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**TITLE: THE SOCIAL ACT OF EXCHANGE IN POWER RELATIONS: A STUDY
OF THE PHENOMENON OF *NICHEKELEKO* AT THE WEIGHBRIDGES (WBs) IN
ZAMBIA**



**A THESIS SUBMITTED TO THE DEPARTMENT OF ANTHROPOLOGY AND
SOCIOLOGY
FOR THE DEGREE OF DOCTOR OF PHILOSOPHY (PHD) IN SOCIOLOGY.**

15th JUNE, 2017

DECLARATION

I declare that this thesis is the product of my own effort and has not been presented to any University in the same or different form to merit a Ph.D degree other than that for which I am now a candidate.

Signed.....

Chidongo, Phiri



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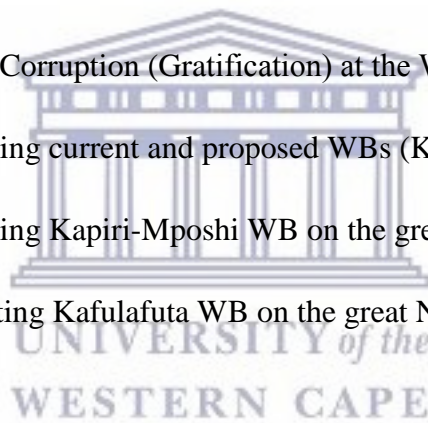
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LIST OF ABBREVIATIONS AND ACRONYMS

1	AG	Auditor General
2	AMLA	Anti-Money Laundering Act
3	BOZ	Bank of Zambia
4	CBU	Copper Belt University
5	CCJP	Catholic Centre for Justice and Peace.
6	CDEs	Classified Daily Employees
7	CDPS	Customer Diligence Protection Services
8	CEO	Chief Executive Officer
9	CH	Contract Haulage Limited.
10	CIO	Criminal Investigations Officer
11	CPI	Corruption perception Index
12	CRR	Country Risk Review
13	DEC	Drug Enforcement Commission
14	DG	Director General
15	DR	Doctor- Medical
16	FBSA	Financial Banking Services Act
17	FDI	Foreign Direct Investment
18	GCS	Global Competitive Survey
19	GRZ	Government of the Republic of Zambia
20	GVMw	Gross Vehicle Mass Weight.
21	HIPC	Highly Indebted Poor Countries
22	ICAC	Independent Commission Against Corruption
23	ICRG	International Country Risk Guide
24	IDSEO	Independent Directorate for Serious Economic Crimes.
25	IMF	International Monetary Fund
26	KYC	Know Your Customers
27	MMD	Movement for Multiparty Democracy
28	NORAD	Norwegian Agency for Development
29	NORTEC	Northern Technical College
30	OECD	Organization for Economic Cooperation and Development
31	PAC	Political Action Committee
32	PC	Penal Code
33	PF	Patriotic Front
34	PP	The Public Protector.
35	PRE	Provincial Road Engineer
36	PRS	Political Risk Survey
37	RDA-HQ	Road Development Agency Headquarters.
38	SADC	Southern Africa Development Committee
39	SIU	Special Investigation Unit
40	SWBOs	Senior Weighbridge Operators
41	T2	Inter-Territorial Road number Two
42	T4	Inter-Territorial Road number four
43	TDs	Truck Drivers
44	TIZ	Transparency International Zambia
45	UBZ	United Bus Company of Zambia

46	UN	United Nations
47	UNCAC	United Nations Convention Against Corruption
48	UNDC	United Nations Office on Drugs and Crime.
49	UNESCO	United Nation Education Scientific Co operation
50	UNIP	United Independence Party
51	UNZA	University of Zambia
52	US	United States
53	WB	Weighbridge
54	WBOs	Weighbridge Operators.
55	WDR	World Development Report
56	ZA	Zambian Airways
57	ZANACO	Zambia National Commercial Bank
58	ZCCM	Zambia Consolidated Copper Mine
59	ZNTB	Zambia National Tender Board.
60	ZP	Zambia Police
61	ZPPA	Zambia Public Procurement Authority
62	ZRA	Zambia Revenue Authority



GLOSSARY OF CHEWA & BEMBA WORDS, PROVERBS & POPULAR SAYINGS.

Abale	Relatives in Chewa
Alisamba	To cleanse in Bemba
Anione-anione	Show off person (in this context rabble-rouser) in Chewa
Bola	Football (in this context meant a game) both in Chewa and Bemba
Boma	Government in <i>Chewa</i> and <i>Bemba</i> .
Bwana	Boss in Chewa
Bwenzi la ponda apa naineso mpondepo friend of all times.	(Popular Chewa saying) My best friend of all times.
Bwenzi langa losakaika.	A friend without doubt in <i>Chewa</i>
Bwenzi maningi	A real friend in Chewa
Chibuku	Fermented beer in Zambia in Chewa and Bemba.
Chibumba	Brick wall in Bemba
Chichewa	Language spoken by the Chewa people.
Chinyanja	Language for the Chewa people of Lake Malawi and Zambia.
Chiongora djanja	Operating fees in Chewa
Chitsulo	Metal in Chewa
Fipelwa nalesa	Everything is God given is a popular Bemba saying.
Ganyu	Part-time work in Chewa
Gong'a	Colloquial Nyanja concept meaning fake
Inde bwana	Yes sir in Chewa
Kalela.	A drum dance for the Lenje people of Central Zambia.
Kambwili	Hoe in Bemba
Katumulomo	Another word similar to <i>Nichekeleko</i> but exclusive spoken by cross boarder traders, especially on the copper belt of Zambia in Bemba.
Kholo	Parent in Chewa
Kubeba	Colloquial Bemba concept meaning doesn't tell them.
Kufufuza	To investigate in Chewa

Kulibonesha	Colloquial Lenje concept meaning a show off person.
Kumpachika	To sentence an erring person in Chewa
Kusova	To resolve in colloquial Nyanja.
Kuzima moto	Stopping the ‘‘fire’’ in <i>Chewa</i>
Lupwa	Relative in Bemba
Mafuta	Oil in Chewa
Malume	Uncle in Chewa
Mawani	Colloquial Nyanja language on the streets meaning an action of unreliability or that of whistle-blowing.
Mbabe	Colloquial Chewa concept meaning being rich.
Mpulumuko	Lenient Action or to survive in colloquial Chewa.
Mukulu Wanchito	The supervisor at working place in colloquial Chewa
Mulanda	Orphan in this context, it meant poor man in both Chewa and Bemba.
Munandi	A friend in Bemba.
Munthu maningi	A ‘‘real’’ human being in Chewa
Mwamuna	Male in Nyanja.
Myambo	Customs in Chewa
Mzako akati konzu, naiwe uti konzu.	An appropriate reciprocation in Chewa proverb.
Nichekeleko	An act of giving or sharing in Chewa.
Niolakwa kale	Already guilty in Chewa
Ombuwa-Mbuwa	(Already dirty) - In this context, it meant already socially connected in Chewa.
Puteni ichimwela	A Bemba song, meaning lets us support.
Thandizo	Help in Chewa
Tumbuka	A <i>Bantu</i> ethnic grouping of Zambia, Malawi and Tanzania.
Udindo	Power in Chewa
Ufumu onse apatsa ndi Mulengi	Chewa proverb for leadership being given from God.
Ulemu	Respect in Chewa

Wafwilisho	In Bemba it means help
Wamkachitsi andya mkachitsi (<i>ChiChewa proverb</i>)	A preacher will always feed from the church is a Chewa proverb.
Wanthota	A rude and arrogant person in Chewa.
Wanzeru	An Intelligent person in Chewa
Wochenjera	A clever person in Chewa
Yamafuta	An adverb, coming from the word Mafuta in Chewa



ABSTRACT.

This study examined the widely practiced phenomenon of *Nichekeleko* at the Weighbridges (WBs) in Zambia. The commonly held understanding of *Nichekeleko* by the Zambian people is that; it is corruption, ranging from bribery, theft, embezzlement, money laundering, and gratification to favouritism. Sociologically, this phenomenon can be referred to as the Social act of exchange perpetuated in the context of power relations by the actors who engage in the phenomenon. The study used a local concept to examine the reasons for its persistence. The focus of the study was based on cultural-specific words implied in *Nichekeleko* reflecting the actor's experiences of doing and thinking about things in a certain way perpetuating the phenomenon. The subject was approached through an observation of how public discourses of corruption are reported in a negative sense in print and electronic media ignoring the localization of the phenomenon. This is because; when a culture linguistic analysis is used at the WB to examine the reasons for its persistence; it has revealed psychological dimensions of self-esteem to helping one another by drivers and operators in the form of gifts and other favours distinct from monetary value. This reflects a *Chewa* cultural practice for sharing material gifts and offering moral support to one another.

Foucault's notion of power relations and Pierre Bourdieu's concepts of practice, *habitus* and *fields* provided theoretical frameworks to the study. The theoretical context of power in examining *Nichekeleko* is important because of its capacity to manifest in many different forms. For example, power has the capacity to circulate in a network of relations, thus between truck drivers (TDs) and Weighbridge operators (WBOs) at the Weighbridge (WB). The concept of power in the study was demonstrated as a system, and a network of relations, encompassing the whole society than a relation between the oppressed and the oppressor.

Methodologically, the study was based on mixed method of doing research even though the large part is an ethnographic approach, thus; involving participant-observation, interviews, focus group discussions and the administering of a questionnaire. It relied on qualitative and quantitative techniques in the collection of data. The study adds nuance to the understanding of informal cultural practices in the realm of social exchange theories using a localized concept *Nichekeleko* through oral history and narratives from TDs and WBOs that has been missing in most academic literature and debates.

Therefore, this study has demonstrated that a semiological approach to public discourses of corruption can help to gain new insights in the persistence of the *Nichekeleko* phenomenon in Zambia.

Key words: Corruption, *Nichekeleko*, Power Relations, the Social act of Exchange, phenomenon and Weighbridges.



CHAPTER 1: CONTEXT AND THE PROBLEM

1.1 Introduction: Background debates on Corruption in Zambia.

Over the past 24 years the phenomenon of *Nichekeleko* has widely been considered to be a problem by most people in Zambia. The phenomenon's persistence remains a major concern. The available literatures on the factors that have facilitated to its persistence are: privatization, globalization, state capitalism and bureaucracy¹ which do not seem to make sense. However, data sourced from the field revealed negligence to recognise the local concept *Nichekeleko* because of relations of power to analyze the persistence of the phenomenon. My argument is that failure to recognize the localized meaning of the concept *Nichekeleko* based on relations of power for those involved has facilitated the persistence of the problem in Zambia. This is because, when looked from a framework of "cultural" analysis, "linguistics" (meaning of the word), what is revealed is that; *Nichekeleko* means support in the sense of gift-giving or helping one another. This is contrary to the negative reports in print and electronic media that the phenomenon is illegal, without reflecting on its literal meaning as perceived by those involved in it.

On the surface level, when translated into English, the word simply means "cut a slice for me or what is in it for me"? This somehow explains its everyday usage by the people of Zambia to mean corruption, such as bribery, money laundering and theft. Sociologically, *Nichekeleko* can be considered as the *Social act of Exchange* taking place in the context of power relations by those who engage in it.

The fact that *Nichekeleko* is generally considered as corruption is understandable given that many reports in Zambia show its persistence in all sectors of the economy since the government's introduction of the privatization program. Fundanga (2009) states that; 'privatization program was introduced in compliance with the ideology that state property was unable to operate efficiently and only an economy which is based on private property can be effective' (pp.34). Realizing its importance, the government introduced the Zambia Privatization Act (ZPA) Act Chapter 386 of the Laws of the Republic, aimed at changing state property into private hands so that it can fulfill the demands of the economy to operate more efficiently. A five-year plan was put in place that included all sectors of the economy to improve performance and efficiency. In the transport sector, government targeted the Zambia

¹ Chalcraft David (2000), "Max Weber Studies", pp.7-10. Available: Stable URL: <http://www.jstor.org/Stable/24579700>.

corridor-highway namely, road transport, railways and airports. The objective of the programme was to reduce the cost of doing business and improve quality of services. However, the road to privatization was not easy as it had an “effect argument” of either being positive or negative. The effect argument is one of the key causes to the resistance and the concern for the loss of jobs by the workers. Actual experience has shown that in many of the firms that were sold so far, existing jobs have been preserved while in a number of others jobs have been lost. The best illustration on this issue is the sale of public transport firms, for example, United Bus Company (UBZ), Contract Haulage (CH) and Zambia Airways (ZA) to private financial specialists that discharged a substantial number of talented labourers including drivers, mechanics and different workers in the streets.

The important thing to note is that people in the transport sector were highly affected by job losses as most of them could not be absorbed by new owners of the liquidated firms. Job losses meant dwindling income. In order to survive the harsh realities of the economy, those who lost jobs started running private business such as operating minibuses that were mostly defective and usually fail to comply with the required motor vehicle safety standards. To avoid the vehicles being impounded by the government officials the owners resorted to *Nichekeleko* such as gift-giving and bribery. Sometimes, they negotiated with law enforcement officials to offer them gifts for letting them off the hook in breaking the traffic laws. Others, instructed their drivers to avoid the WB or roadblocks during official hours to maximize on profit for their businesses. Further, Aafke and Vollebergh (1997) on privatization observed that, “a typical particularity of privatization effect is that it created differences in income and the possibilities of accessing it became limited” (p, 28). In order to earn the limited income from their private motor vehicles to survive the effects of privatization, people began to engage in *Nichekeleko* as surviving strategy for the harsh economic condition. For example, the exchange of gifts to one another as a surviving strategy was inspired by sympathetic feelings of their friends having lost their jobs during privatization exercise hence feel obliged to offer support without any reciprocity expectation. This confirms the connection between privatization and the *Nichekeleko* phenomena. For instance, African researchers such as (i.e) Mazrui *et al* (2010) and (Mbao, 2004) have indicated its persistence emerging from the time the Southern African Development Community (SADC) free trade and commerce agreement become noticeably operational in 2008

Further, closely linked to privatization is the suggestion that globalization is the critical factor attributed to corruption persistence in the transport sector. They contend that the agreement goal was to strengthen the global and regional interconnectedness among member states in the SADC region. This has made the affected countries internationally integrated through advances in transportation, telecommunication and other cultural activities.

In the case of Zambia, cross border trade with her neighbors, i.e., Tanzania, South Africa, among others has increased. But this is not without challenges either; as it has provided an enabling environment for *Nichekeleko* among cross border traders. The common ones are: racketeering², evading of domestic taxation and theft of revenue (Kaizezi, 2011). This is because public officials, entrepreneurs and citizens in their quest to trade with each other aim to earn profit hence end up engaging in *Nichekeleko*. The intention is to avoid paying fines at the border. This suggests that globalization has a negative facilitation effect as it enables actors to engage in *Nichekeleko* when distances shrink. In Zambia, linked to globalization effects was when operators accused of corruption permitted a South African bound truck overloaded by 1500 tones that killed over 30 people on board. In monetary terms their action amounted to over \$1.5 billion USA dollars. To the WBOs this was not perceived as corruption but *Nichekeleko* because the phenomenon was performed between acquaintances. Mbao (2010) a Zambian scholar observed that through cross border trade, bus operators and truck drivers; take 25% of their daily earnings to bribe police officers and WB operators. Instead of accounting the 25 % earnings collected from traffic fines, such money is stolen, thereby reducing Zambia's net earnings per year (WORLD BANK, 2014). This clearly shows, links between *Nichekeleko* and interregional trade facilitated by the globalization factor. Among the proposed solutions, for diminishing its persistence at the WB has been the required more prominent part in worldwide multilateral organizations, for example, NORAD, the WORLD BANK, International Monetary Fund (IMF), the United Nations (UN) and Interpol. For instance, NORAD proposed to pay salaries and other individual payments trusting that such a gesture will adequately decrease the phenomenon. Equally, the government of Zambia employed women operators hoping they would be less engaged in *Nichekeleko* as compared to men. This intervention had two fold implications; firstly, the economic one proved a costly decision by government, as revenue collection declined from 73% to 37% as cited in the Auditor General's report of the 27th August, 2011. Secondly, the

²See Duffy Shannon (2010), p12 and Munro, Ndulo (2003), p10 on racketeering as operating illegal business activities or or scheme in order to make a profit by an interested group. Available. URL: <http://www.jstor.org/Stable/456731>.

gender-oriented decision did not resolve the problem; instead, *Nichekeleko* has persisted, probably because of the failure to identify the root cause.

Another factor as earlier pointed out in the beginning of this section linked to corruption persistence is bureaucracy. According to Weber; “bureaucracy constitutes the most efficient and rational way in which one can organize the human activity, and that systematic processes and organized hierarchies are necessary to maintain order, maximize efficiency and eliminate favouritism” (1920, pp.56). Bureaucracy in the management of public sector institutions has always been regarded the reason for the increase in corruption. A case in point is the management of Weighbridges. This is because, historically, WBs in Zambia are supervised by the Ministry of Works and Supply a public institution that naturally operates on a bureaucratic system. Critics of this system such as Gournay (2000), Hood (2012) and Weber, (1948) posit it contributes to inefficiency and poor working relations in most firms. NORAD (2009) equates the poor working relations between operators and management at Road Development Agency Headquarters to the presence of bureaucracy, coined as *bureaumania*.³ Efforts were made to pull together the two groups to ensure smooth operations at the WB and neutralize bureaucracy to reduce *Nichekeleko*. In order to bind the two groups together, a clear chain of authority and command had been made, for instance housing Senior Weighbridge officers (SWBOs) at WB stations. The argument is that if SWBOs were located at the WB, it would reduce the operators’ psychological resistance to obey a chain of command. However, *Nichekeleko* has not reduced and the relationship between management and operators has remained strained. Probably the reason for this is that operator’s life experiences at the WB are different from others. In this way, their ground for engaging in the *Nichekeleko* phenomena is probably justified to simply confirm varying experiences between the two groups.

Others had argued that capitalism was the main factor for the persistence of the problem in developing economies (Fundanga, 2003). Similarly, scholars (Sutherland, 1991 and Bonger, 1983) in analyzing practices that tend to facilitate corruption locate its root in the economic capitalist conditions. Bonger (1996) on this issue states that “capitalism” helps man to

³ See the late French M. de Gournay (2011) on “bureaumania” simply as the disease or an illness or simply. *Policy Studies* Cambridge press.

develop 'egoism'⁴ at the expense of 'altruism.'⁵ In short, man becomes greedy at the expense of being honest with his desire to access few resources. This is because capitalistic conditions facilitate man to develop egoism.

Capitalism has a tendency to facilitate workers to engage in corruption as they strive to meet challenges of the money economy. For example, as more and more strive to survive in the midst of business competition of trying to secure road contract tenders, eventually patterns of violation of particular laws such as procurement procedures become the everyday phenomena in the transport sector. Nevertheless, such scholars miss the point, as their analysis about capitalism facilitating corruption is not a shared experience with actors who engage in *Nichekeleko* for it to flourish in Zambia.

The most obvious way in which to expose the existence of corruption in Zambia ranges from, stories of visitor's experiences of paying a fine to pass through at police roadblock. Equally, their lived experiences avoiding paying WB fines for overloaded trucks. It also manifest in other ways such as lack of provision of basic services, such as constant power supply as well as expressed in semantic range of popular local *Chewa* sayings, proverbs, songs and symbols. Unfortunately, most academic literature has ignored the common *Chewa* sayings that reflect a common held view about the phenomenon. Instead, to the Western world, the word "corruption" is often used to analyse behavioural conduct of those who indulge in it rather than the *Chewa* word *Nichekeleko*. When they do this, they miss the point because of failure to analyse innate long-term relationships the local concept has which enables actors to engage in the phenomenon. Further, there have been efforts to reduce the persistence of corruption through preventive reforms by the government to deal with the practice, such as setting up of fast truck courts, the revocation of licenses, but the problem of *Nichekeleko* has not plummeted either. What is missing in most of these efforts on the subject of corruption is clear realization to recognize taxonomies⁶ of human relations, that they are cultural and language specific. My observation and discussions with informants revealed that if the local *Chewa* concept *Nichekeleko* was used to analyze behavioral conduct of participant, it could

⁴ In reasoning, Egoism is simply the hypothesis that one's is, or ought to be, the inspiration and the objective of one's own activity, a truthful depiction of human undertakings. See Baier, Kurt (1990). "Selfishness" in a Companion to Ethics. Ed. Subside Singer. Blackwell: Oxford.

⁵ Altruism is the guideline or routine with regards to worrying about the welfare of others

⁶ Scientific categorizations basically mean the grouping and naming of creatures in a requested framework that is proposed to show common connections, particularly transformative connections between individuals. See Racherds, James (1995) Elements of Taxonomy in Philosophy. McGraw-Hill: London.

have been more revealing as the concept directly reflecting the actor's social, economic and cultural life experiences at the WB in Zambia.

Generally, measures to deal with corruption in Zambia are well documented in several regional and international instruments. For instance, the United Nations Convention against Corruption (UNCAD), the SADC protocol against Corruption, the government of the republic of Zambia (GRZ) enactment of statutory instruments number 12 of 2005, (s) 3 (Lubinda, 2013) and the re-introduction of the Public Service Code of Ethics in 2010. These prevention strategies have failed to have it reduced because the focus remains at the surface level in the sense of understanding the act as one not reflecting a practice of gift-giving or support which is implied in the word *Nichekeleko*.

