibaba 2005; Ikein 1991; Enyia 1991; Okoko and Nna 1997; Aaron 2006). It further notes that the oil industry has negatively impacted the environment, thus leading to poor environmental conditions, declines in productivity, and occupational displacement (UNDP 2006: 175–311; Opukri and Ibaba 2008: 173–93). The major activities of the oil industry that negatively impact the Niger Delta area are gas flaring and oil spillages. These unchecked environmentally unfriendly activities of the oil industry make the utilization of the environment for the livelihood of the local people unsustainable (Obi 1997).

Another strand of the literature on the Niger Delta is the political economy discourse that conceptualizes the conflict as a manifestation of failure in governance, most notably through wasteful and corrupt management of resources (Seun 2008; Ibaba 2008). The literature on the Niger Delta tends to be bifurcated into those that seek to explain the conflict in terms of the negative environmental effects of the oil industry and those that focus on the political failures to properly manage the wealth accruing to the region from crude oil production. These two views are rarely presented concurrently as a causal duo in explaining the Niger Delta conflict. The questions that this situation presents for scholars and policy advocates are: Why is it that the environmental discourse on the Niger Delta tends to leave out the political dimensions of the problem? Similarly, why do critics of political corruption so often fail to account for the environmental aspects of the conflict? Do environmental and corruption issues obscure each other? His study sought to redirect the scholarly and policy debates by concurrently examining the environmental degradation and corruption discourses as a causal duo in explaining the Niger Delta crisis.

Ebiede, T (2011) describes the Niger Delta region as the soul of the oil industry in Nigeria. It is the place where most of the production occurs. Thus, the physical environment of the Niger Delta is intricately linked to oil production. The exploration and production of crude oil by multinational companies has been unfriendly to the Niger Delta natural environment (Opukri and Ibaba 2008). There is an interaction

between the environment and the oil industry that endangers the sustainability of the natural environment. The production process negatively impacts the environment: the effects are known to endanger the plants and animal species within the areas of oil exploration and production that the local population depends upon for survival. The devastating effects of the oil industry on the Niger Delta environment have been attributed mainly to oil spillage owing to equipment failures and sabotage of oil industry equipment. According to the Department of Petroleum Resources (DPR), approximately 2,369,470 barrels of oil were spilt in 4,647 incidents between 1976 and 1996 (Nwilo and Badejo 2008: 1221). The spills endanger the livelihood of the local communities. These environmental problems have led to the incessant violent confrontations that characterize the oil companies' relation with host communities.

He continues to suggest that another major oil exploration and production activity that endangers the environment is the flaring of natural gas, which also harms humans and animals. While the oil companies have made some environmental protection advances, their main defense against the accusations of corporate irresponsibility in the Niger Delta has been to attribute the problems to sabotage. A major point made by the multinational oil companies is that members of the local communities in the oil-producing areas engage in illegal activities such as oil theft and oil bunkering. Indeed, this is a significant problem. As Kemedi noted: "*Illegal oil bunkering has become an increasingly significant issue over the last six years*". In 2000, it was reported that 140,000 barrels of crude oil was stolen each day. In 2001, the reported figure had dramatically risen to 724,171 barrels per day. The average daily figure from January to October 2002 was 699,763 barrels. In 2003, it had fallen to around 200,000 barrels and in 2004 risen to around 300,000 barrels per day. The significant drop in the amounts stolen between 2002 and 2003 may be associated with the strong claims that the amount stolen is considerably under-reported (Kemedi 2005: 16). In supporting this argument, the SPDC published a report showing that from 2003 to 2007, 70% of crude oil spillage was caused by sabotage, while equipment corrosion, human error, and other factors constitute about 30% of crude oil spillage (SPDC 2008: 20). However, activists in the region see the problem differently. As the late Ogoni rights activist Ken Saro-Wiwa stated: Oil exploration has turned Ogoni into a wasteland: lands, streams and creeks are totally and continually polluted; the atmosphere has been poisoned, charged as it is with hydrocarbon vapours, methane, carbon monoxide, carbon-dioxide and soot emitted by gas which has been flared twenty-four hours a day for thirty three years in very close proximity to human habitation. Acid rain, oil spillages and oil blow outs have devastated Ogoni territory. High pressure oil pipelines crisscross the surface of Ogoni farmlands and villages dangerously (Okonta 2005: 10). This reality is true of the

other areas of the Niger Delta region. The Ogoni struggle for environmental and social justice has served as a reference point for most indigenous movements demanding justice in the Niger Delta. Evidently, the oil industry has disrupted the pristine nature of the Niger Delta environment. However, this does not endanger the environment to the extent that it impedes the continuity of the production of crude oil. But painfully, it degrades the environment to the extent that it is undependable for livelihood by the aborigines of the Niger Delta who hitherto depended on the environment for basic necessities. As a result, resources such as fresh and safe water, aquatic life, plants, animals, and arable land are polluted and endangered in the Niger Delta. Citing Onuoha (2008) he argues that this situation has led to scarcity, disrupted the socioeconomic life of the people, and created conflicts in the region.

Ebiede, T (2011) further argues that the dependence of the local communities in the Niger Delta region on the natural environment for basic sustenance creates an attachment between them and the environment that gives the people a solemn duty to protect the environment from degradation. Therefore, conflicts between the intruders and the natives are most likely to occur whenever there is an evident threat to the environment and the people's livelihood. To an extent, this basic instinct for survival explains the early stages of local resistance, which has now culminated in a virtual civil war. What the media is not probably bringing out clearly is that corruption in Nigeria and in the oil –mineral sector is responsible for conflicts in this region and elsewhere in Africa. DRC has known no peace for many years courtesy of the gold and diamond deposits in that country. Indeed, Ebiede concludes in the affirmative that Oil Revenues and Corruption in the Niger Delta are responsible for the Conflicts. Thus, despite its negative impacts on the environment and the livelihoods of the people, the oil industry has been a source of huge revenues to the states in the Niger Delta region. The key question is how are the oil revenues, accruing to the Niger Delta states from the federal government and the oil companies, used? This question is a critical complement to the environmental discourse on the Niger Delta conflict. The literature on natural resources and conflicts has addressed the uneven social and economic effects of natural resources on the places where they are produced. In some countries, natural resources have resulted in enormous wealth and prosperity. In Nigeria, however, oil exploration and production has brought untold hardship to the majority of the native population, while the elite benefit through rent seeking and corruption. The latter case, which leads to widespread poverty, is what Paul Collier refers to as the natural resources trap that undermines economic and social development in sub-Saharan Africa (2007: 38–52).

He further observes that corruption fuels the crisis in the Niger Delta region and creates new challenges for resolving the conflicts. The interrelated factors of corruption

and environmental degradation explain the prevalence of poverty in the region (UNDP 2006). This paradox of poverty amid wealth largely accounts for the violence in the region.

