

Administrative Corruption: A Natural Product of a Secular Liberal Creed

News:

Presidential aspirants Raila Odinga of Orange Democratic Movement (ODM) and William Ruto of United Democratic Alliance (UDA) are roaming the country in the 2022 election campaigns with both promising the electorates: stemming out corruption! Addressing 500 delegates in Turkana Odinga said: "The biggest problem affecting Kenya is corruption. People have embezzled public funds. When they got to the government they were thinner, but now they are fat like a tick." On several gathering, Ruto has also maintained once elected his Government will fix deeply rooted and old aged corruption in Kenya.

Comment:

Kenya as a country which is gearing toward the general year 2022 and the general public mood is highly politicized. People are engaging in political debates in all spectrum of the society which to some extent has turned ugly and chaotic in the so-called August house (Kenya's parliament building) with the exchange of fist among legislatures members in the debate for the amendment bill for political parties. The theme for all political aspirants is to eliminate corruption and build a strong economy.

In this particular election year, the political divide is between the so-called "the dynasty" against "the hustler nation". These slogans are coined to divert the attention from the core issue that has led the people today into misery and poverty. Every aspirant individual is championing for the elimination of corruption in all spheres of governance and the irony is that it is over 50 years since independence and the peoples' conditions in all aspects of life are growing from bad to worse.

Accusations and counter accusations within corruption are considered the stumbling block towards economic emancipation and prosperity. It is important to understand the legal viewpoint on what constitutes corruption, and when we quote the law, we find:-**{ a} an offence under any of the provisions of sections 39 to 44, 46 and 47; {b} bribery, {c} fraud, {d} embezzlement or misappropriation of public funds, {e} abuse of office.**

Kenya has put up a legal framework and institutions to fight corruption, only to be a form of corruption in itself. These legal and institutional efforts have only made matters worse and sophisticated. Furthermore, all forms of corruption under the law have become more appealing and accepted by the society. This new normal needs to be deeply scrutinized and analyzed as has become global phenomena!

The understanding of what constitutes corruption under the current system is vague and obscure as grey areas in legal aspects makes it difficult to prosecute individuals. This lack of clarity makes individuals more resolved in committing the crime. Also, the political elite have formed a "mafia gang" that is above the law

undertaking such crimes with impunity. These loop holes within the political and legislative angles render the current system unable to look after the affairs of the people.

The legislation is void of the concept of good (khair) and evil (shar) as this builds spiritual aspect as the basis of the law of the land. This spiritual absence is natural as it is based on secular creed that denies the lord of the universe, man and life as the only legislator. In addition, the human disparity makes it impossible for universal definition of the meaning of corruption; hence, giving room for moral decadence.

So, as the law squarely binds corruption to individual and lets society at large play victim, creates individualism as much as the economic aspect too, binds Man's worthiness in terms of production of goods and services he produces. Under the evil disguise of freedom of ownership and personal freedom man has become evil without consciousness, looking at political seats as a means to an end rather than great responsibility.

Islam, a system that emanates from a creed which is both spiritual and political, views corruption as a whole not discrete. What Capitalism views as corruption, in Islam it is the result of corruption. In essence, corruption flourishes from an evil system that builds structure to support and promote evil in all forms. Allah (swt) says in Surah Al-Maidah:

﴿وَلِيَحْكُمَ أَهْلُ الْإِنْجِيلِ بِمَا أَنْزَلَ اللَّهُ فِيهِ ۖ وَمَنْ لَمْ يَحْكَمْ بِمَا أَنْزَلَ اللَّهُ فَأُولَٰئِكَ هُمُ الْفَاسِقُونَ﴾

“So let the people of the Gospel judge by what Allah has revealed in it. And those who do not judge by what Allah has revealed are ‘truly’ the rebellious”

With this clear-cut definition of what corruption means in Islam as the implementation of laws and systems that emanate from other than Allah (swt), in essence secularism and all “ism” is the root cause of corruption. Furthermore, Islam as a system that originates from the Lord of the Universe, Man and Life agrees with human innate nature and hence, it is universal and transcend time and place.

O you the intellectuals; this evil can **only** be defeated by Islam, a system implemented only under the Khilafah (Caliphate) state. O people who hate evil in all forms, work towards the resumption of the Islamic way of life as it is the only liberator from the shackles of evil.

Written for the Central Media Office of Hizb ut Tahrir by

Ali Omar Albeity

Member of the Media Office of Hizb ut Tahrir in Kenya