Furthermore, the most applied judicial system used for reducing it is found in the Public Bodies Corrupt Act of 1889, the Prevention of Corruption Act of 1916 which criminalized it in the public sector through ordinary law enforcement organizations. The point being made here is that the English translation of the word overshadows the literal meaning of it. This dependence on the word "corruption" as though it were a label for a pre-existing fact to examine human conduct at the WB neglects to uncover the social relations embodied in man. From the *Chewa* lexicological⁷ analysis the word *Nichekeleko* means support manifesting in gift exchange and favoritism is embodied and passed on from one WBO to another. This probably explains the reasons why actors who engage in the phenomenon see it as less corruption and hence its persistence as discussed in the preceding chapters of this thesis.

Further, in contrast to the mentioned factors that fail to explain the reasons for the persistence of *Nichekeleko* at the WBs is the role of political Parties- the Patriotic Front (PF) in interfering with WB functions as well as tax reforms seem to have a closer connection to the persistence of the problem.⁸ For instance, students of corruption studies have argued that corruption is likely to occur when a public official is intermeshed with political elites. The introduction of tax reform was a political strategy aimed at reducing corruption. Nevertheless, it proved inadequate to eliminate the problem at the WBs. This is because the concept of corruption in politics does not reflect a common interpretation as in literal meaning of the word *Nichekeleko* by those involved in it. To politicians, corruption is tax evasion and theft,

⁷Lexicology is the piece of phonetic that explains about words. This may incorporate their nature and function as the symbols of meaning, their relationship to meaning in epistemology overall, and the guidelines of their arrangement into littler components. It likewise includes relations between words. See Roland Gérard Barthes (1980) on Lexicon.

⁸See Francis Mba (2009) on role of political parties and corruption in Zambia, (p34).

but not in the lens of those involved at the WB. For example, the Zambian government introduced an alternative minimal tax of 2 % on all transported goods in an effort to avoid tax evasion that equally proved inadequate. Such reforms proved insufficient at the WB because operators complained that they did not bring incentives to their work for them to be efficient. In fact, such reforms were proven inadequate to reduce *Nichekeleko* because they did not reflect the life experiences of WBOs as encapsulated in the word *Nichekeleko* for support. This shows other factors fuelling *Nichekeleko* in Zambia. Therefore, none of these studies has sufficiently investigated the mechanism and the reasons that have contributed to the persistence of *Nichekeleko* found in Zambia. Instead, the causal relations between these factors and the reasons for the occurrence of the problem were in a frequent manner, only ambivalently, if not wrongly assumed and insufficiently treated. The absence of a thorough investigation on these factors and their relation to the problem is not only because of the sensitiveness of the topic and the issues concerned but also because of the lack of a comprehensive understanding of “how” and “why” *Nichekeleko* has persisted by underestimating the importance of lexicon. The necessity to gain such an understanding shall not be permissively ignored since it is the key to the many questions asked in this study that have satisfactory been managed. To gain such an understanding will also enable a broader diagnosis of the problem of *Nichekeleko* and a more comprehensive evaluation of the roles of certain formal and informal practices associated with the phenomenon. This is exactly where this thesis starts as follows:

1.2 The research question and aims

Sociologically, *Nichekeleko* is the social act of exchange that takes place in the context of power relations between actors. This phenomenon is persistent and the reasons for the persistence are not clear in Zambia. But most scholarly work on it has attributed its persistence similar to the factors facilitating corruption namely; globalization, state capitalism, bureaucracy to privatization which is debatable. There have been attempts to reduce corruption by the Zambian government through the authorization of statutory instruments. For example, the ACC Act chapter 91 of the laws of Zambia, the SADC convention in the fight against corruption under article 21, the Public Service Code of Ethics, the introduction of female workers at the WB and by encouraging the important role played by the International monetary agencies such as the IMF, NORAD and the WORLD BANK in subsidizing salaries for WB staff. Nevertheless, the problem of *Nichekeleko* still holds on. Therefore, the research question arising from the failed strategies to reduce it is as

follows: What are the reasons for the persistence of the *Nichekeleko* phenomenon in Zambia, despite all the intervening strategies taken by government to reduce corruption.

In order to answer the research question effectively, this study was assisted by the following research aims below:

1. What are the reasons that facilitate the persistence of *Nichekeleko* at the Weighbridges (WBs) in Zambia?
2. What are the behavioral patterns facilitating *Nichekeleko* at the WBs in Zambia?
3. What underpins the phenomenon of *Nichekeleko* at the WB in Zambia?
4. To what extent is *Nichekeleko*'s persistence a problem economically and culturally to the participants at the WB in Zambia?

1.3 The Objectives of the Study

The objectives of the research included the following:

1. To establish the reasons for the persistence of *Nichekeleko* in Zambia especially at the WBs despite several intervention strategies taken by the legislature to lessen it.
2. To establish whether the persistence of *Nichekeleko* in Zambia, especially at the WB takes place in the context of power relations by those who engage in it.
3. To investigate the informal cultural practices predominantly facilitating the persistence of *Nichekeleko* at WBs in Zambia.
4. To explore the extent at which the persistence of the problem affects actors and networks economically and culturally. In this sense, my research will trace the contours of *Nichekeleko* questioning its meaning and analyze its continuity and changes culturally.

1.4 Justification for the study.

The overriding justification for this study stems from the continued persistence of corruption in Zambia (Mbao, 2006; Gluckman, 2004; Fundanga, 2011). The study is particularly relevant in the face of wide spread failures to reduce it, as currently there are concerns about its persistence in the road sector. In general sense, there is substantial literature concerning types of corruption and governance in Zambia and Africa in particular (Kasongo, 2000; Mbao, 2009; Lubinda and Malila, 2013 and Ndulo, 2014), but there is dearth of literature that focuses on the life experience of those who engage in the phenomenon. Zambia has been lauded for being the primary nation in Southern Africa to devise genuine Anti-corruption

programs, through policy and prevention measures of legislation, and yet evidence on the ground has revealed no specific effort to develop and implement the policies that are centered on actor's behavior. In this thesis I have argue that the *Nichekeleko* phenomenon should not only simplistically be perceived as illegal as when the concept "corruption" is used but understanding it from the actors' lens (linguistic semantics) and lived experience in the context of relational power, may enable lessons to be drawn on how to reduce it.

Given my focus on *Nichekeleko* phenomenon, the thesis also contributes to filling a gap in knowledge on corruption as an informal cultural practice using a localized concept *Nichekeleko* that is unique to the Zambia's experience. Along these lines, the contribution of this research is not that of "information for learning purpose" (unadulterated research), it includes connected research, focused on having any kind of effect by placing learning enthusiastically. The expectation is that it can influence the Zambian public policy making and its execution in the fight against corruption, by widening its definition reflected in the local lens of those involved. In this manner spare society's monetary, material and human resources and adjust them to their ideal use by suggesting suitable anti-corruption systems as opposed to the western prescriptive analysis on corruption in Sub-Saharan Africa. In this review, knowledge from multifaceted nature of thinking was relied upon to add to a superior understanding and devising sustainable answers. Much of what I know about corruption is generated in studies conducted in the context of economic application with data sourced from newspaper reports an approach based on traditional perspectives. However, this kind of focus is more of a panoptic view by analysing it from a macro level. Such an approach to explore and analysed corruption is purely based on the complexity theory point of view which this study avoided.

However, I experienced limitation of information in accessing it that may have constrained the profundity of the study, but it is hoped that new perspectives for examining corruption have been accomplished that others will include and similarly open. My intention was also to provoke thought concerning the application of complexity thinking in micro-sociology to solve complex problems in Zambia.

1.5 Organization of the thesis.

This thesis is organized into 10 substantive chapters. Chapter 1 briefly gives a background to the problem thus by examining the concept of *Nichekeleko* from a cultural linguistic semantics in relations of power arguing that its irreversibility is connected to the lack of

understanding the concept in literal sense as support. The issue in chapter one is that when the Anglo-Saxon word “corruption” is used it fails to expose the social relations that glue actors together hence its persistence.

After the introduction, chapter two discusses a mixed methodology as the best that provided an overview for data collection in the study. It emphasizes the participant observation method as key to the collection of data. The bulk of data collected for this thesis was based on Participant-observation as an appropriate method for the study. It enabled me to interact and learn the lived life experiences of WBOs and TDs, as they were able to articulate about its meaning to their lives.

Chapter three surveys portions of the significant segments of writing that are particularly pertinent to corruption, framing the thesis, beginning with wide scholarly subjects and theories, and narrowing to the particular works whereupon this study is built. In doing as such, the work outside the extent of this thesis was left out and the explanations behind this were found unimportant to discuss.

Chapter four presents broader debates on the causes of corruption emphasizing the lack of agreements in literature for its causes. It presents an argument that by not paying attention to social relations through words and their semantic differences, sadly is the real confusion for not knowing the factors causing corruption everywhere hence proposes the use of the localized concept *Nichekeleko*. The argument here was to show links between governance and corruption in relations to power at microscopic level, and refute the causes of corruption as being economic or executive decisions but failure to link the phenomenon to the localized concept as implied in the *Ubuntu* ideology to mean compassion or social support.

Chapter five presents various patterns of behaviour practices emphasizing relations of power perpetuated by actors at the WB contributing to the irreversibility of the *Nichekeleko* phenomenon. By analysing these patterns, I concluded that the problem of *Nichekeleko* should not be understood as an isolated action but be placed within the context of individual’s social relations as the best way to reduce its persistence.

Chapter six presents the analytical framework, namely *Nichekeleko* as a contracting process. By analysing patterns of the four phases identified in the contracting process, I concluded that the initiation phase and the phase of contractual performance on the part of the WBOs were of critical importance to the successful completion of the phenomenon. The conclusion on

chapter six is an observation in the striking dominance of *Nichekeleko* for gift-giving based on relations of power that is entered during the negotiation stage.

Chapter seven probes the *Nichekeleko* practices in anti-corruption institutions from a micro perspective that also misses the relations of power as being the dominant force.

Chapter eight examined the *Nichekeleko* phenomenon through analysing various prevention strategies that the stakeholders have put up to reduce the phenomenon, but with no success story. The chapter concludes by showing the links between strategies the omission of power relations in most prevention techniques.

Chapter nine presents the consequences of the effects of the *Nichekeleko* phenomenon on actors socially and economically at the WB. The argument here is that the investigation of corruption must not be an end in itself but rather the effects on the actor's lives and those close to them are additionally vital. Chapter ten is a summary of all the chapters in the study of the problem. Since all the main chapters are designed as self-standing articles, their self-contained form and structure were mostly preserved in this thesis.

1.6 Definitions of Key Concepts.

Corruption: is defined in this research as abusing assigned public power in exchange for private benefit. Succinctly, the Transparency International (TIZ), and the international money rendering agencies have widely accepted this definition of corruption literature. Nevertheless, the definition does not exclude conduct such as embezzlement or misappropriation of public funds. In this thesis, the definition of corrupt conduct fall into practices of bribery, embezzlement, fraud, theft or graft that is sometimes used almost interchangeably with 'corruption' as the most salient, resilient and damaging form of corrupt conduct. Corruption remains the focus in this thesis even though not exclusively. This is because other chapters of this thesis have explored an overview of various forms of corrupt conduct, not exclusive to bribery in order to gain insights to what constitute the *Nichekeleko* phenomena.

To be more particular, corruption in this thesis alludes to the offering, giving, accepting, or requesting of something of significant, worth for influencing the action of an individual in the performance of his or her public or legitimate obligations, paying little attention to whether it constitutes a wrong.

Nichekeleko: is a *Chewa* word which means "Give me a cut or what is in it for me". However, for this thesis *Nichekeleko* is an obscure idea implying that it is permitting the

likelihood of a few different meanings, as a word or expression, particularly with expectation to misdirect or misinform; helpless of twofold translation; purposely vague: an ambiguous answer. Of doubtful nature, character questionable, dubious and suspicious etc. Operationally, it implies bribery, gift-giving, favouritism, the process of soliciting, revered behavioural conduct, money laundering. It also means ways of conduct such as acting, thinking or speaking impliedly or expressly, and importantly, emotional and social support

Weighbridges: A Truck scale (US), weighbridge (non-US) or railroad scale is an expansive arrangement of scales, typically mounted forever on a solid establishment, that is utilized to measure whole rail or street vehicles and their substance. By measuring the vehicle, both discharge and when stacked, the heap conveyed by the vehicle is computed.

Phenomenon is a reality or circumstance that is seen to exist or happen, particularly one whose cause or clarification is being referred to. It can likewise be depicted as, "accomplice behavioural confirmation portrays the degree to which an accomplice intentionally or unknowingly carries on in ways that inspire perfect harmonious practices from the objective" (Theobald, 1999).

Power Relations: Conceivably, the frequently cited work of the Foucauldian legacy is the examination of power relations as basic to social relations and knowledge of the life world around us. For instance, the expression; "I am such and such a man who acts in such and such ways" and the way we are with individuals and things around us and mirror ourselves in them is a declaration of relations of power.

CHAPTER 2: METHODOLOGY.

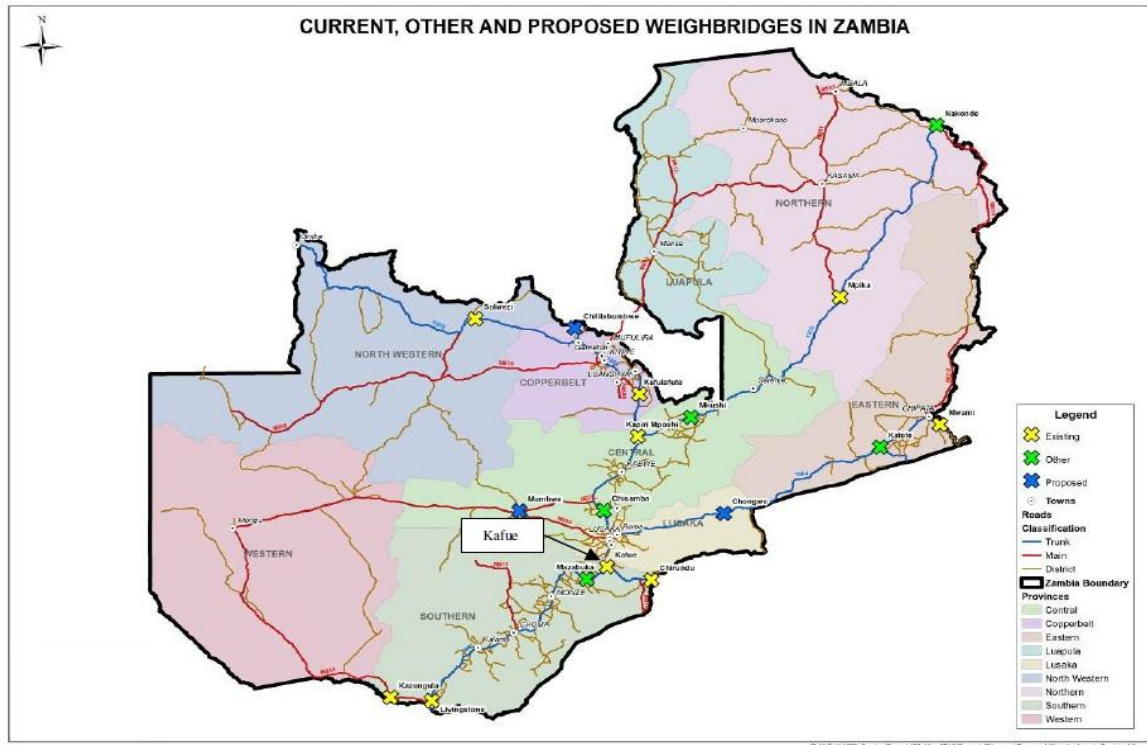
Methodological Techniques of Investigating the *Nichekeleko* phenomenon at Weighbridges in Zambia: Participant-Observation of Events, questionnaires, interviews and focus group Interviews.

2.1 Introduction.

The introduction of public sector reform in the 1990s in Zambia was undoubtedly an ambitious program. Institutional changes in economic liberalization, democracy, and better administration were viewed as important to undermine corruption. Nonetheless, *Nichekeleko* justifiably known as corruption by majority Zambians appears to have adapted and seems to have done so with more vigor. These changes have created new motivating forces and openings in the transport business, especially at the WBs. Nevertheless, economic liberalization led to weakening of state capacity to control corruption. Fundanga (2009) and Mbao (2011) support “that one of the effects of economic reforms were job losses that led people to engage in corrupt activities in the transport sector” (pp.345). This does not suggest that the administration of the Republic of Zambia (GRZ) has stayed quiet to lessen corruption in the transport sector. For instance, the late Republican president Levy Mwanawasa on 29th November 2009 appointed a commission of inquiry to examine corrupt activities at the WBs in Zambia. In a similar situation, the global monetary institutions, such as the International Monetary Fund (IMF), under the much-maligned Washington Consensus proposed strategies demanding good governance as a condition for disbursing of funds in the transport sector (Theobald, 1990). Nevertheless, the problem of corruption has not capsized. In the field, I observed that one of the weakness in coming up with robust results in reducing corruption is the insensitiveness in explaining the persistence using a localized concept-*Nichekeleko*. Briefly, I argue that it is not enough to come up with commissions of inquiry. What is required to reduce it is to apply a mixture of methodological techniques that goes beyond mere moral campaigns and political slogans. Consequently, this implies the need for new methods of examining corruption to facilitate for its reduction in the transport sector in Zambia. Keeping in mind the end goal was to answer the research question in addressing the reasons "why" the *Nichekeleko* phenomenon has persisted at the WBs. Participant-observation technique comprised a major part used in this study, even though a mixture (triangulation) of methodological techniques were used to neutralize limitations of the former. There are 18 WBs in Zambia all together. Nevertheless, for the purpose of this topic

research was undertaken only at the four WB stations namely; Kapiri-Mposhi, Livingstone, Kafue and Kafulafuta (WBs) as shown marked yellow on map 1, 2 and 3 below.

2.2 Rationale for the Research design and method.
Map of Zambia’s Road transport.



Map 1: Indicating location of Kafue WB.



Photo 1. Truckload during the weighing process.



Photo 2. Axle after inspection



Photo 3. Truckload after weighing in transit to South Africa.



Photo 4. Long queues of trucks at Kafue.



Photo 5. Trucks impounded for overweight.

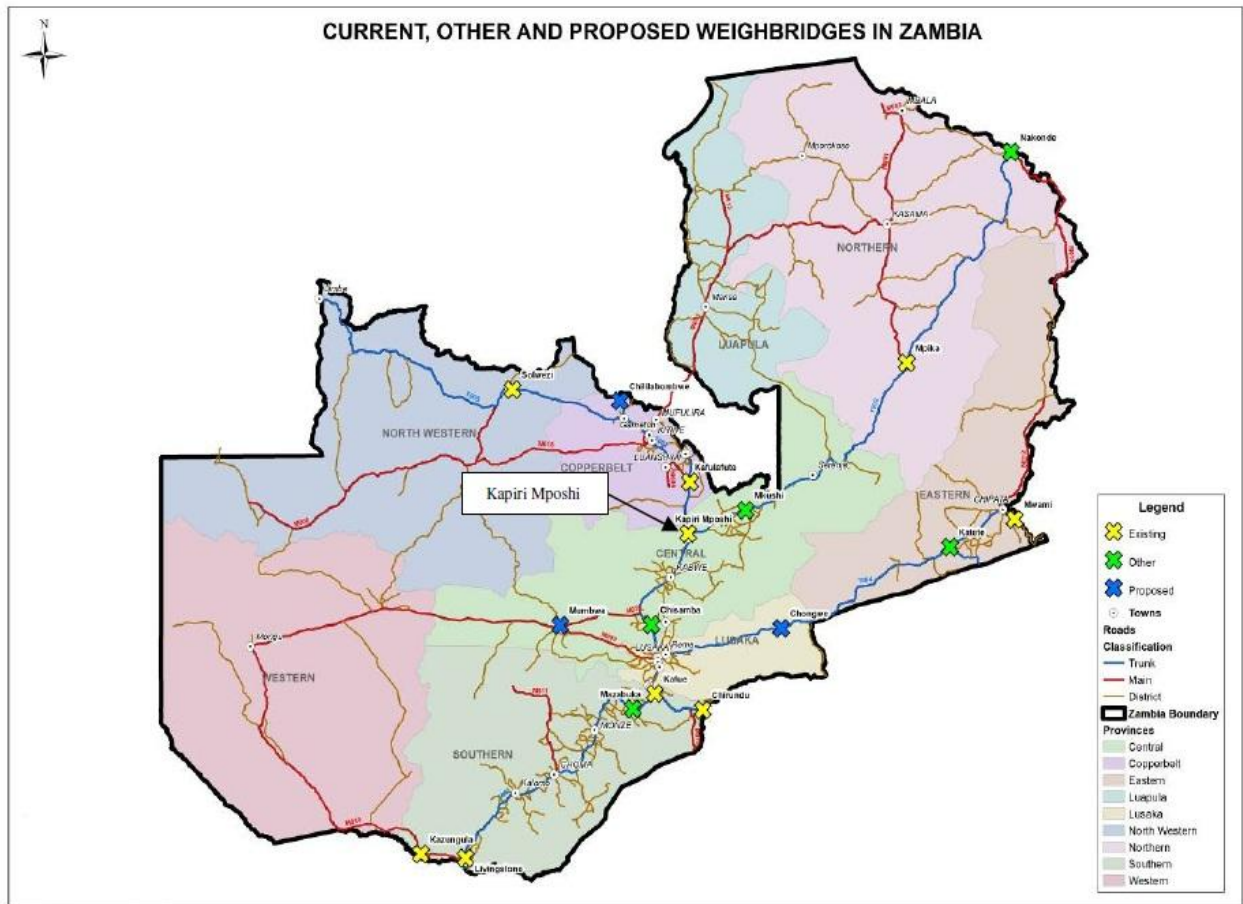
LIVINGSTONE WEIGHBRIDGE PHOTOGRAPHS



Photo 6: The busiest WB at night time and relatively empty during the day.