Brankov , T. & Tanjević, N. (2013) suggests that corruption is both a major cause and a result of poverty around the world and that corruption in the land sector can be generally characterized as pervasive and without effective means of control. Corruption has been going hand in hand with mankind from its beginnings. There is no doubt that it is a great mischief. Summing up the consequences of corruption, Council of Europe Criminal Law Convention on Corruption preamble emphasizes the following: *"Corruption undermines the rule of law, democracy and human rights, undermines good governance, fairness and social justice, distorts competition, hinders economic development and endangers the stability of democratic institutions and the moral foundations of society"*.

Brankov, T & Tanjević, N (2013 further observes that the land sector is not immune to corruption, since the phenomenon of corruption and its various forms threaten almost all economic sectors of a country. World is facing a food crisis which pushes agricultural commodity prices to record highs and increasing numbers of poor and hungry. Citing the Food and Agriculture Organization (FAO) data, they argue that the world has 868 million undernourished. There are many inter-related issues causing hunger, which are related to economics and other factors that cause poverty. They include land rights and ownership, diversion of land use to non-productive use, increasing emphasis on export-oriented agriculture, inefficient agricultural practices, war, famine, drought, over-fishing, poor crop yields, etc. But, one of the reasons for increasing the number of hungry people is corruption, especially in the land sector. They continue to add that corruption affects the poorest the most, in rich or poor nations, though all elements of society are affected in some way as corruption undermines political development, democracy, economic development, the environment, people's health and more.

Sustainable agricultural growth is often effective in reaching the poor because most of the poor and hungry live in rural areas and depend on agriculture for a significant part of their livelihoods. Rapid progress in reducing hunger requires government action to provide key public goods and services within a governance system based on transparency, participation, accountability, rule of law and human rights (FAO, 2012a).

This study, focusing on Serbia sought to examine - corruption in the land sector as one of the causes of rising poverty. Based on the existing relevant literature, mainly the data of the international organization, analysis and synthesis methods were applied to this study. Land governance is about the policies, processes and institutions by which

land, property and natural resources are managed. This includes decisions on access to land, land rights, land use, and land development. Land governance is basically about determining and implementing sustainable land policies and establishing a strong relationship between people and land (FIG, 2010). As a system, land governance is ultimately centered on how people use and interact with land. Sound land governance is fundamental in achieving sustainable development and poverty reduction and therefore a key component in supporting the global agenda, set by adoption of the MDGs. The land management perspective and the role of the operational component of land administration systems therefore need high-level political support and recognition. Sustainable land governance should: provide transparent and easy access to land for all and thereby reduce poverty; secure investments in land and property development and thereby facilitate economic growth; avoid land grabbing and the attached social and economic consequences; safeguard the environment, cultural heritage and the use natural resources; guarantee good, transparent, affordable and gender responsive governance of land for the benefit of all including the most vulnerable groups; apply a land policy that is integrated into social and economic development policy frameworks; address the challenges of climate change and related consequences of natural disasters, food shortage, etc., and recognize the trend of rapid urbanization as a major challenge to sustain future living and livelihoods (FIG, 2010).

The study further suggest that effective land governance supports food security and ensures sustainable livelihoods that are essential for people and countries that rely on land as one of their main economic, social and cultural assets. Empirical findings from more than 63 countries show that where corruption in land is less prevalent, it correlates to better development indicators, higher levels of foreign direct investment and increased crop yields (TI, 2011). Countries suffering from an intensive corrupt public sector are also confronting land sector corruption. This is supported by recent TI finding that suggested strong correlation between levels of corruption in the land sector and overall public sector corruption (TI, 2011). Land governance and anti-corruption now feature in the agenda of multilateral organizations such as the FAO, World Bank (WB) and UN-HABITAT. FAO is developing Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security promote secure tenure rights and equitable access to land, fisheries and forests as a means of eradicating hunger and poverty, supporting sustainable development and enhancing the environment. These guidelines were officially endorsed by the Committee on World Food Security on 11 May 2012. Since then implementation has been encouraged by G20, Rio+ 20, United Nations General Assembly and Francophone Assembly of Parliamentarians (FAO, 2012b).

Furthermore, the governance of tenure is a crucial element in determining if and how people, communities and others are able to acquire rights, and associated duties, to use and control land, fisheries and forests. Weak governance is often cause of many tenure problems, affects economic growth, investments, environment and social stability. Because of corrupt tenure practices or if implementing agencies fail to protect their tenure rights people may even lose their lives if it leads to violent conflict. The WB has developed a Land Governance Assessment Framework (LGAF). LGAF which focuses on five key thematic areas that have been identified as major areas for policy intervention in the land sector. These are: legal and institutional framework, land use planning, management, and taxation, management of public land, public provision of land information, dispute resolution and conflict management. It is made up of a range of indicators that are then ranked as a performance measure relevant to a specific theme (WB, 2012). At UN-HABITAT, The Global Land Tool Network (GLTN)'s main objective is to contribute to poverty alleviation and the Millennium Development Goals through land reform, improved land management and security of tenure. GLTN aims to establish a continuum of land rights, rather than just focus on individual land titling; improve and develop pro poor land management as well as land tenure tools; unblock existing initiatives; assist in strengthening existing land networks; improve global coordination on land; assist in the development of gendered tools which are affordable and useful to the grassroots; improve the general dissemination of knowledge about how to implement security of tenure (UN-HABITAT, 2012).

Brankov, T. & Tanjević, N. (2013) posit that corruption in the Land Sector can be generally characterized as pervasive and without effective means of control (TI, 2011). It can be divided into two groups, small- scale and big-scale corruption. Small-scale corruption includes administrative corruption, while big-scale means political corruption. According to TI there are a number of areas of land sectors that are at risk of corruption in various forms. The most important areas vulnerable to corruptions are: land administration, customary land tenure, management of state-owned land, land use planning, conversion and investments and payments for environmental services. Dominant risk factors are inadequate land laws and procedures and unclear institutional responsibilities or property rights, lack of transparency in different processes and procedures and bureaucracy. The most common form of corruption is bribery of government officials (TI, 2011).

While Risks and Forms of Corruption in the Land Sector include: - Inadequate land laws and procedures; - Excessive or unpublished fees for land services; - Lack of recognition of land uses and rights; - Under-developed and non-transparent land registration systems; - Absence of up-to-date and accurate land records; - Existence of

multiple land management authorities; - Irregular practices in the collection of land taxes; - Limited accessibility of services - Lack of effective compliant, grievance and oversight mechanisms; - Absence of a code of conduct. - Bribery of land administration officials and law enforcement authorities; - Fraud and production of false land claim documentation.

On the other hand, customary land tenure also has its governance challenges, which include:- Lack of legal recognition and delineation of customary land; - Traditional practices of payments and exchanges; - Opaque systems, absence of outside control and lack of clarity in allocation of land; - Monetarisation and speculation on land sales. - Abuse of power by chiefs; - Conversion of property and capture of revenues by chiefs and influential people; - National institutions and business interests override local land rights. Management of state owned land - Lack of inventory, delineation and management of state land; - Irregularity of land prices for disposal and acquisition; - Unclear institutional responsibilities and decision mechanisms; - Absence or lack of clarity of regulations for leasing land or exercising eminent domain; - Lack of effective compliant, grievance and oversight mechanisms. - Bribery of government officials to obtain public land at a fraction of market value; - Manipulation of compulsory land acquisition and compensation processes by government officials and investors; - Irregular conversion of property and land classification status by government officials.

Risk in Land use planning, include conversion and investments - Lack of transparency of planning processes and land allocation procedures; - Opaque, slow and bureaucratic processes for issuing building development permits; - Unclear land use and property rights; - Lack of effective complaint, grievance, independent oversight and enforcement mechanisms; - Lack of an independent media. - Capture of rents and profits originating from land conversion and re-zoning by government officials and investors; - Abuse of government officials' discretionary power to propose real estate and land developments that increase the value of her/his personal property; - Acquisition of land through state capture and/or by investors and developers having received insider information from government officials; - Bribery of government officials by investors and/or developers.

5. Methodology

This paper is based on secondary data and will review sample studies on corruption generally and in the land sector around the world. Specifically, it was a Desk Research technique which is mainly used by sitting at a desk. Desk research involves collecting

data from existing published resources. My study therefore involved Online Desk Research by browsing previous studies in the area of corruption and land governance.

5.1 Sampling

The nature of this literature based study suggested the sampling procedure. Since a list (sampling frame) of studies on coverage of land related corruption does not exist, I chose to use non-probability sampling procedure which is also known as biased sampling. In non-probability sampling, items for the sample are selected deliberately. The distinguishing difference between probability and non-probability sampling procedures is that while in probability sampling each unit has a probable chance of being included in the sample, there is no way of specifying the probability of each units inclusion in the sample when it comes to non-probability sampling technique (Mugenda & Mugenda, 2003) cited by Kimalu and Marimba (2014). Non-probability sampling procedure has four techniques namely; Purposive sampling, Voluntary sampling, Snowballing sampling and Quota sampling. In this respect, I used purposive sampling which is used when the desired population is rare or very difficult to locate. It is also known as judgmental, subjective or selective sampling and the sample is constructed to serve a very specific need or purpose (Kimalu & Marimba 2014). I therefore searched through online journals like Jstor, Springer, Google, Emerald among others and selected those journal articles which had corruption and land governance issues generally in recent years.

The selected articles themselves adopted a variety of research techniques such as Content Analysis, Surveys, qualitative techniques like Focus Group Discussions and Key informants. Below is a sample of methodologies used in select research studies.

TI carried out a survey in 2009 and 2011 in 69 countries. This was a combination of desk research and surveys. They used existing data from Transparency International and other global data sets. For TI, the Corruption Perceptions Index (CPI) was used as well as specific data on corruption and land that was extracted from the results of the Global Corruption Barometer (2009). For the other areas, the data sources looked at national income, human development, crop yields and foreign direct investment (FDI). All these data sets are available in government papers.

Fadairo O, Fadairo A and Aminu O (2014) used content analysis to determine the Newspaper coverage of corruption news in the major sectors of the Nigeria economy over a period of 5 years (2006 - 2010). They employed a multi-stage sampling technique to select three newspapers namely Tribune, The Nation and Guardian; and a total of nine hundred and thirteen (913) corruption articles generated from the 540 issues were analysed in this study. Data were collected on frequency of coverage,

categories of items/stories, prominence, space allotment and depth of treatment of articles on corruption. Descriptive statistics such as frequencies, percentages and means was used to summarise the data collected.

Chang Sup Park, (2012) used content analysis to investigate how the media framed political corruption in Illinois newspapers. Citing Wimmer and Dominick (2006), Marimba define content analysis as a method of studying and analyzing communication in a systematic, objective, and quantitative manner for the purpose of measuring variables. Content analysis can use both qualitative and quantitative approaches to research. Park chose Chicago Tribune because it had sizeable public reach. Chicago Tribune is the biggest daily newspaper in Chicago and Illinois. Using the Chicago Tribune's electronic archival database and the ProQuest Service, Park conducted a ten-year retrospective search from July 1, 2001, to June 31, 2011, of Chicago Tribune articles. Collecting articles was done in two stages. Initially, he searched for articles with the keyword "political corruption" in the title and the body. This yielded a total of 5,362 possible articles. Among these, 300 news articles were chosen finally by using a random sampling method. Then, episodic and thematic frames were coded according to several yardsticks

Marimba, (2010), used content analysis and focused on the manifest content of the two dailies. In order to find out the images of corruption as framed by Kenya's Dailies, the researcher used the following categories, which were constructed based on the literature review, pre-test of the two dailies in the months of January to April 2009, and the dictates of the theoretical framework. The following are the categories: Type of story: Placement of corruption stories: This meant the place where the story was located within the newspaper pages, Police corruption frame, Government corruption frame, Public services and Parastatal corruption frame Kenya Anticorruption Commission (KACC) frame, Other anti-corruption institutions frame, Political frame of corruption, The socio-economic frames of corruption, Legal frame of corruption, Private sector corruption frames, Region/ethnic corruption frame, Civil Society frames of corruption, Other corruption frame and Other type.

The Population for this study was drawn from print media and specifically two national newspapers selected on the basis of the Steadman (2008) media monitoring report which suggests that, the *Nation* and *the Standard* newspapers accounted for nearly 80% of the newspaper readership in the country. The total number of newspapers (population) was 4380 arrived at by multiplying two newspapers per day by 365 days over the six year period under study.

A sample size of 20% was picked (20% of 4380) translating to 876 articles. The interval was obtained by dividing the population over the sample. The sampling

interval therefore was five. The first five days of the first year were therefore written down on pieces of paper and put in a container after which a number was picked randomly. Once the start was determined, the rest of the days followed in that order with the 5th newspaper being picked for analysis and in this manner, all leap years were accommodated in the sample. After the data was collected, 417 newspapers were found to have corruption content out of 906 newspapers sampled.

Data were analysed using Predictive Analytics Software (PASW) formerly Statistical Package for Social Sciences (SPSS) and Stata (a data analysis and statistical software). The results were presented in percentages and visual communication tools such as tables, line graphs, pie charts, and bar graphs.