Photo 7: Fewer trucks during day than at night-time.



Ref:Z:\11\002_Zambia\Projects\25_May_2014\Current, Other and Proposed Weighbridges in Zambia_A2.docx

Map 2. Available online on RDA websites.

As shown on the map, the four WBs are located at the central point of the road network connecting T2⁹ to Congo and T4 to Tanzania. Their central locality was one of the motivating reasons for conducting this study. It is estimated that about 840 trucks per week pass through Kapiri-Mposhi-WB making it the busiest in the country (NORAD, 2015). The picture below shows Kapiri-Mposhi and other WBs where the study was undertaken. These photographs were taken for the purposes of showing the volume of traffic per minute passing through at the WB arranged in date order.

⁹ The letters T4 implies inter-regional roads outside urban areas or towns singularly assigned by the government giving the high level of mobility connecting common capitals. T2 implies between regional roads number 2 and 4 the same separately. See RDA (2011) Manual, (pp71-82).

KAPIRI-MPOSHI WB PHOTOGRAPHS.



Photo 8. Truck waiting to be cleared at Kapiri-Mposhi Township weighbridge in Central Province.



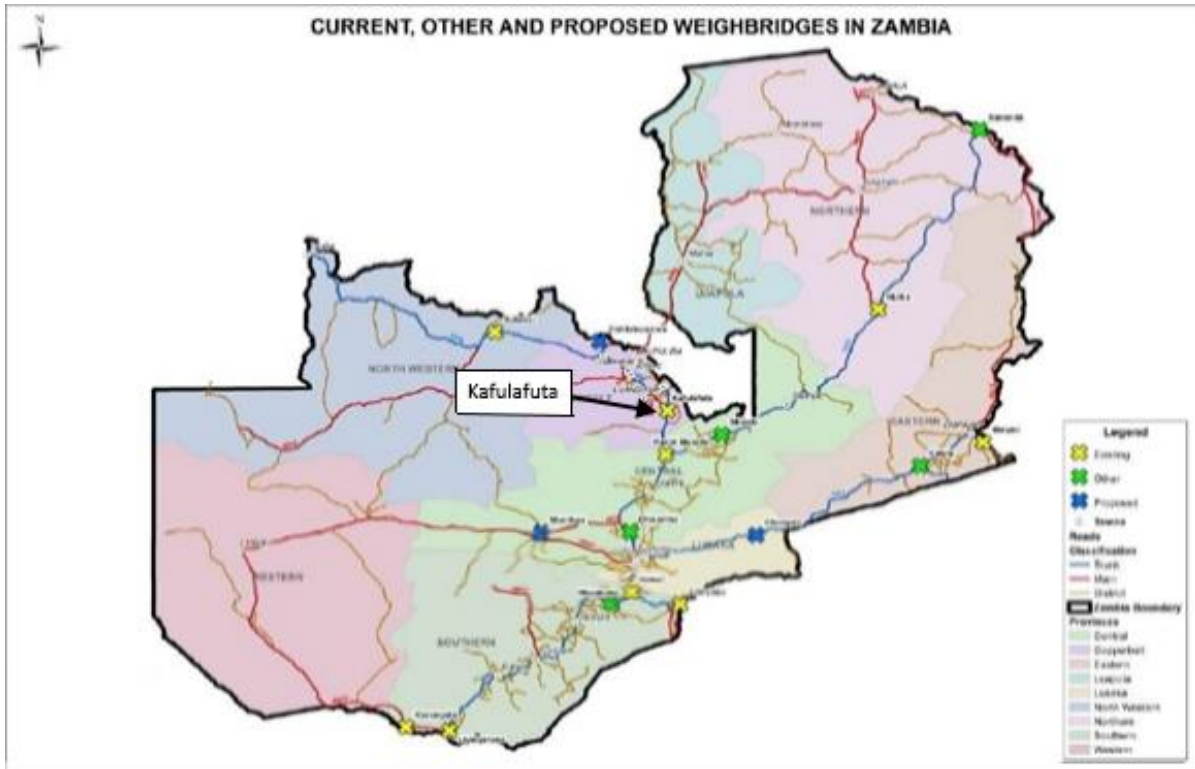
Photo 9: Demonstrating an empty space during weekends



Photo 10: Loaded truck on the axle



Photo 11. A bus passing at the WB to South Africa.



Map 3:
KAFULA-FUTA WEIGHBRIDGE PHOTOGRAPH.



Photo 12. Kafula-futa Weighbridge

The study was undertaken at the mentioned weighbridges because of their being centrally located in the country, meaning that they are representing more axle load¹⁰ activities such as the offloading of over weighted trucks, the weighting, the charging of WB fines as well as detaining defaulting TDs in Zambia.

When it comes to selecting a weighbridge, one of the first big decisions was whether to go for a pit or surface mounted bridge. In many cases, the answer was dictated not only by usage and budget, but also by the site conditions themselves such as site conditions themselves. Therefore, the Kafue, Kapiri-Mposhi and Kafula-futa WBs are all installed on a pit because of the environment which is only conducive for a pit mounted WB. For example, it is almost impossible to install a surface mounted WB at these selected WBs because of the volume of traffic passing through weekly. It was estimated that that about 840 trucks were weighted every week at Kapiri-Mposhi alone. What was also common at these WBs is an inspection room for offloading over-weighted trucks. However, what I observed during the study was that the inspection rooms was not used to offload overloaded trucks, instead, offloading such trucks was done on an open space outside the WB.

Nevertheless, the method of collecting raw data at the Weighbridge was non-experimental, qualitatively and quantitatively.¹¹ Meaning that, this study used a combination of methodological techniques referred to as mixed methods¹² in examining the reasons for the *Nichekeleko* persist at the WB in Zambia. Succinctly, chapter two describes the general conduct of this study

The main and subsidiary questions guiding this research are stated at the beginning of this thesis to demonstrate that the methodology and methods used for this investigation are in line with what is being investigated. The bulk of the methodology employed is qualitative even though some statistical techniques are used in some cases. The rationale for using mixed method for this research has been described later. Although this research emphasized the use of qualitative approach, simple statistics and simple percentage techniques were also used as clarified by (Patton, 1990). Besides, a general review of examining the problem, strategies

¹⁰ . The axle load of a wheeled vehicle is the aggregate weight felt by the roadway for all wheeled vehicles associated with a given weight. In another way, the WB is the division of aggregate vehicle weight lying on an axle load at any given moment. See Turner, M (2009), pp11-13.

¹¹ See Creswell (2006) on '*quantitative and qualitative method of research inquiry*'. Blackwell, London

¹² Mixed method research examine encourages the utilization of different perspectives or ideal models instead of the regular relationship of specific standards for quantitative specialists and others for subjective scientists.

and systems, testing techniques for the choice of research, triangulation methods, and information accumulation, were altogether exhibited. The triangulation techniques were utilized to enable these different techniques supplement one other and give an extra insight to the study. Afterwards, details of data analysis and interpretation, were occasionally exhibited utilizing some diagrammatical outlines. The chapter finishes up with a discussion on reliability, legitimacy and ethical issues that was demonstrated as the advantageous method for collecting samples. Evidently, the principal technique utilized for this study was participant-observation and the utilization of self-administered questionnaires.

2.3 Participant-observation

Participant-observation is the observation of the phenomenon by the participants who partakes in the exercises and occasions with a goal of drawing near to the activity and to discover what things mean to them (Shulamit, 1988). This view is upheld by Sillitoe *et al.*, (2005, pp78.) who characterize participant-observation as a “method for collection of data through intense interaction by the researcher with respondents in the research setting over the medium to long term”. Participant-observation can be used by both qualitative and quantitative approaches. When used as a qualitative instrument, as the case was in this study, the method offered me immense opportunities such as those observed by Shulamit (1988, pp. 240), who contained that,

“Participant observation makes the researcher utilize his/her reflexive inquiring position to reveal the fundamental suppositions in the study. The self is used in research as an instrument, observer and as a receiver and receptacle of experience that is to be explicated, but when scientific instruments are used instead of human observers, we learn only about reality as it appears without personal involvement or interpersonal dialogue”.

The usefulness of this method in this study, compared to other techniques and methods of data collection, was that it allowed me both the direct and indirect collection of data. This methods was found appropriate because it offered a chance to observe actors who engage in the *Nichekeleko* phenomenon from “inside”, (where I participated in the situation under study) or “outside,” (where I did not necessarily become part of the situation being observed). In the former, I joined the group (WBOs) who were being observed. I observed their behaviour among the members of the group by listening and taking part in their conversations. In the latter, the observed according to Bryman (2004) may, not even identify the researcher. In other words, participant-observation, where I participated from “inside” can be said to be “open” and to observe from “outside” is said to be hidden (covered). Patton

(1990, p. 209) calls the open observation “overt” and the hidden observation as “covert”. Sillitoe *et al.*, (2005, pp.92) further guide what a researcher should do in participant observation.

“The researcher watches and takes an interest in the regular issues of the actors in the study setting without endeavouring to deal with that setting or impact and how occasions unfold. For this reason, such studies have been termed naturalistic enquiry, with the intention generally being to produce rich data (i.e. multifaceted descriptions) rather than reducing a complexity and diversity of social life to a limited number of variables”.

My observation was that when you were a former WBO, it is hard to be an “outside” in any observation making this study a “naturalistic enquiry”. I always found myself interacting with the former staff and (TDs) unintentionally. My mere presence at the WB reminded me of TD’s stories and their complaints for poor services due to bureaucracies in management of WBs.

However, Participant-observation can also be either structured or unstructured (Vogrin, 2006) as illustrated below in the table form below:

Table 1. Types and Characteristics of participant observation

Structured	One that previously defines what and how the observation goes. Here, I defined what was recorded. Then, I took note of the duration of the observation as observed. For me the observation of <i>Nichekeleko</i> took 12 weeks from 1st July 2015 to 15 th October 2015.
Unstructured	Only more or less general features or rough basic contents categories are previously defined. The plan of the research was unstructured hence the observation unstructured. Based on holistic approach (aims at achieving as thorough insight into the situation, as possible). This gave me the possibility of noting down even previously unanticipated observations relevant to the study.
Open (Overt)	Here, I literally became a group member. I Revealed my role as investigator to the other members of group. I Revealed what I or wanted to observe, purpose and course of research. Ethical since

	<p>members or the researcher can decide not to cooperate in the research for various reasons.</p> <p>Researcher may significantly influence the behaviour of the observed and the outcome by revealing identity and purpose of research. Data obtained may lack validity and reliability conclusions</p>
Hidden(covered/Covert)	<p>It also reduces reactive effects and opens access to unapproachable group. It made me be at par with other group members. Cannot predict effects of groups' actions on the subject being investigated. The revelation of covered observer during or after may harm and diminish confidence even to future investigation.</p> <p>However, it opened an opportunity of investigating hardly accessible and marginalised groups of people. It guaranteed the anonymity and respect of the other members.</p>

Source: Adapted from Vogrinc (2006).

Therefore, I noticed that the structured observation seems to go along with the open one while the other two, hidden (covered) and unstructured seem to move in the same direction.

- **Advantages of Participant-Observation technique.**

However, I found advantages and disadvantages for using the participant-observation. For example, I found it suitable for uncovering sensitive information and discrete behaviour of WBs. It also included foreign nationals, men, women and civil servants, because as a researcher, I had at my disposal both verbal and non-verbal data. I also became an instrument for data collection and was offered rare opportunity to do a self-analysis without being suppressed as the case is with other methods. I found it appropriate for this study because of the sensitivity of the topic and that it was less expensive. In addition, social reality is perceived from someone inside (open/ overt). It provided a holistic approach of collecting information even that not expected. It allowed me to think of social life not as a set of elusive fixed laws but as a process of habits. It offered me an opportunity to interview the groups TDs, WBs, traditional leaders and bank clerks surrounding the WB. Scholars Shulamit,

(1988); Bryman, (2004); Sillitoe *et al.*, (2005) and Vogrinc (2006) on such issues confirm the importance of the method as it helps the researchers understand topics they may not have completely understood in the beginning. Nevertheless, they were limitations as well, to my using the participant-observation, such as not being sure if I was being highly subjective. However, I made sure not to take sides, thereby not inhibiting fact-finding mission. Rather than merely recording the participants' behaviour, I judged it to avoid ending up with biased data. I knew that the study might jeopardize current or future research if my hidden identity was discovered during or after the research. Usually, the identity of researcher's role may influence or change behaviour of people under study thereby producing unreliable and invalid conclusions (Shulamit, 1988; Yin, 1994; Bryman).

- **Limitations of Participan-observation method.**

Equally, this study employed unstructured technique and therefore, covered or covert observations were used that enabled me to interact with many respondents in these natural settings. These include, among many other situations and places, chiefs palaces, villagers, the TDs and other passengers on the buses. Overt observations took place at the WB in the staff room, at the University of Zambia (UNZA), RDA Headquarters. In these situations, the respondents were aware of my role as a researcher as well as being a former WBO hence knew my identity and the purpose of the study and what role they were to play in the discussions that followed. Some of these interactions were followed by group discussions, using snowball¹³ sampling techniques. Nevertheless, I found it challenging to find someone willing to give information without demanding for a slice. This means that the concept of *Nichekeleko* was directly confronting me in my face. Nevertheless, since I was now aware of it wearing different lens as a researcher, I made sure to guard against such temptations during my investigations. In short, I tape recorded such demands in order to prove the validity of the existence of the problem at WBs.

2.4 Questionnaire

I realized the importance of a questionnaire to balance the the validity of participant observations techniques. I self-administered questionnaires to TDs and WBOs for 12 weeks from 1st July,2015 to 31st Septemeber, 2015. In such situations, the TDs and the WBOs who needed the questionnaire had specific variables such as sex, age employment status, nationality and years of experience in the field of WB operations. In particular, it involved

¹³ From observation, snowball testing system is a situation that the enables existing subjects select future subjects from among their associate

primary and secondary data sourcing. A non-probability sampling strategy normally known as or snowball systems was discovered fitting for the study in light of the fact that the members are probably going to know one another who share the attributes that make them qualified for incorporation in the research. For example, employment position, in this case seniority and job title was used as a variable¹⁴ to pick the samples. I selected WBOs based on their employment ranking. In this particular case of study, 96 were sampled out of the population of 120 WBOs from the 4 WBs. About 120 out of 740 TDs were sampled based on factors, for example, sex, years of involvement in truckload driving and nationality. In order to pick the required 120 sample for the TDs a simple random sampling was at first used to select the five participants. I picked every tenth TD who passed at the WB. Fortunately, all the 120 sampled responded as it was ease to sit down with the first five who later explained the importance of this exercise to other drivers during the weighing process of the truck. Simple random sampling was found necessary for this category of participants to eliminate biases. The overall population of the study was 854 comprising of WBOs, TDs, law enforcement officers and traditional leaders. Nevertheless, the self-administered questionnaires were given to TDs and WBOs only. The total sample size was 207 out of a total population of over 854 per week. Firstly, I used snowball-sampling technique to pick the five TDs because I knew that the five would easily distribute the 120 questionnaires to others they know better. I selected the TDs because of their being available and knowledge on the subject being explored; thus by politely requesting them to answer my questionnaire as they pass at the WB. Nevertheless, although extremely risky, this is one sampling methods I did with caution. The sourced data from the self-administered questionnaires and from this group is reliable because the sample size of 207 (24.2%) per week was a representative of 2,484 in 12 weeks. I only picked a weeks sample size of 207 (24.2%) as a standard measure to give an overview to the statistical significance of the results. In short, the set of 12 weeks the results were not different from the one estimated per week of 24%. 840 is the total population of TDs per week with a sample size of more than 2,484 in 12 weeks. The decision to administer questionnaires was for determining the degree at which *Nichekeleko* is perceived as a major problem in monetary terms and purely for statistical purposes. The statistical analysis of *Nichekeleko* being a problem is explained in detail in chapter six of this thesis. Therefore, only a week's sample size of 207 representinf 24% out of 840 TDs as total population per

¹⁴ A variable is anything that is different. Examples of variables are such as age or sex

week was found appropriate to eliminate my own biases on the subject of *Nichekeleko* at the WB.

- **Advantages of Using self-administered questionnaires at the WB.**

Questionnaires are known to be scientifically neutral and provide a formal measurement. Indeed, the questionnaires were administered by targeting WBOs and TDs by identifying their employment status, sex, years of experience as operators and physical addresses left in the offenders, visitor's book, and nationality of participants passing through the WB.

For this study, questionnaires demonstrated to be faster as supported by (Bachrads and Scobe, 1975; Benson, 1945 and Moser and Kalton, 1971) due to the cost related to travel time. For my part, the questionnaire had open and closed questions because; I was convinced was the only way to expand on certain questions and responses that was necessary for the study. For example, on the questionnaire, the open-ended question such as, what word did the people of Zambia before privatization to describe *Nichekeleko* use? The answers helped me to expand the background information on the limited literature, knowledge and activities of the *Nichekeleko* phenomenon in Zambia. The answer confirmed that the *Nichekeleko* phenomenon is not new neither the concept itself. One key technique used in administering the questionnaire at the WB was plotting¹⁵. This helped me to take detailed notes on how participants were reacting to certain sensitive questions.

- **Disadvantage of a self-administered questionnaire at the WB.**

They gave me an extra task of redesigning the questionnaire and changing the style of questioning in cases where questions were misunderstood. In some instances, respondents left some questions unanswered.

2.5 In-depth interviews.

Generally, interviews are a very important source of information to both qualitative and quantitative paradigms. The interview system is typically delegated and thoughtful, since it includes respondents providing details regarding themselves, their perspectives, their convictions and their communications. It can also be useful to elicit factual data (Patton, 1990, Wallace, 1998). Interviews are a very useful way of collecting data. As noted by Patton (1990), people are more willing to talk in an interview than the case would be if they were asked to write. Actually, as seen by McMillan *et al.*, (1993, pp.250) “interviews are basically

¹⁵ The concept of plot means is what happens in the narrative. It is the thing that connects with us as observers and keeps us keen on a progression of irregular occasions. What transforms a story into a plot is the means by which the occasions unfurl in an easygoing way. See Creswell. (2006), pp56-58.

vocal surveys whose readiness is to some degree like that of questionnaire”. They are another strategy of collecting information, the second major source of primary sourcing of data. For my purpose that is semi-structured interviews¹⁶ were undertaken from October 2015 to January 2017. According to Kitchen and Tate (2000), they claimed that, “interviews are the most usually utilized strategy for subjective research” (pp 340-345). Unlike questionnaires, they enable me to deliver a rich and changed arrangement of information in a less formal setting. They take into consideration a more careful examination of sentiments, goals, experience and assessments that surveys cannot catch (Valentine, 2005). Interviews are embraced in a wide range of structures, extending from organized, semi-organized and unstructured¹⁷ against this foundation, interviews were chosen as the most fitting methodological procedure for addressing the research questions. The utilization of interviews for this study gave numerous chances to members, as far as time and extension, to express their feelings and talk about their experience of *Nichekeleko* at the WB in Zambia. Interviews give a rich background and point-by-point records of members' encounters and viewpoints of the topic (DiCicco-Bloom and Crabtree, 2006). The interviews were contained an arrangement of open-ended questions that supported unconstrained reactions from 207 interviewees out of the population of 850. It was desirable to select people who are flexible, familiarity with the study, some degree of previous experience as interviewer and respondent as criterion variable necessary for selection in the sample space because we assumed there was some transfer of learned skills from one project to another. Social attitudes of interviewees such as sex, nationality were some variable equally considered important for the sample in the interviewing process. The decision of this study technique was made by the need to comprehend and investigate the respondents, perspective (identifying with their particular roles and skill) as opposed to attempting to create summed up suppositions regarding the matter. Prospective interviewees were asked as to whether they could take an interest in the study. When they concurred, arrangements were made for interviews in their favoured areas. Inside each meeting, an endeavour to construct a decent line of correspondence with the respondents was implemented known as “a discussion with a reason”. This discussion involved an arrangement of open-ended and closed questions (contained in a schedule of questions comprising of comparable questions for individuals from a similar interview groups) aimed for collecting the obliged data to address to the

¹⁶ See Mark Abrahamson (1983) on interviews as ‘*the face to face exchange of information*’ between two people. Urwin. London.