Sampling and sources of Data for the TI, (2011) study was drawn from a number of sources which included: GCB: Global Corruption Barometer 2009– The 2009 Global Corruption Barometer (GCB) surveyed a nationally representative sample of more than 1000 people in each of the 69 countries included in the study. The surveys were conducted between October 2008 and February 2009 by Gallup International (and their affiliates) on behalf of Transparency International.

The survey asked two questions relating to corruption in land management. These questions were funded by the Food and Agriculture Organization (FAO) of the UN and developed in collaboration with international experts on the topic. Responses were scored on a scale from 1 to 5. Answers given as "Don't know/Not applicable" were excluded from the calculations. The scale from 1-5 was then averaged across the population in each country, to calculate the average perception of corruption in land management in a given country, as relating to the two separate questions above (10.A and 10.B).

CPI: Corruption Perceptions Index 2009 – The CPI is an index produced annually by Transparency International, which scores and ranks countries on the perceived levels of corruption in that country. For this analysis, we used the 2009 data to be consistent with the GCB results. In 2009 the CPI scored and ranked 180 countries on a scale of 0-10, with scores ranging from 1.2 (highest perceived corruption) to 9.7 (lowest perceived corruption).

GDP: Gross Domestic Product per capita – This data comes from the United Nations Development Programme (UNDP) and provides the GDP per capita, given in Purchasing Power Parity (PPP) terms, for 2009. The data covers 174 countries from US$ 520 (Sierra Leone) to US$ 61,000 (Luxembourg).

HDI: Human Development Index 2009 – The HDI is an index produced annually by the UN Development Programme (UNDP). This index combines data on life expectancy, educational attainment and income to score and rank countries. For this

analysis we used the 2009 data to be consistent with the GCB results. In 2009 the HDI scored 175 countries on a scale of 0-1, with scores ranging from 0.27 (least developed) to 0.96 (most developed).

Crop: Cereal yield 2009 – This data comes from the Food and Agriculture Organisation of the United Nations. The data measure the average kilogram (kg) of cereal output per hectare of farmland. The data covers 182 countries and ranges from 2,236 (Cape Verde) to 97,107 (Belgium).

INV: Investment as a share of GDP 2007 – This data uses the Penn World Tables data for the share of investment as a percentage of GDP. The range of data is between -7 per cent (Sierra Leone) and 78 per cent (Suriname).

6. Findings & discussions

Fadairo O., Fadairo A. and Aminu O. (2014 found that frequency of coverage of corruption articles in year 2010 carries the highest percentage of 23.7% while the Nigerian Tribune ranked first on the coverage of corruption articles with a total number of 381 (41.7%) articles. Overall, prominence was given to inside page articles (87.4%) in all the three newspapers, however, the Guardian newspaper, reported the highest in the front page having 41.7%. Majority (76.7%) of the corruption articles fell in the news category with the Nigerian Tribune having 42.4%. More than half (56.8%) of space allotted to corruption articles is one-quarter page while the Nigeria Tribune recorded highest (61.4%) space allotment of full page. The politics/governance sector ranked first with a total of 522 news items accounting for 57.2% of the whole corruption stories while agriculture, transport and energy sectors occupied the lower rung of the ladder. Also, politics/governance sector had the highest level of prominence with score of 654. Study concluded that Politics/Governance, Service oriented (i.e. telecommunications and banks), and sports sectors are perceived to be more corrupt sectors in Nigeria.

Molen, P. and Tuladhar, A. (2006) in their desk research study on corruption and land administration, reveals that land management and land administration are not free from corruption and contends that their observations cannot include estimation about the extent and nature of corruption regarding land, as the nature of corruption is that it takes place in a hidden way. A staggering 97% of 3000 households surveyed in Bangladesh who bought land had to pay bribes for land registration, 85% of the households who mutated their land ownership had to pay bribes for land mutation, 83% households had to pay bribes for land survey, and 40% households who received land had to pay bribes.

While in India, the study states that 79% of those interacting with the Land Administration Department in the country had agreed that there is corruption in the department. Only 5% of respondents felt that there is no corruption in the department. Of those who paid bribes, more than 36% had paid money to department officials, whereas 33% had paid money to middlemen like document writers, property dealers etc. to get their work done, Work for which bribes were paid, concerned 39% property registration, 25% mutation, 12% land survey and 4% obtaining property documents.

A household survey in Nepal conducted in 2003 concludes that the respondents perceived land administration as the most corrupt sector, followed by the custom department, police and judiciary. 6.6% of those who were taking service from the land administration sector during 2002 pointed out that they had faced corruption. Tehsilders (revenue officers) were found to be the main actors of corruption in land administration, followed by land surveyors.

In Pakistan, (TI 2002b), 133 out of 1724 respondents recalled contacting the land administration department and faced corruption. Main reasons to contact the department were transfer of property (25%0, buying land (24% and selling land (17%). Surveyors and tehsilders (revenue officers) appeared to be the most involved. A land revenue officer in Pakistan was accused to have misused his official position and accumulating personal assets instead of facilitating land transactions amongst members of the civil society. He got 5 years in prison (Shahna, 2002). A magistrate in Pakistan reported to be concerned that valuable state property under the control of city council was being used to the advantage of the property grabbing mafia, while the city council getting a cut of its ill-gotten gains (Daily Times, 2002). Investigations demonstrate that the land administration sector is in the top to corruption in Bangladesh (rank 3), India (rank 3), Pakistan (rank 1), and Sri Lanka (TI, 2002c). In Lithuania, the position is largely the same, (UNDP, 2004) established that 34% of the residents believe land use planning divisions are amongst the very corrupt institutions.

The Kenya Bribery Index 2001 and 2002 ranked the Ministry of Lands and Settlement 4th and 13th (TI, 2001a, 2002a). The Kenya Bribery Index 2005 (TI 2005c), shows that 65,7% of the people visiting the Ministry of Lands might be asked for a bribe, 36,3% of declinations resulted in service denial. The Minster of Lands and Settlements of Kenya says that since independence land has been used as a pay-back system for political supporters, though limited to certain groups of people. Also, he observes that the state has large chunks of land for development and research that were irregularly subdivided and sold. The coordinator of the Kenya Land Alliance reports that all land registries, land boards, the land rent collecting offices and the central registry in Nairobi are very prone to corruption. Equally prone to corruption are the

offices of the provincial administration because they are in charge of the executive administration of land within their administrative areas. Others include the survey offices, and the land tribunal offices right from the chief, district officer to heads of municipalities. All services offered in these offices are highly prone to corruption; he said. Also, the management of trust lands, land which is under the county council for the purpose of nomadic lifestyle and where some leaders have grabbed lands on the river banks, is prone to corruption. Mwathane writes about a syndicate that prepares parallel titles for registered and unregistered parcels: 'approval letters could be designed, survey records simulated, deed plan prepared, and title issued outside the Government system. He presumed a heavy hand of insider's collaboration at work (Daily Nation, 2006)

A recent survey on corruption in Vietnam showed that land management tops the list of ten fields accused of corruption. There are a multitude of land corruption crimes committed, but the three most popular are (1) taking advantage of state projects to appropriate land, share land, especially in forestation, residential areas and resettlement programmes, (2) making corrupt use of power to confer land for example leasing land plots of large areas, favourable positions, low prices, quickly completing related formalities and seeking profit through land conferring, especially for investment purposes, and (3) authoritarian behaviour, asking for presents and money while performing formalities related to land, such as land allocation, land lease, land rights transfer, land use certificate granting, land compensation and site clearance (Vietnam, 2005)

Marimba, (2010) established that corruption- related news content in the sample were below half at about 46% over the study period. Of these, *the Nation* had 42.9% while the *Standard* had 57.1% over the six-year period. Kenya being ranked poorly in the CPI means the media is under reporting corruption as a big challenge in the country. When it came to placement, the data show that the majority of sentences framing corruption (77.97%), were placed in the inside pages, front pages had 10.88%, back pages had 5.9% and editorials had 5.25%. These findings would suggest that corruption was not necessarily seen as a prominent issue by editors who selected what was to be placed where, because, if it were, most stories would be on the front pages, back pages or discussed in the editorials. Therefore, the data have indicated that by placing corruption news stories largely in the inside pages, the two newspapers were not giving prominence to corruption issues. They were thus, through framing, portraying an image that corruption was not an issue of importance. Severin and Tankard (2001) argue that a communicator attempts to influence audience to buy whatever is being proposed by influencing and changing existing frames of mind. So in

this case the two newspapers seemed to be telling the readers that corruption is not an important issue so as to become an agenda for public discussion. It was instructive that Marimba study found a majority of 72.7% editorials in both newspapers were unfavourable regarding corruption prevalence in the country across several frames. Editorials are particularly important in shaping public opinion as suggested by McCombs (2007), thus, *"the salience of objects in the mass media is linked to the formation of opinions by the audience……more people move away from a neutral position and form an opinion about the persons [news makers],"* (p. 11). Also, according to Encyclopaedia of the New American Nation (2010), editorials are important in shaping public opinion. Thus,

"Editorial writers and columnists affect the public discussion of foreign affairs that gradually works its way down to many average voters…… [indeed] the serious questions that were being raised about the U.S. involvement in Vietnam on the editorial pages of numerous newspapers beginning in the mid-1960s helped to create the climate of opinion in which the continuation of the war by the Lyndon B. Johnson and Richard M. Nixon administration's became increasingly difficult" (P. 4).

Being informed by the above, it is therefore clear that editorials have a powerful agenda setting role and the message is that media houses are clearly unhappy with corruption in the police, political and public sector frames. Further, the findings on government corruption frame were consistent with the findings of a National Enterprise Survey conducted by Kenya Anti-Corruption Commission in 2007, in which 54% of the respondents said that corruption was common in the public sector. The findings of this current study therefore, support the above survey, suggesting that corruption was considered a serious problem by the media and its audience as it impacted negatively on service delivery.

In completing the working paper, "Corruption in the Land Sector", various correlations were tested to better understand the interconnection among corruption, governance, land and development. This analysis was done using existing data from Transparency International and other global data sets. For TI, the Corruption Perceptions Index (CPI) was used as well as specific data on corruption and land that was extracted from the results of the Global Corruption Barometer (2009). For the other areas, the data sources looked at national income, human development, crop yields and foreign direct investment (FDI). The sections that follow explain the data sources, results and preliminary conclusions:

A. Relationship between petty and grand corruption in land

Finding: They found a strong correlation between petty corruption in land (Q.10.A from the GCB) and grand corruption in land (Q.10.B from the GCB). Correlation coefficient = 0.95 (p<0.01). Number of observations = 69

B. Relationship between corruption in land and overall corruption perceptions in the public sector:

Finding: Both of the GCB measures for corruption in land were found to correlate very strongly and negatively with the CPI measure of corruption perceptions for the public sector in general. This demonstrates that more corruption in land is associated with a lower CPI score (higher perceived public sector corruption).

For petty corruption: correlation coefficient is -0.69 (p<0.01)

For grand corruption: correlation coefficient is -0.73 (p<0.01).

Number of observations = 68

C. Relationship between corruption in land and income:

Findings: Both of the GCB measures for corruption in land were found to correlate strongly and negatively with the GDP measure for income per capita. This demonstrates a negative relationship between higher levels of corruption in land and lower GDP per capita.

For petty corruption: correlation coefficient is -0.60 (p<0.01).

For grand corruption: correlation coefficient is -0.62 (p<0.01).

Number of observations = 64

D. Relationship between corruption in land and human development:

Findings: Both of the GCB measures for corruption in land correlate negatively with the HDI measure for human development, demonstrating a relationship for countries between high corruption in land and lower development outcomes.

For petty corruption: correlation coefficient is 0.47 (p<0.01).

For grand corruption: correlation coefficient is 0.47 (p<0.01)

Number of observations = 64

However this relationship becomes insignificant in regressions which control for income (GDP), suggesting that the relationship is working through the income variable.

E. Relationship between corruption in land and agricultural production:

Findings: Both of the GCB measures for corruption in land correlate strongly with the crop measure for crop yield (cereals). This demonstrates a negative relationship between countries where corruption in land is higher and crop yields are lower.

For petty corruption: correlation coefficient is 0.47 (p<0.01)

For grand corruption: correlation coefficient is 0.47 (p<0.01)

Number of observations = 61

However, this relationship becomes insignificant in regressions which control for income (GDP), suggesting that the relationship is also working through the income variable.

F. Relationship between corruption in land and investment:

Findings: Both of the GCB measures for corruption in land correlate strongly and negatively with the measure for foreign direct investment, demonstrating a relationship between countries where corruption in land is higher and investment is lower.

For petty corruption: correlation coefficient is 0.46 (p<0.01)

For grand corruption: correlation coefficient is 0.42 (p<0.01)

Number of observations = 67

However this relationship becomes insignificant in regressions which control for income (GDP), suggesting that the relationship is also working through the income variable.

Chang Sup Park, (2012) in his study of how the media frame political corruption: Episodic and thematic frame stories found in Illinois newspapers found some significant results. First, although the number of media reports about political corruption scandals is considerable, local newspapers typically do not engage in meaningful corruption debates. Second, media coverage tends to employ the episodic approach, ignoring the wider context in which the corruption scandal has occurred. This bias leads to an illusion that the corruption problems will disappear when the perpetrators are convicted. And by obscuring the connections between an individual corruption scandal and its context of occurrence, episodic news trivializes public discourse on fundamental reasons of the scandal. Third, popular perceptions about corruption are distorted due to the type of media coverage received. Citizens would not be active in anti-corruption debates if the information they obtain from the media puts little emphasis on the backgrounds, consequences, and solutions of corruption and no active public participation is encouraged.