¹⁷ Semi-structured interviews are a set or arrangement of pre-built up inquiries with a restricted arrangement of reaction classifications for social affair exact information of a codable sort for clarifying practices inside pre-set up classes.

research questions. All things considered, questions that occurred to me amid the interview (emerging out of reactions from the interviewees), were likewise re-asked when important. Each of the meetings endured on a normal of 10 minutes.

During these interviews, I remained as unobtrusive as possible, largely because I wanted to observe the interaction between WBO and TDs. I was amazed at the disparities in power relations between WBOs and TDs and assured anonymity to everyone as I tape-recorded the conversation in order to measure the frequencies of the words used during the discussions. Because of the important issues of anonymity, a number of the participants (especially previous WB, staff) declined from having their interviews tape-recorded. This is an unmistakable instance of the troubles related to a sensitive subject like *Nichekeleko*. In addressing this issue, postured by worries over secrecy, members were given three alternatives, comprising of tape-recording, recording direct cultural codes, and note taking of reactions applicable to the study. These were developed within 24 hours after each interview. Curiously, even some of the individuals who did not have any desire to have their interviews recorded were happy to be quoted specifically through the verbatim recording of particular perceptions amid the interview, while others asked for (and were clearly allowed) namelessness. Those granted anonymity were mostly senior public officials (i.e. RDA and ACC Officers) for fear of divulging any public information in accordance with the laws of Zambia.

In order to address the research question adequately, it was essential to consolidate interviews with key national-level figures with meetings at local levels. Lusaka district was chosen from each of the ten provinces distinguished by respondents being the capital city that houses the Kafue WB, thus; the recognition as most influenced WB station with WB operations. At the national level, interviews were conducted with key policymakers. These run from agents of global universal offices (i.e. the World Bank, NORAD) to government employees in the Ministry of Works and Supply, Central police command and the Anti-corruption commission officers. Those I met at the state level included RDA senior officials, Provincial Road Engineers and some transport proprietors, for example, Vwalika transport proprietors. In addition, interviews conducted at the community level were with traditional leaders for knowing the cultural practices and formation of the word *Nichekeleko*. Similarly, individuals from the academic background were interviewed. This is because academic institutions have dependably been exceptionally valuable in national building and improvement the world over. Through research and investigations, the academic community epitomizes a wide range

of knowledge and data that helps in the comprehension of new strategies needed in addressing real contemporary problems confronting any nation. Keeping in mind the end goal of knowing how the academic sector sees *Nichekeleko* phenomenon since the 1960s, three lecturers in the linguistic department who are recognized experts in the subject under scrutiny were interviewed at the University of Zambia.

However, in conclusion as supported by Freebody (2003) I ordinarily observed interviews in “three-part taxonomy: structured or fixed reactions, semi organized, unstructured and open-ended interviews” (p34). Structured or fixed reactions are those that limit the areas of importance of the discussion to a planned arrangement of questions and in this way, by conclusion an arrangement of conceivable answers. Semi-structured interviews start with a predetermined arrangement of questions; however permit some scope in the breadth of significance. What was taken to be significant to the interviewee was sought after. Unstructured or open-ended interviews are those where maybe just a couple profoundly broad questions or issues are put across to the group of individuals being talked with (Freebody, 2003).

The number of respondents involved in an interview was also a point considered. When only one respondent is involved in a given interview, it is called an individual interview as opposed to a group interview where a given number of respondents are interviewed at a time (Sarantakos, 2005). There are also a number of steps that were taken into consideration by me before embarking on the interview approach. Some of these steps are, developing interview guides based on the research questions, avoid double-barrelled or multiple barrelled questions, then identify the possible interview themes or subjects and identifying the possible respondents from a given population that I actually took note of before I requested anybody for interviews.

2.6 Focus group discussion.

Thirdly, notwithstanding the semi-organized interviews reflected in the previous pages, I additionally choose to carry out a focus discussion for three days in September, from 27th to 30th to investigate the issues brought up in the research with some degree to a wider range of Zambian nationals. This was considered vital since most of the interviews included were with key members and partners in government and different sectors. In this way, while the research plan was not directed at covering a wider section on their views about this subject, it was at the local level surrounding the WB community where I tried to broaden the approach

to encompass the views of a wider range of social groups. I had two focus group interviews with key sectors at Kapiri-Mposhi and Kafue WBs.

The focused group technique included a little gathering of individuals in a casual setting. These were traditional leaders and villagers near the WBs examining the subject in a more extensive social sense, not the same as statutory translations. This encouraged cooperation between individuals at the WB as a normal characteristic of research method. One remark from the dialog, for example, triggered a set off a chain of reactions. For example, at the community level with village headmen, the discussion shifted from experiences of WBOs to the specific role of individuals at the WBs. Briefly, two different focus groups were formed at Kafue and Kapiri-Mposhi WBs. These incorporated a focus group with three conventional headmen to be specific headman Mposha, Ngabwe and Ngilashi in their areas close to the WB. The reason for these engaged gathering talks with village headmen was that they direct certain customary rights and group issues as per traditions of Zambia. The customary rulers were chosen because of their powerful position as village heads, on culture, identifying *Nichekeleko* diachronically and synchronically explaining especially how the word *Nichekeleko* has changed in meaning and formation. Further, proximity to the WB and their role in local administration as the mediator between the people and political officials in Kapiri-Mposhi and Kafue council was the reason for their inclusion in the focus discussions. They frequently voice the necessities and worries of the local community (or if nothing else their elucidation of them) under their control to the local government authorities for possible consideration. Similarly, some resigned or dismissed government workers and WBOs were especially helpful in revealing some insight into the historical setting of *Nichekeleko* experiences and some vital changes that have happened after some time. For instance, it was revealed that the concept of *Nichekeleko* was not new, but become actively useful during and after the privatization exercise¹⁸. Previously the concept of *Nichekeleko* was similar to the one used by cross boarder traders known as *Katumulomo* understandably to mean the same as *Nichekeleko* but exclusive to cross boarder traders.

In conclusion, focus groups interviews are informal techniques that helps one assess respondents' needs and feelings before, a policy intervention design and long after implementation. They are a powerful means to evaluate services or test new ideas. They are a platform where one brings together a number of respondents to discuss issues and concerns

¹⁸The word used before privatization was *Katumulomo*, common on the Copper belt province of Zambia. Chief Ngabwe's subjects confirmed that *Nichekeleko* is a word born out of the privatization program.

about the features of the problem. These are interviews of six to ten people at the same time in the same group. One can get more data during a focus group period. Sillitoe *et al*, confirms that (2005, pp.177) that, “focus group acts as a tool for studying ideas in a group based on the belief that the whole is greater than the sum of its parts”. The purpose is to generate new data, clarify additional points of detail, elucidate information derived through other techniques, and build consensus among group members. The goal was to get closer to participants’ understanding of the subject. They are known for a number of reasons. One of them is that they often bring out respondents' immediate reactions and ideas, making it possible to observe some group dynamics and organizational issues. To the participants, the focus-group period made them feel free. This atmosphere allowed the ease flow of ideas on the subject under inquiry. This is because these discussions were usually relatively unstructured. The interviewer or moderator follow a pre -planned script of specific issues and set goals for the type of data to be collected. During the group discussion period, I had the heavy task of keeping the discussion on the topic without obstructing the flow of ideas and comments. It was my job to ensure that all group members contribute to the discussion and must avoided letting one participant's opinions dominate. At the same time, I avoided putting words into the mouth of participants. After the session, data analysed was as basic as having writing a short report summing up the common state of mind of the group, explained with a couple of bright quotes in *Chewa* expressions.

However, the picture painted here was that focus group interviews were ease, but not the case. For example, there were challenges that I faced in planning to use Focus Group technique considered. McNamara, (1999) sums up some of the challenges faced by interviewees as moderators in Focus Groups as follows: Sorting out what are important, understanding implications, decoding symbolism and unravelling complex situations. These I faced them as well.

Therefore, my study used a triangulation of techniques. This is the use of more than one method in a given inquiry. The idea was to avoid situations where the study had results generated exclusively only by one technique. This is the view advanced by many researchers (Patton, 1990; Bryman 2001; Freebody, 2003). The argument here is that methods have limitations and exclusively depending on one could be bias or even distort results of the issue being investigated. Indeed, a triangulation technique that involves the use of more than one is referred to as methodological triangulation while that involving more than one theoretical scheme is known as theory triangulation. This study had employed both methodological and

theoretical triangulations. Although methodological triangulation was used in this study, more strength was given to the participant-observation technique to investigate the *Nichekeleko* phenomenon. The argument advanced for using both approaches was that the more the methods compare with each other, the greater the my poise in the findings. I have used participant-observation to discuss the findings from interviews, focus group discussions, and document analysis and vice versa. I felt a risk in choosing a single research technique as the main instrument of study than using the other many to supplement it. In a situation where they do not seem to support each other, the attraction of making them do so is very high. This is so in that you think that whatever findings your so-called main research instrument brings out is a true reflection of your research (Yin, 1994; Patton, 1990). However, when all the research instruments are at par and findings do not seem to suggest one and the something, you may go back to the research questions and come up with a proper focus could be focusing on different things (Cohen *et al.*, 2000; Bryman, 2001; Freebody, 2003). This is in line with what Patton (1990) said:

“Multiple source of evidence are sought and used because no single source of data can be trusted to provide a complete perspective on the program. By using a mixture of observations, interviews, document analysis and focus group discussions, the field worker is able to use different data sources to confirm and validate findings. Each type and source of data gathering instrument, however, has advantages and disadvantages” (pp. 244).

2.7 Optional information Sourcing (Secondary Data).

This research also exploited a wide range of optional data sets. Mark (1983) divides this category into subcategories. For my sake, it comprised a detailed examination of the scholarly works on Zambia. For example, data was sourced from international and academic books, journals and articles, archival sources left from earlier human behaviour on the commentary of corruption outrages in global newspapers. Further, many relevant papers from institutions in Zambia starting from the various Ant-corruption bodies, like the Transparent International against Corrupt, the Anti-Corruption Commission, the National Planning Commission, and the Road Development Agency were all sources of data. Corruption as a major concern in Zambia was the motivation for many international and home-grown studies. Moreover, there have been a good number of current peer-reviewed articles printed on it. There is also, however, a vast number of data on the globe that is similar to the study, this includes significant and valuable sources such as papers from state and local government as well as other national and global institutions but it also includes a variety of online journals,

blogs and rumours which are largely uncontrolled. According to Flanagan and Metzger (2001) “almost any kind of material can be put on the web without checks or confirmation by autonomous or impartial parties”. Therefore, even though the fact that the World Wide Web is a treasured resource which gives access to a fortune of data like policy material and opinions, not all data available on the web are “value assured” and a large number of them may be very prejudiced and biased. For instance, online journals are often peer-reviewed and international institutes host documents that are scrutinized for their content. However, on the other hand, work posted on the internet by other groups like NGOs and newspapers, maybe for several religious and political reasons be biased, particularly when legislators own them. Equally, the majority of worldwide journals works is not cultural specific that confirms the reason for the boundaries in the methodology to analyse corruption. This does not imply that they are not beneficial for the studies because, indeed, they can be very enlightening sources for a study of this nature, but they need to be treated with caution. It is against this background, I was able to apply caution and accepting the various debates close to the problem of corruption in Zambia. These aspects were taken into full reflection in examining and analysing the important type of material that was collected for this study.

Equally, in order to examine individuals’ perspectives, experiences, behaviours and feelings (Patton, 1990; Bryman, 2001), this research adopted the interpretive and exploratory dimensions of local *Chewa* and some *Bemba* concepts. This provided me an opportunity to analyse human motives, beliefs, and values in a language understood by the actors involved in the phenomenon. Realizing that one of the challenges that qualitative researchers meet in the field is how to narrow the gap between philosophy and practice, I took into consideration the suggested local philosophical assumptions that need to be given serious consideration as supported by Creswell (1998, pp.906)

2.7.1 Documentary analysis

Weiss (1998, p.260) grasps that papers are “a good place to search for answers. They provide a useful check on information gathered in an interview”. He added that when “other techniques fail to resolve a question, documentary evidence can provide a convincing answer”. Alternative view shared by Hamersley *al.*, (1995, pp. 156) about documentary proof is that “it would be hard to consider anything approaching ethnographic account without some attention to documentary data in use”. Apart from providing proof, Weiss (1998) noted that documentary analysis also allows the analyst to become thoroughly conversant with the

materials and helps to protect on time. The usefulness of documents as research tools is that they help substantiate and strengthen the evidence gathered using other tools.

- **Advantages.**

For my study, it provided reliable and quality information. Often documents are written by authors without knowledge of future research work that may make use of their work, more than one source, giving a chance to countercheck the information and offer a chance to researchers to study past events and issues.

- **Limitations**

Some documents were found incomplete and sometimes with out-dated information and biased, as they depended much on the point of view of the writer. It was time consuming to read volumes of these documents. Some documents were difficult to access due to legal implications. However, this study made use of document analysis. The document analysis consisted largely of those in the transport sector as well as journals and statistical data provided by the RDA HQ. Current journals on transport and UNESCO Annual Reports on Road infrastructure were another source of research materials. Research work done, among the *Chewa* by other researchers (Serpell, 1993; Smith, 1995) was also made use of in this study.

2.7.2 Data Analysis and Interpretation

This research used the technique of inductive scrutiny as the basis for its data analysis. Patton (1990) holds that:

“The strategy of inductive plans is to allow the important analysis dimensions to emerge from patterns in the cases under study without presuming in advance what the important scopes will be” (p 44).

Hammersley *et al.*, (1995, pp. 209) on a similar issue propose that in analysing qualitative data, the first task is to find concepts that help “make sense of what is going on”. Patton (1990) seems to suggest that these notions about information analysis start arising during data gathering, that marks the beginning of the analysis, and this continues during the study. This shows that unlike in quantitative study, where data analysis only takes place after data collection, in mixed method study, like this study, data collection and analysis go hand in hand to build a coherent interpretation of the data (Sarantakos, 2005). In this study, the

beginning of information analysis was in the data collection stage itself and as well as after. The idea of analysing data after gathering was to cross check with the role one played in the field.

Therefore, from the focus group discussions, participant observation, interviews and questionnaires, I started by developing tentative understandings as regards to the study questions. Patton (2002) supports this issue that as the researcher continues interacting with the data, they start making sense out of what people have said by looking for patterns and integrates them with what several people have said after which they are interpreted (Patton, 2002). While, for Miles *et al.*, (1984) analysis, should start with data reduction. This involves careful reading of the recorded data, documentation of the main evolving themes and classification of the data for analysis to data organization. This means that data should be collected around certain themes and points. Usually the themes are related to the research questions devised. In this study, constructs, themes, and patterns were identified from the interviews, participant observations and focus group interviews. Since this chapter is about techniques of handling and scrutinizing qualitative data, a sociological custom was adopted. The sociological tradition that treats text as an opening into human practices was found suitable in analysing data for this study. There are two methods used in sociology of scrutinizing data. These are in form of words or phrases generated by methods for systematic elicitation and the free-flowing texts, such as narratives, discourses and responses to open-ended interviews.

Nevertheless, for the purposes of this study, the Foucault power relations and Bourdieu theory of fields practice was used as it helped to understand WBO's experiences in a rigorous and determined manner. The theories also helped me to classify the *Nichekeleko* phenomenon into various patterns of behaviour from the actors. The theory was a repetitive process that enabled me be immersed in the data and advances gradually comfortable concepts and models of how the phenomenon being considered really works.

Schema was also another sociological technique used in analysing data in this study. Schema helped me to exploit clues (Quinns, 1987) about what actors indulging in *Nichekeleko* do. It helped me to begin examining patterns of behaviour and speech, the repetition of the words in the process of weighing truckloads. The idea here was to assume I was able to understand WBOs experiences from the narrations they gave to me whilst attached to the WB. The understanding of the phenomenon being studied and results emerge from experience with the

setting and theories. The themes used were reached at after doing some coding. Miles *et al.*, (1984, pp. 56) define codes as:

“Tags or brands for conveying units or meaning to the expressive or inferential data collected during a study. Codes regularly are attached to portions of varying size, words, unconnected to precise settings”.

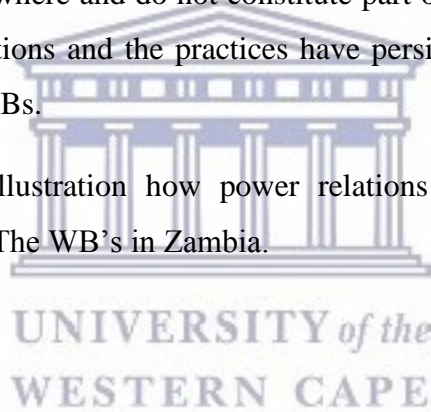
The process used in this coding was firstly to review the transcripts as many times as I could. The review involved splitting and dissecting these transcripts into meaningful interpretations, which were reduced to quotations. It is these quotations from various participants that were put under some themes using what Miles *et al.*, (1984, pp. 69) calls “pattern coding,” and describe pattern coding as “a way of combing summaries into small amount of themes. In this thesis, the use of pattern coding proved very useful as it helped in identifying supporting, conflicting or even contradicting evidence coming from the traditional leaders on one hand and the policy-makers and implementers (WBOs) on the other on the understanding of the *Nichekeleko* phenomenon to all. Krueger *et al.*, (2000) hold that the extensiveness and frequency of issues that come up during interviews or focus group discussions are important in arriving at what themes or reasons seem to dominate any discussion. It was with this view in mind that attention was also given to factors that are identified by Krueger *et al.*, (2000, pp. 136) which help identify which themes seem to receive more attention by the participants such as, Extensiveness (How many different respondents said the same thing) and Specificity (Were comments made very specific and detailed?). On emotions (Did some participants speak with emotions, e.g. where they annoyed, frustrated or enthusiastic to talk about *Nichekeleko*. Frequency (How frequent was the same thing mentioned and by who?

In some cases, rather than just giving the English version of the transcript, the original expression in *Chewa* or Bemba language was given as well. This was aimed at capturing some emotions and specificity involved when giving out that particular piece of information as suggested by Krueger *et al.*, (2000). In cases where an idiom or proverb has been used, I found it imperative to give the original expression in *Chewa* or Bemba as well. Some meanings or emphases are lost when you translate idioms or proverbs from the *Chewa* dialectal into English and vice versa. Considering that, dictations of the meetings and focus group discussions are relatively long, only extracts of the most important quotations rose during the interviews and discussions were considered relevant.

2.8 Summarized Methods of analysing Power relations in *Nichekeleko* phenomenon by a diagrammatical illustration.

It was also found appropriate to also gather data through observation and interviewing WB staff stationed at the WB and at RDA. Most important was the 12 weeks of observation and interviews with samples of WB staff and TDs. I had also utilized a questionnaire in collaboration with other techniques. The purpose of gathering data in this section was to present the relevant sociological contribution to analyse social system at the WB in a diagrammatical design. For a long time most scholars on analysing the causes of corruption concentrate on formal hierarchies, or organization bureaucracies. However, this section has demonstrated the call to understand informal relationships as the best way to broaden inquiries of social practices. The argument is that WB staff develop informal social relations and an informal cultural norms and values, informal in the sense that they are embedded in them, and are not written anywhere and do not constitute part of the RDA official programs. However, informal these relations and the practices have persisted overtime; hence give an opportunity to persist at the WBs.

The diagram below is an illustration how power relations significantly contribute the persistence of *Nichekeleko* at The WB's in Zambia.