Political corruption is less a question of individual morality, but more the consequence of structural causes such as the ever increasing voracity of political parties,

the symbiotic relationship between corporates and politicians, and the lack of change of government. Della Porta and Vannucci (1999) demonstrated well the systemic dimension of corruption: "*[C]orrupt exchanges facilitates the emergence of new norms, and these norms make corruption more and more attractive. Perverse mechanisms produce and reproduce the resources necessary for corruption*" (p. 255-256). In other words, corruption tends to revolve around vicious circles. Consequently, the essential remedies and solutions for corruption should be thematic and structural in nature instead of episodic. The news stories in Illinois papers did not center on the 20 structural variables that nurtured political corruption, but on the individual, moral, and ethical problems. The protagonists of the story were not structural entities such as the political system or the party structure, but concrete subjects such as the politicians investigated. The media did not bother to throw light on the structural factors favouring corruption, preferring to concentrate almost exclusively on the lack of professional ethics among politicians. The preponderance of the episode frame over the thematic frame has another serious political repercussion in that it discourages citizens from attributing responsibility to government and public officials. Although it is often entertaining when the press goes on a feeding frenzy and topples a powerful politician, the public is seldom invited to think about larger questions of power, systemic corruption, or the possibility of participating actively in devising institutional reforms (Paletz & Entman, 1981). Rather, media coverage characterized by personalization and dramatization consistently marginalizes citizens and the vitality of democracy is threatened (Bennett, 1992).What specific measures are needed in order to reduce the dominant use of episodic news frame by the media and to make them contribute to the curtailment of political corruption?

This paper suggests two ways for this: the restoration of watchdog journalism and the reinforcement of professional standards of journalists. Borner, Brunetti, and Weder (1995) argue that watchdog reporting is "*potentially a highly effective mechanism of external control*" against corruption. By constantly digging for information and by subjecting the government and officials to rigorous questioning, watchdog journalism can get over the routine of episodic framing and approach more closely to the essence of scandals. The watchdog press can make real policy and personnel changes possible. It keeps democracy alive by forcing institutions and individuals to be accountable for what they do. It can raise the awareness of citizens about wrongdoing and abuse so that they demand such changes. Citizens feel empowered if their outrage over media exposés is reflected in public policy changes. This sense of popular empowerment, in turn, leads to a more participatory and responsive democracy as well as more effective governance. By playing its watchdog role, the media help bring about reforms and in

the long term, assist in creating a culture of civic discourse, transparency, and government accountability (Schmitt-Beck & Voltmer, 2007). Another suggestion to foster the increase of thematic framing is that measures to raise professional standards of journalists should be adopted and implemented by the media. This means improving the level of professionalism in every area of journalism, let alone enhancing working conditions: training journalists in professional skills and standards; instituting awards for excellence in reporting; Supporting more funds for watchdog journalism; making media organizations more transparent about their editorial decision making process and the pressures and restraints on reporting; encouraging and supporting free and independent journalist unions and associations that keep watch on reporting. These can help raise the social status of watchdog journalists and thus may overcome the predominant tradition of episodic framing.

Fadairo, O., Fadairo, A. and Aminu, O. (2014) in their study concluded that there is an increase in the coverage of corruption articles by the media in Nigeria but these articles are concentrated more on the inside pages of newspapers and space allotment to corruption articles is small as majority of these articles occupied one-quarter page of the newspapers. Politics/Governance, Service oriented (i.e. telecommunications and banks), and sports sectors are perceived to be more corrupt sectors in Nigeria giving the relatively high prominence corruption news in these sectors attracted across the sampled newspapers. It is necessary to place the reportage of corruption articles on the front burner of Nigeria newspapers agenda giving the pervasiveness of the problem in the country. Also, efforts should be intensified by journalists in the area writing of editorials on corruption. This is required to raise a virile social movement against corruption in the country. This finding is consistent with Marimba, (2010) findings that the media has not given prominence to coverage of corruption issues.

Marimba (2010), established that media in the Kenyan dailies during the period studied tended to depict corruption in its rightful image by showing that corruption was unfavourable to society's common good through framing. The study also shows that editorials were largely unfavourable and mostly differed with the images portrayed through the hard and soft news. Sentences framing editorials and features remained few throughout the six years in comparison to hard news, while the image of the cartoonists with regard to framing of corruption in various sectors and institutions was largely negative / unfavourable. This pointed to the fact that cartoonists are particularly critical most of the time.

Brankov , T. & Tanjević, N. (2013) extensively citing the TI study point out that some documented cases of corruption in the world and in Serbia and Mexico reveals

that illegal payments to land authorities ranked among the top 10 services plagued by bribery in the country (Transparencia Mexicana, 2011). The survey's results show that a bribe has to be paid at least once out of every 10 times that a person solicits a land permit. Another public opinion survey, conducted in Bangladesh, estimates these figures to be much higher. Findings from a national household survey show that land administration ranks among the top three institutions in Bangladesh with the worst rates of bribery (71.2 per cent) based on people who have had contact with the service (TI Bangladesh, 2010). A study in India estimates that US$ 700 million worth of bribes are paid annually by users of the country's land administration services (TI India, 2005). According to survey work in Kenya, the average bribe paid by those dealing with government land agencies was US$ 65 in 2011, a figure that had been rising in the last two years but which has since fallen (TI Kenya, 2011). The same survey also finds that Kenya's Ministry of Lands is the fourth most corrupt public administration body in the entire country. Nearly 58 per cent of people who have sought land services from the ministry have been asked to pay a bribe; of those requested to make an illegal payment, more than one-third did. Ideal opportunities for political corruption usually manifests are land reforms, development projects or land transaction. For example, corruption has been one of the causes of the collapse of the property market in Spain in 2009. In operation called 'Operación Malaya', the police seized more than US $3 billion in assets and froze 1,000 bank accounts after it was discovered that 30,000 homes had been illegally built in the town, including on environmentally protected land (TI, 2011).

Political corruption is also reflected in the purchase of land at a lower price from the owners (under the argument of eminent domain) and resale at a much higher price. Eminent domain is the power of the state to seize private property without owners consent. Historically, the most common uses by eminent domain are public facilities, highways, and railroads. This is documented in Kenya's land reform over the last 50 years (WRI/Landesa, 2011; KNCHR /KLA, 2008).