**2.9 Model for explaining power relations between participants at the WB:
The Weighbridge Operators views.**

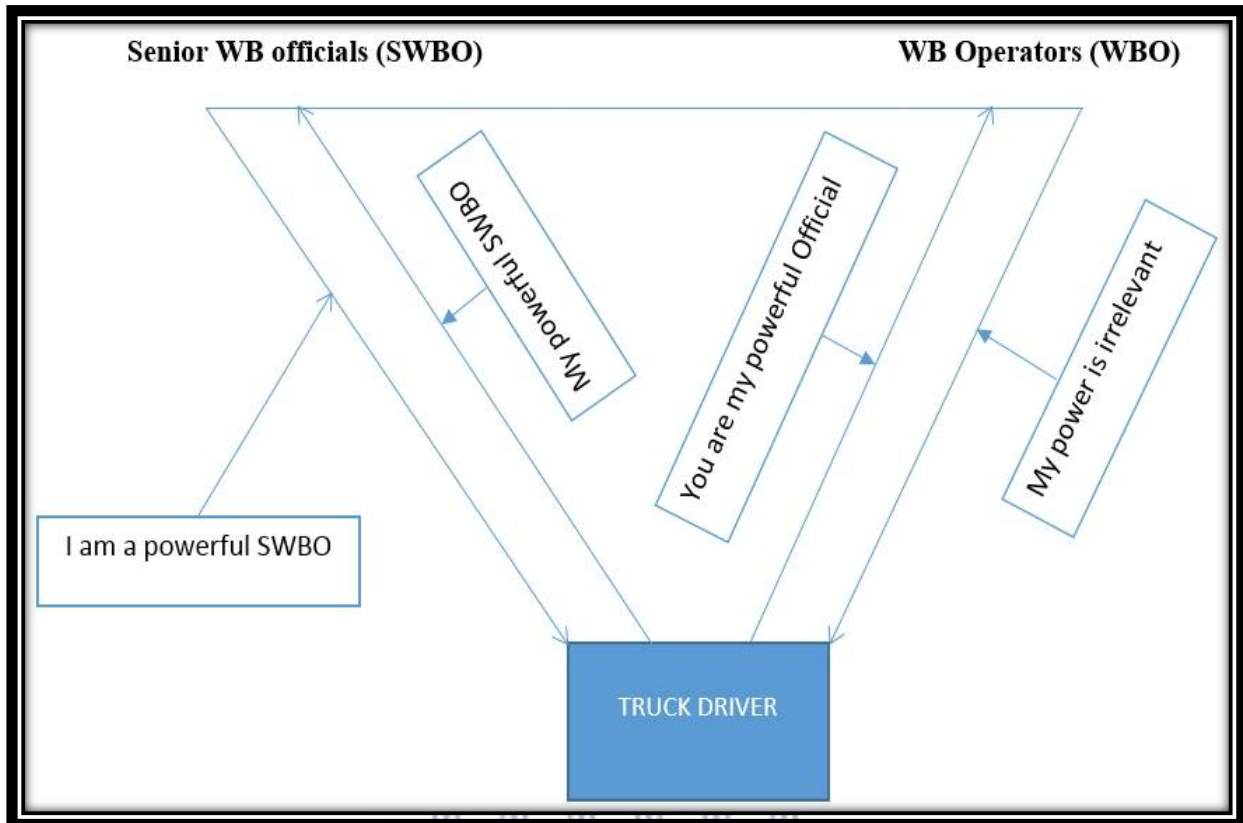


Figure 1

The diagram above on (fig 1) is concerned with power relationships between TDs, WBO and SWBOs. As per Michael Foucault (1984, pp. 34-37), “power ought to be understood as the variety of multiple relations absolute in the sphere in which they work”. Power relations will be relations, in whom influence is exercised where the subject can possibly block, change, overturn or converse the relation of guidance and direction effected” (Hechter and Kanazawa, 1997). It is clear in the diagram above that TDs have the power to influence and block decisions and effect change from the WBOs who feel powerless. The uncertainties of decisions created between the WBOs and the SWBOs create opportunities favouring *Nichekeleko* phenomenon at the WB. It also implies that TDs are responsible for their own fate since there is likely to transfer a relation of power into argumentative confrontational manner. In summary, apart from directly observing behavioural conduct of the participants involved in *Nichekeleko*, I also took note of power relations between actors as summarized on figure 1 above.

2.10 Issues of External and Internal validity.

- External Validity.

According to Patton (1990, pp. 490) who says that:

“findings are most valuable with respect to the specific setting from which those findings rose, and the interpretation of findings is specific to those individuals who need and hope to utilize the data that has been produced by evaluation research.”

This perspective makes it clear that the purpose of evaluation research is to provide information that is useful in form action. The above statement is in line with external validity that can be generalised to the findings to other population. While much of the findings of this research refer to Lusaka and Kafue District in Zambia, they convey some message on how the actors perceive *Nichekeleko* and how it has been difficulty to reduce it. While this study generalised its findings to other populations affected with the *Nichekeleko*, it also tried to appeal and impress upon all the stakeholders to look at ways and means of finding an appropriate policy on *Nichekeleko* in the transport sector among SADC member countries. This study could be replicated in other places such as Malawi and Mozambique South Africa, Tanzania and the Democratic Republic of the Congo.

- **Internal Validity**

By employing different methods of data collection which encompasses the use of informants, or interviews on norms and values illustrated the fact that each type of method had specific limitations (Mouton, 1990). For the sake of this study, by employing different methods of data collection I was able to compensate for limitations of each. For example, it was an important task to supplement the more reactive method such as direct observation with the less reactive one such as the use of documentary sources. For example I was able to collect information from the RDA manual books; auditor general’s reports on financial accountability on road projects and the ACC report on corruption in the transport sector. This was an intervention strategy meant to ensure legitimacy on the biases of direct participant-observation and interview dialogues with participants at the WB. However, like most experts on this have stated that problems of validity and reliability worries are a key criteria in forming and evaluating the quality of any given research. Silverman (2005) argues that a research is pointless unless it shows the procedures used to ensure than methods used were reliable, rendering the findings as valid. A study that cannot measure what it claims cannot be

said to be valid. In (1994, pp. 34), Silverman defines reliability and validity as creating correct operational measures for the concepts being studied. Internal validity is the making of a causal relationship, whereby certain conditions are shown to lead to other conditions, as distinguished from the false relationship. While external validity is the establishing of the field towards which research findings can be generalized. Indeed, reliability establishes that the operations of the research like the data gathering techniques can be repeated with the same results. Gobi *et al.*, (1985) propose that it is necessary to specify terms and ways of forming and evaluating the quality of qualitative research that provide an alternative to reliability and validity. They suggest two primary criteria for evaluating a qualitative research. These are: (a) dependability and, (b) validity.

In this study, I have used the terms internal, external and reliability as described by Yin (1994). For Bryman (2001) internal is engaged to show that the research was carried out according to the principles of noble practice, which includes the ensuring that the subject of the phenomenon being considered was precisely recognized and defined. It also includes, to some extent, the proposal of research findings to members of the social world who were studied for approval that the researcher has correctly understood that social world. This entails that internal validity depends on meeting the demands of causal reasoning rather than on the using a particular method alone. Causal inferences are internally valid only when the observed change or difference can be attributed confidently to a specific variable that has been isolated by the researcher (Patton, 1990; Bryman, 2001; 2004). The argument here is that a causal relationship exists if the cause led the effect. In such cases, there is need to ensure that the cause is related to the effect and that one cannot find any other plausible explanation for the effect other than the cause (Sarantakos, 2005). There is need then to control some factors such as age, gender, experience, status in society etc., on the part of the participants in the research so that the outcomes are not fully controlled by these factors. This study used a number of techniques to achieve credibility. During attachment at the WB, I had constant interaction with RDA officials at HQ and provincial level. As a *Chewa* man by tribe, I also interacted with the traditional leaders and elders, who are the custodians of the *Chewa* language I used to study the phenomenon of *Nichekeleko* at the WB. The common grounds established, in both cases, ensured some levels of credibility. As explained already, I am not just a Nyanja/Chewa and Bemba speaker but I have worked at the WB for 19 years in the same province and district, thus internal validity was not just ensured but also increased. The participants in all focus group discussions included (Weighbridge operators, Truckload

drivers' traditional leaders the youths, villagers and some prominent business people) around the WB. These were homogeneously sampled with same social status (Patton, 1990, pp. 173). The use of methodological and theoretical triangulation increased credibility and reliability as well (Guba *et al.*, 1985).

2.11 Ensuring anonymity.

As indicated by Schuman and Presser (1989), respondents tend to be reluctant to provide interviewers with information on sensitive matters. One possible strategy to reduce the effect of such responses from questionnaires in our study was to emphasize the anonymity of responses, and the assurance that the researcher will not identify the respondents in any way was accepted as the minimum requirement for validity.

2.11.1 Establishing rapport.

On account of my field research, for example, the exceptional mixture of status as an inside researcher (a Zambian) and a former WBO employee implied was favored to networks with several individuals in various conditions in a range of ways. My status as a former worker of RDA permitted me easy contact to diverse groups of participants within some of the local and state levels. On the other hand, this was not the case at the national level. Apart from the fact that most of my informants at this level had never met with me before the interview, other issues like personality differences and the sensitive nature of my specific topic (*Nichekeleko*) meant that I assumed the role of an outsider at this level. Before my connection at the WB, I had imagined that my status as an insider would give me a liberated access to members that transverse over different areas, however this was not the situation, the same number of key RDA authorities (for instance) that were at first booked for interviews could not be reached. Nevertheless, instead of namelessness one of the procedure of attempting to build up the relationship or compatibility with members, however tedious yet it killed introductory question between us.

2.12.2 Training

Equally, adequate training of interviewers, research assistants increased the likelihood of reliable data we collected at the WBs in Zambia. This is because interviewers were given clear instruction regarding the aims of the project, such that the importance of accurate and consistent interviewing was emphasized. This also helped to eliminate coding and classification errors.

2.12.3 Ethical consideration

Approval to conduct the study was gotten from the higher degrees committee and ethical clearance from the research and grant committee of the University of the Western. The letter of permission to be attached to RDA was granted on the 11th February, 2015. All participants signed a consent form stating their rights and obligations as stipulated in the Secrecy and Information Act chapter 28 of legislation in Zambia. The consent form was read as subsidiary regulation together with the chapter 28 subsection 14 (d) of the laws of Zambia. The form mandated participants to refuse; to participate; to record and protect information during and after the study. Nobody was coerced, bribed or intimidated to participate in the project. Equally, the lead researchers were obliged to interpret the consent form before it is signed by participants. However, the first ethical issue relating to this piece of work was personal experience as a WBO. This means that there was potential for personal bias in examining the phenomenon. In order to reduce this bias, a mixed method of gathering data was used such as through interviews; observation of events and actions as discussed in the preceding paragraphs. The interviews with operators, current and retired ones provided a cross check with data gathered internally through questionnaires. Equally, the participant observation provided nuances not captured in the questionnaire

2.12.4 How my review identifies with philosophy and theories of Social Science

My study depends on constructivist, interpretative, and phenomenological ideal models. These ideal models expect that the truth is co-made, that significance in human activity is inborn in that activity and that information about things must be reflected as one experiences it (Schwedt, 2001). Guba and Lincoln (2005) wrote that a significant portion of social phenomena consists of the meaning-making activities of groups and individuals around some phenomena. They described the meaning-making activities as the central interest to social constructionists and constructivists' activities that shape action or inaction

My enquiries revolve around how meaning of *Nichekeleko* is narrated by participants in stories they told. According to Charmaz (2006), an interpretative view of theory progress highlights that the very understanding gained from the theory rests on the theorist's interpretation of the studied phenomenon. It aims to show patterns and connections rather than fate. The subjects that emerged from this study were based on interpretive settings used to code the participants' view that shaped their reality, as well as my own reflexive experience as a WBO. From a phenomenological position, it is obvious that the focus of my research is on how practices in the life of the actors affect their living in meaningful way.

2.12.5 Motivation of the methods used to conduct this study.

Therefore, this means that this study is based on my biography and a few selected WBOs stories. To numerous researchers, the part of a personal analyst has been of worry to numerous authors. Sparkes (1994) and Atkinson (1998) have brought up issues inside the corpus of the writing regarding this matter with respect to subjective understandings and judgments of the analysts. They doubted how much the scientist ought to uncover in sharing stories not to encroach on building trust and setting up believability. For my situation, I disclosed to the members how my own background working at the WB has made me who am today. I supported my statements with credible letters of promotions and the scholarship I was granted to read for a degree for being dedicated and the most devoted and dependable worker. The divulgence of my accomplishments and show of credible documents of support and my claim of steady resistance against *Nichekeleko* at the WB may have credited trust and trustworthiness among my fellow previous WBOs. It is no wonder, my request to study the *Nichekeleko* phenomenon by RDA management was granted without any hesitation. Numerous researchers have contended that the significance of the true to life study is the emphasis on true to life personality or historical structuring. As indicated by Fischer-Rosenthal (2000) accept that the connection amongst structure and people must be seen adequately by breaking down the advancement of the individual identity in the life course. Hence; the excessive investigation of the single case is stressed and the disclosure of the issues not specified in the interviews is essential for an adequate case analysis. This approach is firmly connected to phenomenology and Alfred Schultz's work. The core idea is that during the life course individuals accumulate diverse biographical experiences into a coherent description of their life course. These experiences are present in our knowledge we use in everyday life, biographical decision-making as well as in the story we present in an interview situation. The centre thought is that amid the life course people amass various true to life phenomenon into an intelligent portrayal of their life course. These encounters are available in our insight we use in regular day-to-day existence, anecdotal basic leadership and in addition in the story we display in a meeting circumstance. Our self-portrayals or historical stories are connected to these *Nichekeleko* encounters they are not free from our past. The connection to the past gives us the likelihood to explore on my past life history and the advancement of the today's self out of the present viewpoint. Many scholars have argued that the importance of the biographical study is the focus on biographical identity or biographical structuring. According to Fischer-Rosenthal (2000) assumes that the link between structure and individuals could only be understood sufficiently by analysing the increase of the

individual personality in the life course. Thus; the excessive analysis of the single case is stressed and the discovery of the issues not mentioned in the interview or observed is important for a sufficient case analysis. This approach is strongly linked to phenomenology and Alfred Schultz's work. The core idea is that during the life course individuals accumulate diverse biographical experiences into a coherent description of their life world. These experiences are present in our knowledge we use in everyday life, biographical decision-making as well as in the story we present in an interview-situation. Our self-representations or biographical stories are linked to these *Nichekeleko* experiences they are not very free from our past. The link into the past gives us the possibility to do research on my past life history and the development of the today's self out of the present perspective. Against this background this research tries to assess the difference between experienced life history (my experiences) and narrated life story (how we interpret our life from the current point of view) in order to show how their current biography or self-description is determined by the past experiences as a WBO in Zambia.

The central idea of the historical narrative interview as used in this study was to generate a natural autobiographical narration, not knowingly structured by questions postured by the interviewer but by the narrator's structures of relevance. Joss Elson and Lieblich (1995) ascertained that narrative approaches to understanding bring the researcher more closely into the fact-finding process than do quantitative and statistical methods. They argued that through narrative, we are exposed to our participants as people engaged in the process of interpreting themselves. "We decode, recognize, re-contextualize, or abstract their life in the interest of reaching a new interpretation of the raw data of experience before us" (Denzin, 1998). It is the kinds of data that was considered important and covered a wide area namely "personal brochures" or "documents of life" (Plummer, 1983) that included diaries, letters, autobiographies, biographies, memoranda and other resources. Clandinin and Connelly conclude that these are "field texts"-, which may be made before the research for a different usage (Clandinin and Connelly, 1994). These helped me to outline oral history, family stories, photographs and other personal and family artefacts for WBOs during the research.

2.12.6 Conclusion.

In conclusion, this study was founded on mixed methods because it provided strong point that offset the flaws of both quantitative and qualitative research. This has been the historical fight for mixed methods research for the last 25 years (Jick, 1979). The dispute goes that quantitative research is frail in understanding the context or background in which people

express themselves. In addition, the voices of members are not straight heard in quantitative research. Further, quantitative investigators are in the background, and their own personal biases and interpretations are rarely discussed. Qualitative research makes up for these limitations. On the other hand, qualitative research is seen as incomplete because of the personal interpretation not taken care of and biases arising from the study, and the difficulty in generalizing findings to a large group. This is because there is usually limited number of participants studied. Clearly, therefore, the combination of both approaches can offset the weaknesses of either approach used by it. Therefore, mixed methods were used in the study because it provided a more complete evidence for studying a research problem such as this one than either quantitative or qualitative research alone. It enabled me to use all of the tools of data collection available rather than being restricted to the types of data collection usually associated with qualitative research or quantitative research. Mixed methods research helps answer questions that cannot be answered by qualitative or quantitative approaches alone. For example, “do participant views from meetings and from standardized instruments join or depart?” Others would be what explain the quantitative results of a study. Finally, mixed methods helped us source qualitatively data before an experiment had even started, such as through interviewing public officials associated with WB operations in Zambia. What should be made clear is that under mixed research strategies are both qualitative and quantitative methods equally understood when contrasted with positivism and interpretivism. The two, however, overlap in many cases (Patton, 1990). To start with, quantitative research imposes limitations on the scope of the inquiry (Hebert, 1990). This is because of its requirements for inflexibly adhering to certain processes such as sampling and analytical techniques. Quantitative research is interested in details that can be measured to produce results, which could be generalised. It often makes statistical analysis. The assumption of quantitative research, as pointed out by Travers (1969, pp. 87), is that “without resort to measurement, knowledge usually lacks accuracy and is often hopelessly vague”. Normally, quantitative research is regarded more precise and hence more reliable although the data it gives requires more cautious examination to decipher meaning (UNESCO, 1997). For this study mixed methods research was used because it was found to be more precise in that it included the mixing of qualitative and quantitative data, techniques, methodologies and paradigms.

CHAPTER 3: LITERATURE REVIEW.

3.1 Introduction: The paradox of research on corruption

In this chapter, a framework on the state of related research with respect to corruption is from two viewpoints (Sociological and Anthropological) is examined utilizing theories. These theories are the Relativist and Universalist, namely; functionalist, moralist and feminist. Equally, in this chapter, some concepts have been used to demonstrate how corruption manifests in the prism of local lens in the context of power relations. Nevertheless, among the main theories on corruption is the lack of clarity on why it proliferates. The most important reason for clarity is the underestimation on the importance of lexicon and relations of power. The following are some of the theories discussed to review on the discourse of corruption:

3.2 Theoretical perspective.

There are fundamentally two main arguments on the subject of corruption. They are the Universalist and Relativist perspectives (Clark, 1997 and Xiaobo, 2000). The Universalist define corruption using certain properties, while the latter contend that what is corruption in one society may not be in another (Xiaobo, 2000; Deiningeres and Mpuga, 2005). However, when the same schools of thoughts are applied in Zambia, to define corruption, there are vastly different definitions and reasons that are given to justify what triggers it. For example, since the introduction of multiparty politics in Zambia in 1991 there has been several studies conducted on corruption in the transport sector; adducing its persistence on government administered privatization policy (Tangri and Mwenda, 2001). These studies highlighted the importance of privatization in Zambia that it enables people to know how much foreign investment comes into the country, the sectors where they go and their origins (Fundanga and Mwaba, 2003). Tanzei *et al* (1997) on this issue perceives privatization in the transport sector negatively that it helps to facilitate corruption in Zambia, accounting for 20%. According to NORAD (2012), 2% of the Zambia's government investment on transport is spent on corrupt activities alone accounting for 3 trillion US dollars of the total GDP, that further confirms the existence of corruption.¹⁹ However, these investment assumptions are misleading, as they do not show connections to the localized concept *Nichekeleko*. The problem with these studies on corruption has not been well-defined and narrow. It is narrow because the local perspectives on what it is and signifies are missing in most corruption literature. These

¹⁹ Gross Domestic product is the total measure of domestic products equivalent to the entirety of the gross products including all inhabitants, institutional units produced by its entire people in addition to any value, and short any appropriations, on items excluded in the estimation of their outputs. See the OEDC, 2016.

studies tend to trace the first appearance of corruption when economic reforms began (Unziekes, 2000; Hope, 1997). This shows the deficiencies in defining corruption from the actor's behavior as already alluded to in this thesis. It is the purpose of this study to utilize a local concept- *Nichekeleko* and linking it to individual behavior in the transport sector as necessary steps to take in examining its prevalence in Zambia. This will be against reports that reveal the confusion on its persistence, "that it is always based on economic benefits, and yet there are other social returns associated with it, such as status approval" (Mauss, 1964 in Bercovitch, 1994).

Equally, like in all social science studies attempts to answer questions patterning to the phenomenon persistence are illusive. The questions such as, why does it happen? How does it happen? What are its effects and how can it be controlled (Levi, 1996; Xiaoba, 2000) have never thoroughly been answered. While it is important to address these questions, the complexity of the problem and the difficulties involved in addressing it have always been underestimated in Zambia. For instance, an inquiry on it has always centered on high-ranking officials. Through pursuing these cases the government intended to show its resolve to reducing official corruption and ease the tension between the state and society (Clark, 1996; and Mbao, 2009). The prosecution of high-profile cases involving the former Presidents has not reduced corruption at low levels of society either. The assumption here is that; the strategies fail to answer why individuals do what they do as they are often criticized not to embrace change as the case maybe at the WB. De Sardan on moral economy once noted, "there is always the temptation to quantify corruption in Africa using former Presidents, yet quantification on corruption studies using these methods have never been systematically achieved"(1999, pp.34). This shows serious methodological challenges on inquiries about corruption worst still if the word *Nichekeleko* is not used in Zambia. However, the western researchers never stopped from uncovering corruption in their political, social or managerial circles (Edgar, 2010, pp.789-91). Nonetheless, they show an unconcerned interest within the sight of a similar issue in the less developed society's focal point of view. This aloofness with respect to western research was credited to bias. The rampant spread of corruption in the local lens was excused by certain general explanations such as "African governments are always corrupt" (Mbaku, 1996; Atkinson and Shughart, 1992). However, very little attention is given to the persistence of corruption as experienced by the actors involved using local concepts.

Other specialist on the subject of corruption states that it is caused by cultural and moral attitudes (Unzieks, *et al*, 2000). Others contend that its causes are not a culture of societies

but rather the result of the weak enforcement of western economic and political structures. This group argues that aggressive action to address it must be taken to reinforce both western economic structures and the rule of law to end it. In the case of Zambia, this action would only confirm the narrow definition of corruption, referring to the abuse of the corrective code and other laws generally falling under the title of graft. The problem with these “corruption” concepts are metaphoric than explicit in the context of the local participants who perceive it not as such but “social support” perhaps is the reason for its proliferation. However, psycho-social theories on corruption identify significant factors, but fall short of asking the more fundamental questions of how and what values have survived in society (Ekeh, 1984). Because of the failure to the how question, this study bridges that gap by investigate it utilizing a local concept basing on relations of power.

Corruption being a social, emotional, business and managerial phenomenon has gotten much consideration, today, from the expressed scholastic articles with the exception in linguistics sciences. The dominant part of the accessible research on corruption is connected to the financial extents of this all-inclusive phenomenon. The most recent two decades, significant research started on the causes, results and the effect of corruption from the financial perspective and nothing genuinely persuading from the linguistic vantage and relations of power. It is somewhat hard to study corruption if the concept of language is absent in study. Presumably, that is one reason for the lack of the literature on the very nature of the issue of *Nichekeleko*. The socio-mental examinations of this human conduct are still a long way from understanding. The semantic approach utilizing a localized concept *Nichekeleko* in power relations a far approach has been illustrated upon in detail throughout this thesis. Remarking on the absence of consideration from the political researchers, Joseph Nye observed, “corruption”, being in endemic in all governments department. However, it has gotten strikingly little attentiveness from students of government and language sciences (Nye, 1967). He attributed this shortage to the moralistic strings connected with the subject alongside the way that the issue of corruption go round in a circle, where the interests of government officials and political researchers are probably going to crash. Nevertheless, David Bayley (2006) is not surprised at the little consideration given on the subject of corruption in developing countries. Further, Bayley observed that there is unreasonable happiness by western scholars when they are describing the presence of corruption in developing societies without realizing the content of its reality. I agree with Balyey that most of the analyses on corruption are based on the rational choice theory, but have no link to the

viewpoints of power relations by those who indulge in the phenomenon. Most of the earlier research about corruption has managed the issue more from an exhaustive edge trying to rapidly look at all the three fundamental parts of it in regards to the causes, the impact and the control of it, however without examining it utilizing the localized elucidation basing on relations of power.

Factually, it was not until the late 1980s that specific research on the already said three parts of corruption autonomously examined it as the subject of the scholarly review. This impressive beginning was anchored on Klitgaard (1988) book titled "Controlling Corruption" which especially was based on the pragmatic and technical ways of combating it. From observation, at the WB, the pragmatic methods of tackling corruption is insufficient and inadequate for ignoring localized concept of reviewing it as support. Further, other thousand studies have been done examining the phenomenon, managing it without a moment's delay. For example, studentship on corruption, especially those in political science separated the subject into two limited schools of contentions particularly; the functionalists or revisionists and their opposing groups of the moralists or post-functionalists traditions. While the past schools, driven by analysts like Leff (1964), Bayley (1966), and Huntington (1968), underscores the possible positive piece of corruption, the last school of thought, championed by specialists like Myrdal (1968), Alatas (1968), Klitgaard (1988), Alam (1989), and Mauro (1995) challenges the functionalist for their deft avocations. Agreeing with the specialist, I claim that the aggregated impacts of corruption in general to the public though horribly surpass its helpful symptoms, nevertheless, at the WB; most methods used for exploring its existence have sufficiently failed to capture the practice from the semantic strand. Further, the findings of "aggregated corruption" are unreliable for ignoring the views of the actors involved in the phenomenon such as those at the WB.

Succinctly, in most of these studies, there is nothing centred on the lexicological²⁰ analysis on power to determine the way it persist that is the thrust of this thesis. This study has demonstrated that corruption must be studied using cultural patterns using linguistic semantic based on relational power. In this study, it has also vindicated the importance of words that all too often missing in corruption research. It is an illusion to think corruption can be

²⁰ Lexicology is the piece of phonetics that reviews words. This may incorporate their nature and meaning as symbols of their importance, the relationship of their meaning to epistemology as a rule, and the tenets of their arrangement from littler components. Lexicology likewise includes relations between words, which may include semantics. See Payne (2006), "Semantics" *Journal of Language*. V3 (1).

reduced without vocabulary and element of power. I argue that it is only through vocabulary that fundamental insights can help know the “how” and “why” of corruption hence my proposal to use the localized concept *Nichekeleko* for reliable findings of the study.

In the Zambian scenario, a strategy was developed, according to the BOAZ²¹ that an effective tax system is central to the sustainable development of any country and was considered to be one factor for the decrease in corruption in Zambia. In short, BOAZ stated that corruption persistence is due to the poor management of tax system in Zambia. This was also confirmed by NORAD (2009) stating that government can mobilize the domestic tax base through many ways, such as direct and indirect taxation. In the Zambia’s transport sector, such taxes are levied on motorist through Road Tax as well as load fines at the Weighbridges. In order to improve management of tax system in 2006, the Zambian government established a semi-autonomous body named as the Zambia Revenue Authority (ZRA) to manage all its taxes to limit government interference from the Ministry of Finance. Zambia collects about 15% per year from load fines at the WBs (TIZ²², 2011). However, 3 % of load fines are not accounted for (Mbao, 2009). This clearly showed how GRZ²³ responded to the persistence of corruption through a creation of an autonomous body, but the strategy has not resulted in the submergence of corruption either. The most important reason for the failure is the underestimation in the importance of lexicon in the context of power relations. Lexicon and power is the clearest guide to understanding everyday phenomenon leading to corruption. It is undeniable that localizing the phenomenon on the basis of language and power would expose factors facilitating corruption persistence anywhere in Zambia.

Further, there have been too many responses by government to prevent and reduce corruption. Taylor (2006) warned government to redefine corruption in Zambia. From a journal editor comes a sigh that it would be more useful to learn what underpins corruption from those who are involved in the practice than continue debating on what it means and how to reduce it. In fact, Ndulo (2009) and Tanzei *et al* (1997) states the “narrow definition of corruption” is the most challenging factor to reducing it. This scenario is confirmed by Taylor (2006) and Mazrui (1997) who states the most cited reasons for the persistence of corruption in developing countries. This probably shows the reasons for the government’s challenges to

²¹ Bank of Zambia (2012) on indicators of corruption in the tax system in Zambia

²² See Transparency International Zambia (2015).

²³ See Government of the Republic of Zambia (2007), ZRA Act

reduce it, hence the suggestion for a comprehensive approach to the study of corruption to include a localized concept; *Nichekeleko* in relations of power.

The literature review on corruption shows that the reasons for its persistence are not part of the discourse²⁴ as in the *Chewa* literal meaning for support. Regardless of paying little attention to the likelihood of corruption everywhere, no matter how one perceives it, is not the same everywhere on earth. A sizeable literature has developed explaining corruption in different countries around the world. Some corruption records were distributed in the late 1980s (Habib and Zurawicki, 2001). These records were based on observational and quantitative research on the types of corrupt related cases. Because of its stealthy operation, gathering information on corruption depends consistently on the individual, nation specialists and representatives' views on it. Additionally, a nation's broader involvement being referred to has a significant impact on how it can reduce corruption. However, due to the difficulties in generating corruption statistic, most experts do so by using test techniques to show relations between strategies and methods of reducing it (Habib, 2001).

The argument I bring forward on why scholarly methods and definitions of corruption have failed to reduce it is based on my research for their failure to use local language to analyse the practice. For example, on corruption record produced by several corruption associations as upheld by (Loayza, and Soares, 2005) observed that:

"the International Country Risk Guide (ICRG) measures corruption as the likelihood that authorities (both high and low-positioning) would acknowledge its influences on them regarding payments of licenses, security, one-sided legal opinions facilitated by government institutions themselves" (pp.45-53). Unfortunately, all these records depend on the analysis of corruption on global networking that they consider as fundamentally hazardous to investment in the country. From my analysis, the World Development Report (WDR) utilizes a comparative definition of corruption as an obstacle to business generally. The record relies upon the examination of corruption in terms of pros that respects it generally as a risk to foreign direct investment to the country. Therefore, the World Global Development Report (WDR) uses a comparative definition and sees corruption as a block to businesses. Nevertheless, nothing has come out from the Global world report examining corruption

²⁴See Lepore Enerst (2010) arguments on "discourse" as communication of thought by words; talk; conversation: earnest and intelligent was adopted in this study. Blackwell. London

through the lens of those involved. In fact, the report simply glosses over it and links its persistence to poverty a relative concept.

Similarly, the records figured by GALLUP International uses a review of nationals to quantify the repeat of cases of corruption among public institutions. While, the Global Competitiveness Survey (GCS) list to measure the repeat of corruption related to imports, business licenses, export protection, and loan applications. Further, the Global Competitive SURVEY is a business official audit. For Buchner, Freytag, Gonzalez and Guth (2008) carried a lab test to study the giving of procurement contracts by government employees who are involved in giving minimal procurement businesses. Their analysis set up a circumstance where the bidders contend by picking costs at the same time. The outcome is a connection between cost and rewards choices. A report from a World Bank contemplate (Iarossi and Clarke, 2011) directed in Kenya and Uganda demonstrated that around 80 % of businesses men paid the specialist to influence government contracts during the bidding process. All these used suppositions to measure the effect of corruption on public officials. Unfortunately, when the same measure is applied at the WBs to interpret corruption between WBOs and TDs the results are shockingly different, because of the failure to correlate corruption as support as in the literal sense. This shows that the methodology used by most international organizations to interpret corruption lacks a semantic approach as in the lens of those involved. My argument is that while all these have explained the cause of corruption, but are misleading as the only source to the reasons why corruption persists. The specialist fails to understand, that corruption is a criminal offence, without a victim, if the victim is a participant to it.

Another scientist, Gyimah-Brempong (2002) found that corruption diminishes economic growth indirectly and by implication, through reduced interest and physical capital. Focusing on African countries, the scientist looked at the understanding of corruption in Africa to particular practices in relation to developed countries. In his wide literature on corruption, he questioned the inclination of rich countries in perspective of what constitutes a bribe when he asked as follows "To what degree is cash given to an African traditional authority to influence policy (which is considered bribery) unique in relation to contribution by the congressional crusade by lobbyists in the United States?" (pp. 190). Using logical analysis and facts examination, Gyimah-Brempong contemplated that corruption has a big negative and quantifiable effect on development rate and livelihoods in most African countries. The problem with this analysis is the failure to grasp the historical context in which the practice

applies of social support in literal sense. Therefore, *Nichekeleko* is an instinctive resistance to the narrow definition of it as “corruption” by those involved in the phenomenon.

Ksenia (2008) credited signs of corruption, for instance, to insufficiently planned monetary institutions, frail levels of accountability in the public organisations, political corruption, and feeble influences of government departments as the reason behind the three sorts of corruption. Furthermore, he identified the unlawful tax evasion as corruption that ravages the economy of a country. Further, political public officeholders are thought to be among the most astounding corrupt authorities and their names were unmistakably published in various articles in advanced countries and the western newspapers.

In any case, none of these discoveries conceptualizes the unlawful way of the practice from a localized idea constructing it in light of power relations beyond any doubt an indication of the exact inconsistencies encompassing the practice of corruption. The contention am making here is the issue that Sapir (1949, pp.162) communicated that; "dialect is a symbolic guide to culture" and that vocabulary is an extremely symbolic guide to the culture of people and that linguistic is of vital significance for the methodology of sociology which is lost in many debates and literature on corruption. This means that the English word “corruption” is inadequate to explain the phenomenon at the WB, because it fails to unmask all kinds of practices and relations of power that actors are involved in.

3.2.1 A Feminist perspective on corruption

A few scholarly reviews have concentrated on sexual orientation and corruption. The participation of women has turned out to be imperative in African governance issues when sometime recently, they were not acknowledged as equal partners in development. The consideration of women in the present day administration is recognized by a few studies considering they are less inclined to receive corrupt goods and are less likely to be involved in it (Swamy, Knack, Lee, and Azfar, 2001). Swamy *et al* (2003) in their studies on sexual orientation and corruption argued that in unlikely circumstances, women are more unlikely to take part in corruption than men are and that those countries that have a more involvement of women in government or in the private businesses have brought down levels of corruption to a minimum level. Most research on this point utilizes the Worldwide study (WVS) in which men and women in a major number of advanced and developing countries are posed a few questions concerning their resolve to the fight against corruption. For example, utilizing a Likert Scale poll they got some information about good decisions, with a scale were 1 as

"Temptation is never satisfactory," to 10, where "allure is defended." Participants are confronted with explanations like guaranteeing government advantages to which they were not qualified for; undermining charges in the event that one has the chance, purchasing something known to be stolen, lying to one's greatest advantage, tolerating a result throughout their obligations. The after effect of this study showed that at any rate in the short or medium term, more participation of women in the public governance could diminish levels of corruption. They forewarned this is not a declaration for natural traits differences, but rather that the sexual orientation contrasts they observed might be credited to socialization, or to contrasts in access to networks of corruption, or in the understandings of how to take part in corrupt practices, or to different variables (Likert, 2010). This review found that the rate of women who say corruption is "never justified" is larger than the rate of men who give a similar reaction. They contend that more commitment by women in the public life has a greater effect to fight corruption in countries in which the sex gap is less. Unfortunately, the Likert scale on measuring corruption and sexual orientation is weak on the topic of *Nichekeleko* in Zambia. This is because, the symbolic embeddedness of corruption, which is implied in the word *Nichekeleko* is left out in the Likert scale. When women were employed at the WB, by the government alleging male WBOs of being corrupt, the results were shockingly the same as that of men. The likert scale in measuring corruption is short of analysing the practice from the lens of those involved in it.

Two instances of women's administration expert in Africa of today are the pioneers, Ellen Johnson Sirleaf, President of Liberia, and Joyce Banda, President of Malawi. Sirleaf was awarded the 2011 Noble Peace Prize for her peace fight for the security of women's lives. Joyce Banda in 2012 told the Johannesburg Telegraph when she went to South Africa and said the accompanying words:

"When I accepted control of the nation, the economy had essentially crumpled. I told Malawians that we are expected to experience troublesome economic hardships. I even cut my own particular pay by 30 % to demonstrate that we are making the sacrifice. It is a low pay, yet most Malawians are not earning as much an indistinguishable compensation from my own" (Laing, 2012).

That was an uncommon practice and revelation by any African head of state. In any case, as the Zambian media routinely unmasked corruption, women pioneers are not immune to corruption. From the years, they initially got involved and plainly required to take part in

governance, for example, as heads of government departments, administrators, ministers, and different positions to reckon with, women pioneers have regularly been charged with corruption involving illegal tax evasion and theft.

Although media articles are not necessarily reliable sources and the focus on women can be misleading in terms of corruption incidences compared to men, the report does give an imprint of the range of possibilities by which corruption happens in everyday life between actors. Nevertheless, there is the dearth of experimental studies on corruption involving women generally because of the secrecy in the nature of the act and the permanent troubles involved in getting logically substantiated information.

Despite the obvious problems in examining women's involvement in corruption because of social reasons, there has been scarce attempt to analyse their involvement in it by utilizing the linguistic approach in Zambia. The main part of the studies on women is less productive comprising for the most part of the findings with questionable proof that are basically only accessible from news reports and, once in a while, official request, contextual investigations and the aftereffects of studies have been the only source relied upon (Alam, 1989, pp.443). Corruption information utilized by such studies on women in Zambia comprise generally of the subjective indicators, requested by the different offices that help them to make a decision on the damage the act causes to financial and foreign investment. However, the current information on corruption is for the most part on one-sided perception, yet it can be respected a dependable measure to the real level of corruption anywhere in Zambia (Lambsdorff, 2005). In any case, there is no information that captures the essence of women's inclusion in corruption at the WB utilizing a local concept, "*Nichekeleko*". "*Nichekeleko*" in these studies for "women and corruption" are representatives of the elite (Mbao, 2009). Indeed, even if this would be the case, for as long as the local concept in power relations is missing, such findings would be defective.

3.2.2 Corruption from an Ethnographic perspective

There are various motivations to look for corruption from an anthropological position. For example, the technique utilized by the anthropologist to study it is interesting because ethnographers utilize participant observation in their exploration. Therefore, participant observation has formed the backbone of this study as indicated in the methodology section. This is because the qualitative approach has offered an amusing and thorough detail of *Nichekeleko* phenomenon at the WB in Zambia. Having as of now investigated the

commitment of anthropology to the investigation of corruption, it is important to present the field. The American Anthropology Association (2010) depicts the field as the,

“Study of humans, past and present. To understand the full sweep and complexity of cultures across all of human history, anthropology draws and builds upon knowledge from the social and biological sciences as well as the humanities and physical sciences.”

Primary studies on anthropology are certainly as old as humanity itself. The first known observers were travellers, priests, civil servants, who followed the world expansion of the colonial powers in the 19th century. Later, scientists who tried to consolidate the knowledge on different societies around the world followed these observers. For example, the society for ethnography was created in France in 1838, and the Ethnological Society of London followed in 1841. Early anthropologists aimed not only to understand other societies, but also to facilitate the expansion of the colonial powers. This political agenda was characteristic of early anthropologists, and continued until at least the Second World War and the Vietnam War, with intense controversies. Anthropology is now segmented in various subsections, each focusing on specific areas of research such as cultural anthropology, physical anthropology, and musical anthropology. This study, thus; offers a serious view of the sociological and anthropological works on corruption explained as the procession view of corruption. I acknowledged the way that as opposed to given an all-inclusive meaning of corruption the anthropological viewpoint has been embraced taking into reason the viewpoint of those observed. However, the main restriction of anthropological techniques in sociological research is that, deliberate as they were for an approach to non-literate societies, they cannot fulfil impartiality to societies that are literate. Nonetheless, they signalize categories of differences that exist in different countries but such is missing in Zambia. Nevertheless, as for this study, they signify the pain of imperfect understanding of the phenomenon under study. Probably, this is because *Nichekeleko* does not represent two kinds of social phenomenon, with two different groups. At the *WB*, *Nichekeleko* means same thing to every participant that is social support. The point is that though the anthropological approach to investigate corruption is remarkable, but for the *WB* it does reflect a common understanding as perceived by them as actors involved in the practice. The standard way of defining corruption has not changed in anthropology affirming the impediments of the anthropological technique of dealing with it. Now as elsewhere, the critical question is that of language and power relations. What is absent in most of the anthropology works on the topic of corruption is a

clear realization to use local concepts to grasp the phenomenon basing it on power relations. “Corruption” is an English word, and failure to embody local concepts in relations of power that are a cultural artefacts of society that created them is to miss the meaning of life experiences of those involved. When this is not recognized, the meanings of the word *Nichekeleko* tend to be reduced to a mere practice transgressing the law that is not correct as in the lens of those involved.

3.2.3 The Moral view of Corruption

In fact, aside from all the unchallengeable failures of the revisionist school of thought, its first contribution was that it made available a more genuine and scholarly review with respect to the topic of corruption by challenging the conservative method of considering it. The argument was that the moralist method was judgemental as it based its analysis of corruption with an absolute condemnation of the phenomenon. Before the development of the revisionist viewpoint, corruption as a subject was viewed as inappropriate for the scholarly debate because of the secrecy in which it occurs among participants. Besides, the functionalist school on the subject of corruption, for the most part, was established in the 1960s and by the begin of the 1970s gone under serious reaction by researchers, for the most part because of its insufficient analysis, intellectual irregularities, extraordinary speculation and the flawed line of thinking. An anti-thesis proposal of the revisionist approach known as post-functionalists was established in the 1970s. This post-functionalist, nevertheless known as moralist school of thought (generally by the rivals of this approach), construes corruption from the moralistic perspective and does not trust in the likelihood of corruption having any positive or attractive effect on the socio-political and economic advancement to the general members of society.

In opposition to functionalist conviction on corruption as a useful and crumbling phenomenon, post-functionalists consider corruption, useless and self-sustaining in nature. Post-functionalists contend that not undermining the functionalist expectations on the necessity of corruption, the question that emerges is that, “when will the less advanced nations be able to produce enough that corruption ceases to be more useful for them” (Dor, 1974).

Besides, if corruption is sure an impetus for modernization, then the functionalist theory ought to likewise clarify the real dynamics of the evolution and the sort of these new norms and values to have emerged (Caiden and Caiden, 1977). Moralists trust that functionalist's

observation on the existence of corruption is weak because of lack of proof and therefore unreliable. They additionally recommend that functionalists' belief system of corruption starts from two sources, the failure to see the systemic character of corruption and an unwillingness to examine its results in a dynamic way. Nevertheless, numerous social researchers from the west have looked into the shamelessness of corruption in the developing nations by taking an express superiority position. A reasonable case of moralization is in the work of a few economic specialists on the connection between corruption and economic advancement. In his frequently referred to article, Mauro (1995) recommends that corruption brings down investment, and eventually economic advancement. Anthropologists could interpret this postulation as judgmental in light of the fact that it proposes that developing nations are poor because they are fraudulent. Anthropologists are extremely worried by the division between economic development and level of corruption. There is a fundamental thought of superiority between a "modern," "rational," and "straightforward" west and a "customary," "silly," and "corrupt" east. Anthropologists dismiss the ethical dualism of corruption, as per which the choice to take part in corruption is perceived as terrible and the refusal to do as such is considered great. As opposed to this limited perspective of corruption, anthropologists support a nuanced approach by considering it from the perspective of the people involved. This is precisely the thrust of this. The argument is that, most studies when analysing the factors facilitating corruption, miss the mark to understand the context of power relations by those who indulge in it. Based on this understanding, the localization of the concept of *Nichekeleko* in power relations is accepted as the best way to reduce corruption in Zambia. Nonetheless, though most social researchers concur on the harm that corrupting can bring about to society; the moralisation of the debate can be hazardous for the scientific inquiry (Leff, 1964; Leys, 1965; Nye, 1967). On moralisation, Leff has argued that the extensive conclusion of corruption constitutes an important issue for research since it blocks an objective examination of the concept (1964). This study has conveyed a new way to deal with the moral parts of corruption. The causal connections that a few researchers have distinguished on moralization between economic advancement, social trust, social capital, and society (Banfield, 1958; Fukuyama, 1995; Putnam, 1995, 2000) inciting significant level of discussions in humanities, humanism, and political science (Silverman, 1965; Miller, 1974; Muraskin, 1974; Tarrow, 1996; Meloni, 1997) have all given a guiding light to answering the research question. One advantage with methodologies concentrating on the moral parts of corruption is that these moral viewpoints have a tendency to be socially and culturally exact. However, the moral order methodology alone is not sufficient to understand

corruption at the WB hence our resolve to add a new dimension to it; through vocabulary; thus by localizing the phenomenon in power relations that is missing in the most morally scholarly literature. For instance, the part of expression by actors, the role of the civil societies and all special settings at the WB have all been ignored in the research findings that deals with moralization. The contention here is that corruption practices are embedded as ordinary types of sociality influenced by culture and power relations. This presumption is upheld by Yang who has attracted debates regarding how diverse cultural foundations at various times influence the act of corruption (2002). The practice is embedded in them based on power relations at the WB that is missing in most moral corruption debates.