Three types of corruption, individual, business and political are observed in the land sector of Serbia. Land registry officials are third most corrupt public officials, with nearly 6% of citizens who interacted with them, resulting in a bribe being paid, according to one United Nations Office on Drugs and Crime survey (UNODC, 2011). More than 200,000 Internally Displaced Persons are living on Serbian territory. They often face problems of insufficient security of tenure and risk eviction due to privatizations in the housing market. This is especially the case of IDPs living in collective centres. Many of them have lost personal documents, and the lack of documentation causes some to live in informal or illegal settlements. According to the US Department of State (DoS, 2011), the Serbian land administration system is in a poor

state and suffers from corruption. Land records often do not match the legal registers kept in municipal courts, which results in a long waiting period for resolving such problems. This scenario is replicated in Kenya especially on untitled land.

In addition, real estate registers are incomplete and outdated. In many cases, there are no proper records on the nationalization of the land, which may slow down restitution efforts. Apart from that, transition in Serbia provided the opportunity for various forms of abuse and illegal behaviour through the privatization of public ownership in the economy. Privatization of Serbian agribusiness was not being transparent, with frequent changes of legislation, in a kind of legal vacuum. During this process, in the past decade, more than 50,000 workers lost their jobs, which directly caused the increase of hungry and poor.

Legal protection of property rights in Serbia is weak, largely on account of the corrupt, ineffective judicial system. An example of conflict of interest and irregular behaviour of government officials that shocked the business community is the government's interference in the case of a mineral water manufacturer in which the government illegally took the role of arbiter in the proprietary documents market from the Securities Commission. To support its candidate in the sale, the government, in a late-night session, ordered prosecutors to threaten the Securities Commission with arrest (Trivunovic et al., 2007). Political corruption in the land sector is usually extremely hard to document. One of the reasons for this should be sought in the fact that political corruption usually involves the interface between the holders of political and economic power and opens the way for the widespread abuse of public functions on the one hand and the smooth, fast and enormously enriching individuals close to the government, on the other hand (Tanjevic, 2011). At the same time these are people who are "social elite", or people who enjoy a good reputation and have a social status thanks to which are protected. Their works rarely can be detected and characterized as illegal, and if so, they are rarely prosecuted. Importance of this type of corruption is not only economic endangerment of society. Its holders, in order to make his power unlimited cross institutional boundaries. One very good example is territory of Kosovo and Metohia where corruption is a major issue in the land management/administration sector as well as high policy sector.

According to a study by the Organization for Security and Co-operation in Europe (OSCE) in Kosovo, illegal occupation of property remains rampant, property rights records have become unreliable, illegal construction and informal settlements have exploded, and informal and illegal transactions continue unabated (IDMC, 2007). Corrupt measures are often used to deprive minority populations of their property rights. Many cases have been reported of Kosovo Albanians destroying private

property belonging to Kosovo Serbs. The U.S. State Department posits that some cases of violence against Serbs may have been attempts to force them to sell their property. There are reports that Kosovo Serbs have had difficulty accessing their property, which were sometimes occupied or used by Kosovo Albanians. In some cases, Kosovo Serb property was reportedly sold by persons falsely claiming to be their attorneys and presenting forged documents in court. In situations where the rightful owners did not live in Kosovo, such fraud went undiscovered for months (IDMC, 2007). Perfect example of weak rule of law is again Kosovo. Municipalities and ministries not only discouraged but, at times, actively prevented minority returnees from reconstructing their homes or other vulnerable persons from accessing their property through selective or inappropriate regulation of construction and land use (Katz, Philpott, 2006).

Brankov , T & Tanjević, N (2013) asserts that the problem of corruption is a global problem faced by all countries, regardless of whether they are developed or not. The occurrence and extent of corruption depends on many factors: economic and social instability, undemocratic and autocratic regimes, the lack of appropriate legislation and regulations, lack of control, lack of transparency, lack of professional ethics, the association centres of economic and political power, etc. However, it is obvious that corruption, as a sort of an "infection", affects mainly developing countries, seeking to exploit all their weaknesses in order to find fertile ground for its own development and expansion (Soskic, 2004). Due to a number of factors, primarily the accumulation of economic problems, low wages and falling living standards of population greater part, corruption is mostly related to developing countries. This was confirmed by the Corruption Perceptions Index published by TI. Its maximum value is ten, and which means that there is no corruption in the country (which is, of course, a theoretical case). All Western Balkan countries are very poorly placed, which means that in these very high levels of corruption. Of the six countries of the region are best placed Croatia, (4.1) Macedonia (4.1) and Montenegro (3.7), while the lower part of Serbia (3.5), Albania (3.3.), Bosnia and Herzegovina (3.2.). Thus, we can conclude that the level of corruption in Serbia is very high. After the democratic changes in 2000 Corruption Perceptions Index was 1.3, and in the meantime, this index increase in the last three years is 3.5, which indicates that corruption in Serbia remains widespread, and that the fight against corruption did not produce significant results.

Corruption in Serbia is of a systemic character. It has ''infected'' all public services, and citizens have accepted corruptive behaviour as a form of socially acceptable behaviour. In addition, the biggest problem is the fact that discovering and punishing the perpetrators of "petty" corruption, creates the illusion that this is the most prevalent form of corruption in the society, while, on the other hand corruption

offenses, particularly those committed by the members of the political and "social elite", are under-detected or not prosecuted, although they cause the greatest damage to the society and are one of the worst obstacles our country is facing on its way to European integrations. This situation restrains serious foreign financial investments, both in the form of capital investment, primarily in internal infrastructure, and those of local character. Foreign investors, some of them personally affected by the global financial crisis, still hesitate to inject fresh capital into the Serbian market, waiting for better conditions, reflected in the harmonization of laws with EU standards, transparent operation of public services, easier and uniform administration procedures and most importantly, a stable political situation. It is however not true that petty corruption has no effect in the economy. Indeed, if these so called petty bribes are summed up over a year, the figures are so huge. In this respect, rent seeking even from lowly ranked public officials has to be dealt with decisively.