3.3.4 Functionalist perspective on corruption

There are few basic studies reported on frail democratic political system linked to high levels of corruption. However, for the participants at the WB, these studies have shown no link to reversing corruption in any way. In short, whether it is a democracy or not, nothing deters them from engaging in the phenomenon. Treisman reports that while the present level of popular democracy does not, but rather the more drawn out experience of vote based political system unquestionably helps in decreasing corruption but not so for participants at the WB. Many present studies affirm Treisman observation on democracy not being the effective weapon to reduce corruption; because it can effectively be reduced upon the attainment of, a voter based political system. For example, the levels of corruption in Portugal are estimated high despite experiencing smooth democratic system since the 1950s. The researchers arguments are that a young and partial democracy are never a solution to the reduction of corruption, only a mature and participatory one helps to reduce it. Further, that presidential system of democracy is more prone to corruption than parliamentary ones. However, Zambia has been a democracy for over 20 years now, and reports of corruption at the WB have remained high.

According to other scholars Treisman (2002), has argued that quasi-democracy is more connected with corruption than majority governing party rule. For the WORLD BANK " corruption in the transport sector are connected to political systems" (2009, pp.112). The assumption is that corruption has several causes if one observes it from the point of view of producing goods and services. To explain this, there is a scholarly analysis designed using a formula: $Corruption(c) = Monopoly(m) + discrete- Accountability$. This explains corruption causes in detail. Using this formula, the affirmation is that actors involved have a monopoly

in goods and service production. Nevertheless, the authors who designed the formulas are not far from the truth on causes of corruption. I support their arguments that corruption is related to monopoly of power and production of goods and services. However, there are inconsistencies on the use of the formula, because it fails to reflect the innate behaviour of the actors involved and as such I dismissed it as irrelevant. The suggestion that I propose is to examine corruption in the lens of those involved in the context of power relations which is missing in most studies. Broadening the meaning of corruption is necessary in order to achieve any objective of decreasing corruption with the similar strength. Therefore, it is important to use the concept *Nichekeleko*. Clearly, if the word *Nichekeleko* is embraced as in power relations by most academic researches it will reflect past processes and social transformations that have ascribed to the persistence of the problem. Therefore, semantic application of the word basing it on relations of power will help expose the concrete reality of what the *Nichekeleko* phenomenon is rather than narrowing it to an Anglo-Saxon²⁵ expression “corruption.” The Chewa word *Nichekeleko* plays a significant role in explicating the innate behavioural conduct of actors at the WB, particularly its meaning from their perspective.

3.3.5 Empirical Research on Corruption: Manifestations by Different Sectors and Actors.

According to Smith (2006), French analysts Giorgio, Blundo and Jean-Pierre Oliver de Sardan conducted a thorough relative study on corruption in Benin, Niger and Senegal in 2001. The study built up a helpful typology of corruption that mirrors reasonably with the one in Zambia such as the commission for illicit services, unjustified payments in the government offices, lease chasing, string pulling; Levies and tolls; Side-coating; misrepresentation, burglary and gift giving. Corruption in accordance with Ksenia’s (2008) is in three classifications to be specific; bureaucratic, political and business. Political corruption is described as big led by political elites, clarified Cullen (2008). These pioneers use their positions to siphon cash from their nations. This is cash obtained from corruption such as pay-off. This is money received from kickbacks. TIZ in 2006 named 10 of the most corrupt countries in the world and two of those are from Africa. Cullen summed up the total cost of money lost through corrupt transactions totalling to \$32 billion US dollars. He wondered how many public amenities would have been built if such cash was utilized for the intended purposes. He concluded that the most rampant corrupt activities are those involving junior

²⁵ The Great Britain was occupied by people commonly known as the Anglo-Saxons. They were part of the Germanic tribes who moved to the island from the mainland Europe between 450 to 1066 AD. They spoke English dialect.

administrators, such as supplementing their wages and other incomes. These date back to the colonial periods. Nevertheless, the methodology in these studies is fault because they reflect typical corruption literature on criminal practices. The observation I made on the topic of corruption at the WB, is that these methods fall off one point also confirmed by Tirole (1996). Surely corruption persistence will always be there but the decision to engage in it is dependent upon the lived experience by those involved influenced by relational power, which is ignored in most academic debates and researches..

According to Cullen (2006), corruption in business is limited to workers, management, potential suppliers and customers. Bribery taking is an inclusive phenomenon that involves both those who accept it and offer the bribe. Paolo Mauro (1995) is the leading scholars on the subject of corruption. His scholarly work involved the effects of corruption on investment and understanding the international indicators now incorporated into what is commonly referred to as the Economic intelligence unit. This is one of the resources were the subject of corruption is extensively discussed. He observed nine indicators of corruption in every country. He contends that corruption is lesser or more associated to the stakeholders. The nine indicators of corruption according to Paolo Mauro are based on institutional efficiency, political instability and poor international relations with other countries. His argument is that the nine indicators of corruption are independent of macroeconomic variables (Mauro, 1995). The problem with Paolo Mauro's extensive discussion on corruption is the insufficiency clarity on why bribery takes place and how does it happens. For this particular study, I have demonstrated that citation of high profile cases alone is not enough to explain its persistence,

In 1998, Mo developed a new analytic model to explain the effects of corruption, which he claimed is linked to empirical evidence based on fiscal economic policy. He observed that several indicators such as political instability and lack of investment capital worsen corruption. To determine how these two variables triggers corruption, Mo argued that lack of qualified human and capital investment fosters corruption to unprecedented levels. Further he observed that corruption affects economic growth with politics being one of the most influencing factor accounted at 53% overall effect to the economy of the country. However, I argue that Mo's economic model on its effect on GDP as an aggregated economic indicator is not without weaknesses. It is a simplistic model that lacks empirical evidence as compared to the facts on the ground especially by those involved in the practice. The problem with Mo's economic model to explain corruption persistence and effects is the insufficiency data from the lived experiences of individual involved in the practice. The model falls short of

explaining individual personality, life styles and expectations of a particular group, which is a common phenomenon at the WB. For instance, none of these findings on the effect of corruption has empirical data on the consequences and interpretation of the actors involved in the context or relations of power.

Known causes of corruption from an economic and political viewpoint are abundant, and there might be few, that are not identified or with which causality has not been recognized yet. Nevertheless, there is scarcity of literature from a linguistic approach to analyse the reasons for its persistence. Various scholars have attributed the persistence of corruption to economic variables among them, low income, GDP and inflation. Nevertheless, these variables are difficult to ascertain because they seem to be the cause and effect at the same time. What is also true is that corruption is prevalent in economies with lower levels of GDP and incomes. Functionalist, such as Max Webber (1964) and Durkheim (1989) have envisioned the persistence of corruption to weak administrative structures, confirmed by Hague (2010). At issue with Hague *et al* (2010) is that agents of bureaucracy are directly involved perpetuating corruption because they are employed by the state to collect tax, which is diverted for personal gain. These studies have unreliable information on the causes and effects of corruption because of over dependence on corrupt perception indices with data collected primarily through surveys questionnaires from participants who act as network for respondents. Nevertheless, these scholars undeniably agree that quality economic growth of sound policies would be the real reason for corruption reduction. The missing point in these studies is the little evidence to support their theory mostly based on hypothesis and not the lived life world of participants in power relations. Probably this explains the persistence of corruption in the transport sector to. What is also missing in their analysis is the linguistic paradigm to analyse corruption. My observation is that failure to use a localized concept in explaining the cause and effect of corruption is missing in the theory of economic growth. Therefore, most research on the subject of corruption on the various causes of corruption focuses on variables like those of GDP, income inequality, low productive capacities, and inflation linked to corruption, nonetheless nowhere near those involved in the practice.

Other factors accredited to corruption are lower levels of growth and foreign direct investment. Zhao, Kim and Du (2008) on corruption recognized the impact it has on FDI. The researchers demonstrated the extensive studies conducted to link corruption to FDIs. The studies propelled development of a hypothesis as follows;

“Holding other variables constant, corruption leads to reduced FDI in the country. “In short the higher the levels of corruption, the lower the levels of FDI in the host country” (Zhao, 2008, pp. 78-96).

This hypothesis implies a number of studies have been conducted to link corruption causes and effects with economic growth. The authors developed a number of variables influenced mainly by recommendation from the IMF and Transparent International Organization (TIZ). These organizations accredit corruption to unfriendly business environment. While I take note of the studies done by these scholars and international and multilateral institutions, nevertheless, the linguistic vantage by those involved in the phenomenon is missing in these studies. Briefly, social relations and localized concept are ignored as one variable that is the backbone of corruption causes and effects. I argue that in order to have a sufficient theory of corruption, power relations and local insights about the phenomenon must be considered. The issue of local definition of what exactly corruption is locally is always absent in most researches. When authors refer to corruption they seem to rely on acts of moral lapses without a specified idea of what it implies to the lives of those involved in the phenomenon. The dependence on the word ‘corruption’ despite it being no marker for predating detail deceives the meanings in the acts of social exchange as mirrored in the *Ubuntu* ideology. The researchers fail to recognize the importance of corruption outside the Anglo-Saxon concept, and yet the concept in its literal sense reflects socio-cultural relations in the conduct of actors.

3.4 Conclusion on Literature Review.

Finally, this literature review was about the body of knowledge on the subject of corruption. The aim of this literature review was to pinpoint at the available academic data on corruption theories and pronouncements. Arguably, the subject of corruption has always existed since the 1960s. Despite the subject of corruption, existing from the time the private and public purse never made a difference, but functionalist scholars on its causes and effects pioneered academic debates on its existence. Before its scholarly reviews, the discourse of corruption was purely analysed as the undesirable phenomenon. When the functionalist scholars emerged, the perspective on what corruption is began to shift to what it does to the economy than what it has been for a long time. Functionalist are the greatest contributors to the subject of corruption despite its inbuilt faults and limitations on the causes and consequences.

Later, revisionist scholars influenced the growth of the subject of corruption led by Robert K. Merton a well-known American sociologist in 1949. While, Myron Weiner (1962), Nathan Leff (1964), David Bayley (1966), Joseph Nye (1967) and Samuel Huntington (1968) represented a functional model on the subject of corruption, from a political science perspective. Nevertheless, revisionist and functionalist concern on the subject of corruption was based on its benefits to the economy. They claimed that corruption greases the rusty wheel of the economy in societies where bureaucracies are inefficient, rhetorical and frustrating.

In 2003, Leff one of the leading scholars on corruption expressed his views that most governments who fail to consider corruption as a value to economic growth actually miss the point because in most instances it helps foster development. He claimed that in the developing world where economic growth has been considered as priority, some level of it have been affirmed as necessary. This is against it being considered an impediment to the plans of the state, because mostly it stimulates actual fiscal policies of the state. It further helps state development plans to be more centric than the ever changing ones through different administrative channels.

However, as Wuthnow *et.al* (1992) noted that for all researches made possible by survey and techniques, little learned about the importance of cultural patterns in the context of relations of power. I argue that in order to offer realistic reasons of corruption a cultural linguistic analysis in social relations is the basic device capable of exposing the problem.

Another scholar, Huntington (1991) on corruption expressed the unavoidable part of it from occurring during the transition period of out-date to modern society. Moreover, Huntington suggest that modernizing increases corruption while modernization reduces it. The assumption is that the obliteration of corruption is the source of its widespread during the transition period. For politician, they claim it is necessary during the transition period to modernization because it leads to prosperous economic growth. Revisionist, affirm that corruption is used as a tactical defence for those socially excluded (Huntington, 1991). While this argument by the revisionist is clear, but their disappointment to analyse corruption without a cultural content in the context of relations of power makes the approach faulty.

For example, in my literature review, regarding moralist revisionist and post functionalist, they both claim that corruption is detrimental to the economic growth. The debates between the scholars have some relevance insofar as the economic growth models are concerned. For

instance, moralist accuse revisionist for establishing corruption theories with insufficient evidence and inconsistencies. The notable scholars of moralization are among them Myrdah (1968), Klitgaard 1988; Mauro (1995) and Rose Ackermann (1997), have all uncovered corruption without utilizing the localized concept. However, one of the most noted contribution to academic knowledge by moralist is that it is itself destructive and detrimental in some case in that it neither reduces nor increase corruption. Additionally the moralist claim on corruption is that it builds wastefulness of resources and increases inequalities in wages and incomes in an economy. Alam (1989, pp.344) supports the moralist views that corruption is not beneficial to economic growth and is actually far from building political integration during the transition period. Further, moralist claims on corruption is that it has a greater amount of sand than greasing the wheel. For the functionalist, corruption it can grease the wheel in a rust economy and beneficial in bureaucracies that stocked with inefficiency in the delivery of services and good to the public.

Despite the fact that the aggregate outcomes are conflicting, yet this discourse amongst Revisionists and Moralists has made some exceptionally valuable and intriguing contribution. In the wake of having a point-by-point understanding of both schools, I have recognized that in a way the theoretical argument has been curiously uneven. In spite of the fact that the expected outcomes are opposing, yet this open debate amongst Revisionists and Moralists has brought on some exceptionally helpful and intriguing knowledge. However, what is missing in both debates is the linguistic analysis of the phenomenon in power relations. Of course, an ideal study would include both diachronic²⁶ and synchronic²⁷ approach to it missing in the debates. A synchronic approach in the context of power is advantageous because it deals with the way a language works in a specific time (past and present) that is missing in both debates. The one thing it leaves out is the interaction between language and society. The argument I have made is that there is an interaction between the language used and social relations at the WB. It is through the language that social structures are re-created at the WB, which is missing in these theories of corruption. This study has proposed the use of local concept in power relations as basic tool capable of exposing the ‘why’ *Nichekeleko* persists

²⁶ The diachronic approach considers the improvement and development of a dialect through history. See Samuel (1972), "Linguistic Evolution", (p143.146).

²⁷ The Synchronic etymology goes for portraying dialect rules at a particular point in time, despite the fact that they may have been diverse before the phase of the dialect. See James Milroy (1992), *Linguistic Variation and Change*. Cambridge. Blackwell press,

3.5 Theoretical Framework.

What was embraced in this study for the reason of theoretical framing the study is based on the theory of power relations associated with the French Sociologists, Michel Foucault and the theory of practice in exchange relations associated with Bourdieu that tries to clarify how social beings with various goals make and change their general surroundings in which they live. It explains the relationships that exist between human action and the global entity. The theory of practice in social exchange relations in this study has been used to explain the reasons why actors get involved in doing what they do, often over long period of time (as in the case of tradition) and sometimes with a quasi-biological rootedness (embodied in them through habits).

The observation is that practices work precisely at the WB because they do not need to be made explicit. According to Fuller (1997) “when practice is made explicit, a key part of their ability to bind action disappears” (pp. 333). The argument being made here as in Turner's positive proposal for thinking about practices in social relations is that it is possible for members of a society to act in a collectively coherent fashion without having to share any practices or any mental trace of such things. What Turner says which we did was to disentangle the rather individualized habits that each of the actors have at the public place to which we are made to conform as members of a given society. An example that I took to be in the spirit of Turner's proposal is the following: When people go to medical school, we often say that they become instilled with the ethos of being a doctor, as if some professional ethic is uniformly stamped on them. Turner (1989) would deny this, claiming instead that these people have simply agreed to have their actions (whatever they maybe) held accountable by the same standards, namely, those of the medical profession. The same is true that when WBOs are employed they unconsciously agree to be held accountable by sticking to the universal norms of WB operations based on power relations, which gives them an opportunity to indulge in *Nichekeleko* phenomenon. Perhaps, the most common theoretical use of “practice” in the study in this case is related to the actual conduct of actors as opposed to abstract theory. The practical reality of actors who indulge in *Nichekeleko* is not invisible or in abstract, but it is a common thing on the surface.

Therefore, from the general theory of practice elaborated above are three most important theoretical concepts used in the study. Michel Foucault's “power relations” and Pierre Bourdieu's theory of “practice”, “habitus” and “field” provided, guided us appropriately to examine the phenomenon of *Nichekeleko* in Zambia. These theoretical concepts helped us to

examine *Nichekeleko* in its contemporary form as well as in its literal sense meaning to ‘support’. The theoretical concepts are particularly important to the study because they allowed us delving into individual and institutional practices, which embody power. In order to do this, firstly, this we used Foucault’s concept of power relations with features such as, impersonality of power, relationality of power that is always a case of relations, decentredness, of power, multidirectionality of power and the strategic nature of power was applied in the study. According to Foucault, this way of understanding power had two key features namely that; “*power is a system, a network of relations encompassing the whole society, rather than a relation between the oppressed and the oppressor, and that individuals are not just the objects of power, but they are the locus where the power and the resistance to it are exerted*” (Kelly, 2009, pp.12).

Foucault (1984, pp.113) himself stated that, “*power is everywhere not because it embraces everything but it comes from everywhere.*” The statement implies that there is impersonality of social power exercised not by individuals but institutions or social groups. It shows power exercised upon individuals which are impersonal. At the WB power is with everyone and can be exercised from everywhere among TDs, WBOs and Bankers. Thus, for Foucault, “power is not one individual’s domination over others or that of one group or class over others, rather, power must be examined as something that flows that only functions in the form of a chain” (Foucault,1982, pp.76). This implies power is never on anyone's fingers. A typically Foucauldian case, now, is the route in which the organization of psychiatry coercively arranges certain people as being silly. This method of power contains a procedure. For Foucault and others, this is what they called the "normalization of power", in some way or another people are controlled by power presented in organizations and forebears’ social practices (Foucault, 1984). Foucault demands that the power explained now is not simply effective but rather beneficial. Power does not simply coerce certain types of conduct, but it really yields some ascertain kinds of being. For example, at the WB, during our attachment, we observed that power is exercised through elements of domination and subordination between the WBOs and TDs. Nevertheless, there are times it is exercised from innumerable points in the social space. For example, between TDs and WBOs referred to as ‘Congruent power’ and between SWBOs and WBOs which is incongruent power relations. Our observation is that, Foucault’s power relation helped us to explain the everyday life of men and women at the WBs. For instance, the strategic nature of power which is never a strength possessed by an individual nor a structure or institution, but it produces social realities,

practices and forms of subjectivity, domains of substances and rituals of truths²⁸ is vividly seen at the WBs. The giving or promising to give a gift for services rendered is perpetuated because of relational power. This argument is demonstrated by how power manifests in many ways and hence influences the behavior of actors to engage in *Nichekeleko*. At the WB, power can manifest through customary rules and preserved by the actors and generate into infinite of practices. For example, the precepts of customs and proverbs in *Chewa* (i.e., *Wamkachitsi akudya Mkachitsi*), meaning a preacher or pastor of a church will also depend on his livelihood by getting money or other materials from the church, are examples of embedded and internalized rules by actors that have manifested at the WB in many years. Bourdieu (2010) states that internalized rules have nothing in common with judicial codes, but everyone is able to recite them in memory and reproduce them accurately between actors. Further, our study revealed the strategic use of power as a variety of force relations innate in the sphere in which they operator exercised from innumerable points at the WB. The strategic use of power is that individuals have the capacity to determine direction in the attainment of goals in their lives. For WBOs they are able to strategically use this power by using their official positions either to detain or allow a TD who has contravened a traffic rule. The assumption here is meant that Foucault moved away from the totalization of power by the state to individuating it, shifting power relation from the state to individuals as the correct manner in managing actors or subjects anywhere in society. This helps to demonstrate the de-centeredness of power between individuals and how they are interconnected in various points or fields and use it for personal gain. Power constantly involves a set of actions executed upon by another person's actions and reactions. Imagining power as a system and not as ownership intends to consider it something that must be applied and not something, that can be gained. It is not confined solely to specific foundations or people, but rather it is fairly an arrangement of relations spread all through society. What is meant here is that power is 'multiple' said Foucault (1984, pp.678-691). It has diverse forms. It can be in play, in family relations, or inside a foundation, or in an organization. Actors at the WB, help each other attain their goals, by giving each other gifts or favors as the strategic nature of power use in the interaction process. Such power; manifest in ways of thinking and acting constituting a case of relations between practice and theory (De Certeau, 1998). The basic thought rising up out of my study is the advantaged position to observe power in real life as in connection between TDs, the WBOs and the group surrounding the WB. Power is not the plain abuse of

²⁸ See Michel Foucault (1994), rituals of truth produces freedom and realities that people want in society. *Journal of Anthropology*. V3 (45) pp345-241.

the powerful by the powerless. At the WB, it works distinctively in everyday communications between WBOs, TDs and the RDA as an organization. Rather than most the Marxist scholars, Foucault is concerned less with the oppressive part of the power, but more with the resistance of power is applied to it. Nevertheless, my concern was how power circulates from multi-direction to different actors in the network of relations at the WB.