7. Suggestions for policy and legal implications

Kenya developed and adopted Sessional Paper No. 3 of 2009 on National Land Policy. This policy came into force a year before the new constitution. The Session paper needs to be aligned to the Constitution and particularly chapter 5 on Land and Environment. A quick review of the policy indicates that it needs to be aligned to the new constitution and one Land Act be enacted to replace the seven (7) obtaining at the moment which include: (a) Registration of Titles Act (Cap 281); (b) Government Lands Act (Cap 280); (c) Land Titles Act (Cap 282); (d) Registered Land Act (Cap 300); (e) The Land (Group Representatives) Act (Cap 287); 7 (f) The Trust Land Act (Cap 288); and (g) Sectional Properties Act No.21 of 1987. The policy has also not addressed the challenge of corruption in the sector and merely glossed over reforms generally without acknowledging that the land sector is one of the most corrupt in the country. In passing, the policy states:

> "Corruption has had serious negative effects on the distribution and management of land as a resource. Existing laws dealing with corruption provide for prosecution of offenders and recovery of assets. In practice, however, there has been an emphasis on prosecution of offenders. As a result, there has been limited recovery of land acquired through corruption. Further, public education on corruption in the land sector has been minimal. In order to address the problem of corruption in the land sector, the Government shall: (a) Pay due attention to the recovery of assets as an anti-corruption measure; (b) Facilitate development and implementation of public education and awareness creation

programmes targeting:- (i) Members of the public; (ii) All officers in the Ministry of Lands; (iii) Institutions envisaged in the NLP (National Land Commission, District Land Boards, Community Land Boards, Local Authorities, Land Property Tribunals, District Land Tribunals, Land Courts and Land Reform Transformation Unit)' (Sessional Paper No. 3 of 2009 on National Land Policy) .

The scourge of corruption in Kenya is provided for that little in a 64 page policy. Furthermore, the constitution has created the National Land Commission, whose functions and those of the ministry have had to go to court for interpretation. In an application Reference No. 2 Of 2014 at the Supreme Court of Kenya, the court ruled, 'prior to the conduct of a hearing, the Court allows a 90-day interlude during which the parties may undertake a constructive engagement towards reconciliation and a harmonious division of responsibility''. A Commission established by law and a parent Ministry should never have found themselves in such a situation if the policy framework was well thought out or aligned. A policy must be clear on who is responsible for what functions."

There is also need to review economic crimes law and make land related corruption capital offences so that they attract heavy punishment to offenders in this sector. Land revolutions have occurred around the world because denial of livelihoods is tantamount to killing communities literarily. Historically, Kenya can relate to the land issue as it was the catalyst for the liberation struggle from British rule. When citizens have no access to land nor benefit from its exploitation, then a recipe for chaos is nurtured. The Niger Delta is a classic example. Thus, Ebiede, T (2011) observes, the region has proven crude oil deposits of about 24 to 31.5 billion barrels and an estimated 124 trillion cubic feet of proven natural gas (Ross 2003b: 3). Despite this abundant wealth in natural resources, evidence so far shows that there have been perpetual failures to transform this natural wealth into economic and social development in the area. The poverty in the area and the growing consciousness about the economic value of the crude oil reserves has created popular expression of dissent that has turned the region into an area of violence and conflicts (Omotola 2009). Going by this example, Kenya urgently needs policy guidance to regulate exploitation of our new found crude oil in Turkana County. Till very recently, access to beach fronts was not possible as the entire coastline of the Indian Ocean had been appropriated by private interests in Kenya.

Policy documents are necessary to guide the country. However, in reference to the Kenyan case, for an effective land policy to realize the gains anticipated by chapter 5 of the constitution of Kenya on Land and Environment, political will is needed. Indeed,

this is consistent with Ebiede T (2011) that the environmental discourse on the Niger Delta must not leave out the political dimensions of the problem. Land reforms must be midwifed through a political process.

Land reforms also require community participation. They need to be involved as part of the solution. Indeed, there is a limit to land fragmentation. With rising populations, it is going to be economically unsustainable to encourage small pieces of land to obtain. This means the government will require land re-planning and resettlement of populations in satellite towns to release more land for food production. People have a very special attachment to their land and therefore they need massive civic education on the benefits which will arise as a result of land reforms. In any case, many have no economic muscle to make their land portions viable nor improve the infrastructure needed to support a growing population. This paper therefore, supports Brankov, T. & Tanjević, N. (2013) view that all countries facing problems with land administration needs the rebuilding of land administration institutions to provide access to land as essential to rekindle economic growth and social stability.

We also need to borrow policy and institutional best practices as suggested by World Bank. The WB, cited by Brankov, T & Tanjević, N (2013) has developed a Land Governance Assessment Framework (LGAF). LGAF which focuses on five key thematic areas that have been identified as major areas for policy intervention in the land sector. These are: legal and institutional framework, land use planning, management, and taxation, management of public land, public provision of land information, dispute resolution and conflict management. An overarching policy supported by legal and institutional reforms would bring sanity to land sectors around the world and especially in third world countries

8. Conclusion

A case has been made for the restoration of watchdog journalism and the reinforcement of professional standards of journalists if media is to engender a culture of citizen activism in advancing public interest and community rights. Citing Borner, Brunetti, and Weder (1995) Park, C (2012) argues that watchdog reporting is "*potentially a highly effective mechanism of external control*" against corruption. By constantly digging for information and by subjecting the government and officials to rigorous questioning, watchdog journalism can get over the routine of episodic framing and approach more closely to the essence of scandals. The watchdog press can make real policy and personnel changes possible and keep democracy alive by forcing institutions and individuals to be accountable for what they do.

Given the power of the media to influence opinion, unless salience of land corruption is elevated, the public will not pick it as an issue for debate or least of all a matter of concern for policy makers to address. In addition, the restoration of watchdog journalism is urgent and the reinforcement of professional standards of journalists as suggested by Borner, Brunetti, and Weder (1995) who further argue that watchdog reporting is "*potentially a highly effective mechanism of external control*" against corruption.

Brankov, T. & Tanjević, N. (2013) in their concluding remarks, suggest that countries facing problems with land administration needs the rebuilding of land administration institutions to provide access to land as essential to rekindle economic growth and social stability. This however requires political will and a legal ecology that is truly transformative.

Review of sampled literature around the world on corruption and specifically that of land sector reveal that the governance challenges in land administration are the same even though their magnitude differ. The typology includes bribes for various services in most of land registries, land boards, the land rent collecting offices. In collusion with ministry of lands officials, malpractices extend to preparing parallel titles for registered and unregistered parcels: 'approval letters could be designed, survey records simulated, deed plan prepared, and title issued outside the Government system. Other areas prone to corruption are transfer of property, valuations, buying land and selling land, land registration, land mutation, Surveying and land revenue officers, land use planning divisions are amongst the very corrupt institutions. Another common corrupt practice is grabbing of public land some of which is in riparian areas, taking advantage of state projects to appropriate land, share land, especially in forestation, residential areas and resettlement programmes, leasing land plots of large areas, favourable positions, low prices, quickly completing related formalities and seeking profit through land conferring, especially for investment purposes, and authoritarian behaviour, asking for presents and money while performing formalities related to land, such as land allocation, land lease, land rights transfer, land use certificate granting, land compensation and site clearance .

Corruption remains one of mankind's greatest challenges. Fortunately, no one is born corrupt and governments around the world can deliberately inoculate their citizens against it through enculturation and severe punishments. Unless the challenge of corruption is addressed globally and in all sectors, the future of mankind will be put into great risk.

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