Therefore, Foucault's power, directly opposes the Marxist one, which respects power as a form of repression or oppression. Foucault imagines that power must be seen uniquely in contrast to oppression, which compels people to comply, "if power was never anything but repressive, if it never did anything but say no, do you really believe that we should manage to obey it?" According to Foucault, "power is coextensive with resistance; beneficial, producing constructive outcomes; pervasive, being found in each type of relationship, as a state of the likelihood of any type of relationship" (1984, pp. 78-81). Here, he utilizes it in an expressive manner through what he called; "the punishment imagery", while the image of monarchic power was public execution that of democratic power was discipline, imprisonment far from public eyes". This shows how Foucault differentiates these two methods for applying power, which helped us to understand the distinctions. At the WB, this sort of power is always practiced by methods for surveillance, for example, CCTV instead of in a discontinuous way by methods for an arrangement of tolls or obligations conveyed after some time

On the idea of discipline, the French scholar analyses how discipline is a kind of self-control supported by establishments, turns into the norm in present day societies and acts upon an individual as an instrument to change the reality. The organizations utilize different sorts of power requirement, with particular systems and strategies to help someone obey. For instance, at the WB the ability to expel, plundering workers is vested in the employer. There is additionally the power of resistance from the workers themselves and their representatives. In addition, any individual who ignores this sort of power confronts group resistance through alienation. According to Foucault, "all these are effects of the disciplinary pressure but are also actions that, through pressure initially imposed externally, lead to self-discipline for the individual and eventually to the production of the individual himself as a subject" (1984, p.689).

This thesis gives an example on how power circulates at the WB thus between TDs and WBOs during the weighing process of truckloads. It is both horizontal and vertical power that is exercised from innumerable points. A more detailed illustration on power relations was

illustrated in figure 1 on page 40 in chapter three of this thesis. In any case, for Foucault, discipline is an arrangement of techniques, strategies, and practices related to certain institutional settings that plague the person's general thinking normally accomplished through sanctions and through threats of transfers and dismissals by the employers. Subjected to such treatments, WBOs come to "know their place" concerning the general economy of space related with the disciplinary power. Discipline likewise is additionally accomplished through controlled activities. For example, through controlling certain activities conceivable by modifying objects that enable an actor to behave according to the expectations on worldly stage. At the WB, disciplinary power is achieved through WB guidelines of relations amongst TDS and WBOs. The disciplinary power at the WB is achieved through WB rules of relations between TDS and WBOs. The intention behind discipline is to produce regularity. The aim behind discipline is to create normality.

According to Foucault (1994), the effect of power is in contrast with the repressive one from superiors exerted on their subordinates. He contends that circularized power strengthens individual self through in-built discipline. This power later creates images of different identities to emerge among individuals. For Foucault, this is another sort of power that circulates between people that is not forced by superiors on to their juniors. The scholar, (Foucault) demonstrate this kind of power where the oppressor is absent from the scene. For WBOs, they internalize this sort of power through mastering codes that are exclusive to them. The same is true at the WB; the axle is electronically connected to the computers at RDA headquarters. There is power that is vertical from the SWBO to the WBO. However, WBOs also exercise individual discipline because they know that they are monitored from the control room at RDA. This forces WBO to behave in an obedient manner as they assume that their activities are being monitored from RDA, HQ. During observation we noted that WBOs do not always obey this power but equally resist it by switching of the computers and claim, 'electricity load shading' which gives rise to opportunities for actors to indulge in *Nichekeleko*. This shows that power can be exercised from innumerable points as demonstrated by WBOs at the WB.

The concept of governmentality that Foucault uses was linked to political relational power. He observed that political power relations fail because they reach their goal of absolute domination. This is a big reason to consider "governmentality" as relational power is negative. For political power, he considers it negative because it is exercised from innumerable sites, such as the police, army and political parties. Nevertheless, he claimed

relational power is both negative and positive because it helps to maintain peace in society, but fragile because it is abused by those who wield authority. Therefore, power in politics is neither solid nor fragile because it has great potential to change. From observing power at the WB, it is not solid, because it is institutionalized power, exercised by those who with authority. For the WBOs, power is exercised through each individual having a stake in WB operations.

In conclusion, I have utilized Foucault's power relations to understand the everyday practice at the WB. This is in line with Foucault's investigation of the relations amongst people and society without accepting that the individual is weak in contrast with organizations, groups or the state. Further, I did not limit the discussions on power forced on people, however. I contend that power is not concentrated on individuals alone, but rather diffused in all the entire society. This enables us to see it at work at the WB, embedded in every person through cooperation and hence to perceive how resistance dependably appears. According to Foucault (1984, pp. 78-91) "power is seen as a more volatile, unstable element that can always be contested". "In his own words, Foucault (1984) claimed that; "power relations are permanently renewed and reaffirmed" (pp. 123). While at the WB power is reaffirmed between WBOs and TDs as they both make certain verbal and non-verbal pronouncements. These activities are objects such as the giving of gifts merit this phenomenon. The WBO and TDs word of popular *Chewa* sayings contains a rich display of *Nichekeleko* phenomenon as the exposure of power.

Other critics on Foucault have faulted his relational power concept for failure to distinguish different levels of power. His explanation on power that it permeates the entire society and body was another failure to describe models of power, a view also confirmed by Navarro, (2006) was based on it as; 'a relational force that permeates the entire social body connecting all social groups in a web of mutual influence but did not differentiate models of power' (Navarro, 2006). This shows the elusiveness of Foucault power relation because it actually fails to demonstrate some practical action. To bridge this gap this study has distinguished between different levels of power at the WB; such as: power over, power with and among that influences actors to engage into *Nichekeleko* phenomenon. The study has reliably used Foucault's analysis of power to examine the reasons for *Nichekeleko* persistence in Zambia drawing practical examples from the WBO's conducts.

Other theoretical framing tools used in this thesis are by Pierre Bourdieu's concepts of 'practice', 'habitus' and 'fields'. Habitus is an embedded phenomenon that is easy to observe and explain through its regulations (Hanks, 2005). This means that in the field, habitus explains the social embeddedness of behaviour by actors. For instance, on the concept of habitus, Bourdieu "claimed not to take for granted what people do for their lives, viewing behavior not governed by rules, but essentially as a practice" (Jenkins, 1996, pp. 90-98). From his observation, of habitus, he claims that behavior is learned and should be understood as part of the everyday practice. The same is true at the WB, as behavior is learned between the actors to engage in *Nichekeleko*. For example, behavior is learnt at the WB between TDs and WBOs in the process of performing their duties. Actors who indulge in *Nichekeleko* are linked to each other in the field. Through observation and interviews with TDs and WBOs data revealed that peer solidarity as an embodied schema is one reason that facilitates actors to indulge in *Nichekeleko* phenomenon at the WB. Peer solidarity creates cohesive bonds between TDs and WBOs embodied in them and achieved through regular practice at the field which is the WB. The action is achieved by both vertical and horizontal power relations and is the cohesion of the entire rank based on institutionalized norms and values (practice) attained through mobility. Actors are not static but mobile. They are in constant ties with each other even though they are located in different fields. Through the habitus, society is impressed on the individual, not only in mental habits, but even more in corporeal ones. Citing Mauss (1973, pp.117) we observed *Nichekeleko* at the WB in Zambia realized in ways of moving, gesturing, gazing, and orienting in lived space. Through the popular *Chewa* sayings, the habitus at the WB is demonstrated by the social definition of the speaker, in routine ways of speaking, gesture and embodied communicative actions. The idea of habitus is a demonstration through what is called practical action. The guiding frame of reference to habitus is aligned to intention with judgments of good and bad, appropriate and in appropriate. Therefore, through communication at the field actors get their desired results- *Nichekeleko*, influenced by relational power. Therefore, the concept of habitus is where the actor grasps the practice being of the body. For language, the question is how speakers grasp their own engagement.

Let us look more closely at his thesis to better understand the habitus of linguistic practice similar to the ways in which *Nichekeleko* phenomenon is produced and reproduced at the WB in Zambia. For example, Bourdieu writes;

“The habitus of the creator as a scheme of systems constantly orients choices which, while not deliberate are nonetheless systematic, which without being ordered and organized expressly in relation to an ultimate end, are nonetheless bearers of a sort of finality which reveals itself only post festum: that self-constitution of a system of works united by an ensemble of significant relations is accomplished in and through the association of contingency and sense which is made, unmade and remade ceaselessly according to principles that are all the more constant that they more completely escape consciousness” (Bourdieu, 1974, pp.161-62).

This statement shows how Bourdieu had explicitly rejected mentalism and proposed that the body, not the mind, was the "site" of habitus (1977). The active process of production works through the body in motion and gesture. The inculcation of the mental habits through specialized training becomes the discipline of the body through the repeated regularities of ordinary practice takes place. In short, the repeated practice by the body performed by actors' takes place at the field-WB in the context of relational power is known as *Nichekeleko*. Bourdieu's habitus concept foregrounds the temporal open-endedness of habitus where he was concerned with the actual occupancy of ordinary spaces, particularly the household.

I cite another scholar on the issue of habitus known as Panofsky who does not define habitus as an embodiment. For him;

“The habitus he discerns is an intellectual formation complete with principles, premises, and self-justifying judgments. He claimed that these elements emerge in practical sociology as misrecognition and doxa²⁹, that is, the false belief that society operates on reason and merit and the unquestioning adherence to its order. From a language perspective, habitus corresponds to the social formation of speakers, including the disposition to use language in certain ways, to evaluate it according to socially instilled values, to embody expression in gesture, posture, and speech production” also confirmed by Arno *et al* (2003, pp.91-96).

I agreed with Panofsky's view of habitus. This is because habitus help explain *Nichekeleko* reproduction with its rules exclusively known to the actors involved in the phenomenon. Therefore, *Nichekeleko* at the WB develops under no specific conditions. Further, it is achieved by peer solidarity and reproduction of same pattern of conduct by the actors through ways of acting and thinking. Sociologically, TDs and WBOs are learning (through the gaze or

²⁹ For Bourdieu (1984), the Doxa is an antiquated Greek word that meant to appear, see, think and accept. The Greek rhetoricians utilized the word as a device for the arrangement of contentions by utilizing normal conclusions.

by seeing what goes on) to indulge in *Nichekeleko* under socializing experiences. However, other scholars have criticised Bourdieu usage of the concept ‘learned *practice* as having no clarity on how it is learned or passed on between actors. In order to overcome this problem this study analyzed what values and custom are transmitted from one WBO to another. These are through popular proverbs and songs that have been passed from one employee to another which reproduces the appropriate behavior to trigger *Nichekeleko* at the WB. In Bourdieu’s sense, these have been are summarized here below diagrammatically as follows.

Table. 2 Definitions of habitus

FROM PANOFSKY	TO BOURDIEU PIERRE.
Mental Habits	Embodied Habitually.
Evaluative perspective	Gaze, Eye
Desire, Intention	Inclination, posture
Mental schema	Embodied schema
Exercised in expert practice	Achieved via reproduction, peer solidarity
Links philosophy to Architecture	Links actors to fields
Cultural production	Labor of the body

Source: William Hanks (2005)

The left segment in Table 2 condenses Panofsky's and Bourdieu approach as far as its components are concerned, despite the fact that not in the exact terms that he utilized them. The purpose of these columns was to explain how behaviour is reproduced without rules by actors. Arno, (1989, pp.4), on this issue of habitus claimed that; "in a practice, approach to language, are not explained by rules, codes, or conventions but by embodied dispositions that are not followed or obeyed but are actualized in speech". The mental habits that caused the similarities between mind and body have become embodied habits. These are engaging both mind and body. From a language perspective, habitus is linked to the social formation of speakers, including the disposition to use language in a certain way. Habitus is an embedded expression in gesture, posture and speech production (Bucholtz et al, 1999). Similarly, TDs and WBOs are in constant ties through usage of speech common *Chewa* sayings and proverbs

that are habitus. Nevertheless, habitus at the WB does not take place in an empty space but at the fields stocked by positions and positional power.

This made us to examine Bourdieu's idea of the "field". During our observation at the WB, our data discusses how habitus emerges specifically during interaction between actors and the field. Bourdieu's concept of fields is particularly significant in the study assumed as 'social field' within which struggle or maneuver takes place over specified resources also confirmed by Acquaint (1992). As defined in the theory of practice, fields are a form of social organizations with two most important properties, namely; social roles and positions, how they also fit into social structures taken up by actors individually or collectively are important too. For instance, if WBOs and the TDs have positions in the transport field, they are taken up in the course of such situated activities as by levying and weighing. Ready examples of fields in the transport industry are the WBs, the police checkpoints and even Tollgates. The idea is that each of these can be preserved as a space of positions and position takings. The duality of position and position taking make any field a vibrant form of organization, not a static structure. Within a field, power relations define positions, such as WBO is greater than or equal to (\geq) TD. This sense of opposition is a case of relational thinking, derived primarily from structuralism. These fields are the WBs as they have different defining contents and purpose between actors. See the defining contents in chapter seven, where actors call these field as *Kholo* meaning parent. Therefore, the actors in a field are related to one another by relational power and occupy those positions by struggle and competition that gives rise to the conduct of *Nichekeleko* to persist.

According to Bourdieu (1993), he contend that, "from the viewpoint of action, any field is a space of strategic possibilities in which actors have potential moves and courses of action, an idea he credits to Foucault". This explains in Bourdieu's 'fields' another key element that states that values circulate in any field and are the basis of competition among actors. At the WB, these values are the cultural expectations and they circulate among the WBOs. This circulation of value includes such things as prestige, recognition, and social responsibility, but also material wealth and capital. They are also a confirmation of power relations circulating between actors. For example, prestige for having access to SWBO is the most vivid behaviour exhibited by TDs during the weighing process at the WB. Equally, social responsibility placed on the shoulders of WBOs is a reflection of social recognition. Subsequently, from a practice point of view, talking is dependably of taking up positions in social fields, and speakers have directions throughout which they seek various values

(Bourdieu, 1993). At the WB, such trajectories are reflected in prominent idioms. These trajectories are constant and embedded in WBOs and TDs. In this manner, they are formed and produced in the field. This is the time when habitus and field articulate and merge. Social positions, for example, WBOs, TDs, and SWBOs all give rise to embodied attitudes. To manage engagement in a field is to be shaped, by the positions one occupies.

The field actors in this case are the WBOs and the TDs involved in the conduct of *Nichekeleko*, with relationship of dominance, subordination and equivalence, are interconnected to each other through force relations between them and they stand in various positions and status. During observation of weighing trucks at the WB, it is no wonder *Nichekeleko* phenomenon has persisted as it is facilitated by force relations. The nature of these positions, their objective function, is to be found in a relationship to exchange resources, goods, services of different categories equivalent to social capital and symbolic capital. These take place at the field through a process of social relation in the context of power (i.e., horizontal or vertical) being the driving force between them. This means power relation is that of being superior, or equivalents between actors. Thus, the field becomes not an external feature of context but a formative input that shapes the individual through the habitus. In case of the WB, an additional feature of the field is the *Chewa* derivatives specific to the WB, a set of beliefs and assumptions that support the perpetuation of *Nichekeleko* phenomenon and the specific stakes at play (what is to be lost or gained, how, and by whom). These factors could be illustrated with the language of argument, publication, and discussion at the WB, all based on the beliefs. These beliefs are a reflection and experience of the WBO's life world. These beliefs further feed into the definition of the habitus and patterns of conduct that are activated in the choices, hopes, and expectations of agents in the field. *Nichekeleko* in the field reproduces the demands of the field embodied in characteristics of the players. For example, the practice of gift giving is achieved in the field because actors learn to give as demanded by the field. The practice to give is embodied in the actors behaviour in the field which is not static by elusive. One final feature contrasts the concept of field from that of context as usually understood in language studies.

Any field is relatively bounded, not by walls or natural barriers but by constraints on who can engage in which positions. This bounding is illustrated in institutional settings by certifications, specialized training, competitive selection, class-based exclusions or inclusions, and economic or symbolic resources. The idea is not that any field has a discrete, accepted border around it, but that access is always selective. For example, access to SWBOs

is dependent on relational ties with TDs in the road sector. Thus, the degree granting access of TDs and the limits to SWBOs at RDA are all boundary mechanisms that help define the fields in which they operate. There are many fields in any society, and this raises the question of how they relate to one another. One important relation is similarity of organization, which Bourdieu calls homology. There are homologies in the road sectors in the SADC region in terms of values and beliefs of road management but these take place in the context of relational power. For example, during the two months attachment at the WB, we observed similarities in institutional values of all Road sector agencies under SADC. One such value is charging of WB fines bogus or legal. Therefore, Bourdieu's interest in homologies is already at work in the habitus and probably derived from his reading of Panofsky, reinforced by the premium he placed on relational thinking. For my purpose, it points toward comparison among different fields in the road sector in terms of their positions, position takings, distributions of value and resources, habitus, and so forth. Our study focused on the use of local (language) concept “*Nichekeleko*” helped us to compare fields in terms of their discursive resources, the kinds of effects the language has when put to use, the sorts of strategies actors (speakers) develop to achieve their ends. Beyond their "topological" similarities, fields may be concretely articulated in what we can call embedding relations. For instance, the field of literal meaning of *Nichekeleko* is embedded in the field of power relations that is, in turn, embedded in the field of social relations.

However, Bourdieu's analysis is problematic in the case of fields because of lack of limits and the extent to which someone can stay and participate in the field. For example, when does an actor join and exit the field? This study analyzed the question of limits as to when someone joins the field. The limit of the field is the number of WBs where the study took place. The time of joining is payment of an “admission fee” or when special permits are given for overloading trucks and when certificate of weight is given. Therefore, actors are legitimized to enter the field by their cargo, and the kind of active exchanges that characterize the phenomenon of *Nichekeleko* in form of gifts and other favors at the WBs in Zambia.

3.6 Conclusion on theoretical framing.

In conclusion the notion of habitus was used as designated to understand practice and the effects it wields upon the agent in the field. Habitus is the way society become placed in persons in form of lasting characters such as feelings, ways of thinking and acting (Wacquant, 2005; cited in Novaro, 2006, pp. 16). It is produced through a social rather than

individual process leading to patterns that are lasting and exchangeable from generation to the other. The concept of habitus was useful in the study to determine how life styles and activities are embodied and acquired in the various fields at the WB. Equally, the expectations, tastes and preferences that are acquired and reproduced for future embodiment when an actor joins the network were analyzed in the study. However, for Gartman (1991), Giroux (1996) and Jenkins (1982), habitus reinforces determinism of behavior for the actors. This is confirmed by Wacquant and Bourdieu (1992), who contend that: “its definition and use constitutes a conceptual straight- jacked, and provides no room for modification and escape”. In order to avoid this limitation this study used frequencies of certain behavior patterns.

Equally, Michel Foucault theoretical thinking tools namely; power relations and Pierre Bourdieu theory of practice, fields and habitus have provided a guiding light in theoretical framing this study. Their theoretical concepts were used to analyze the “how” and “why” the problem of *Nichekeleko* phenomenon persist in Zambia. The concepts helped us to situate *Nichekeleko* as an everyday practical experience for actors. Bourdieu’s habitus and Foucault power relations for example assisted us in articulating a discourse-*Nichekeleko* as a non-discursive topic and an embedded practice influenced by power relations between actors taking place in the field. Like in Kant who argued the importance of theory is always because it offers an explanation of its relationship to the non-discursive activities portrayed in human experiences, as symbolized in language. For instance, using Bourdieu’s concept of habitus we found them extremely exciting and fascinating because they helped us examine patterns of practices of *Nichekeleko* and its social logic. These patterns take place unconsciously by actors and are the expected values of society. Habitus help us to understand daily lives of the actors involved in *Nichekeleko* in terms of how society perceives them, legal or immoral. Bourdieu’s thinking about the “genesis of practices” in terms of what produces them as opposed to Michel Foucault’s what have they produced was one of the most fascinating arguments hence the application of the theory of power relations from their perspective.

CHAPTER 4: DATA PRESENTATION

4.1 Introduction: Historical background of Corruption causes in a broader context.

My motivation in this chapter stems from the need to explore historically, the causes of corruption in a broader context and later interpret their meaning at microscopic level using a localized concept- *Nichekeleko*. My argument is that there is a relationship between governance and corruption in relations with power at a micro perspective level considering the various interdependencies between these aspects. Further, that the conception of interpersonal relations historically transmitted in *Chewa* is implied in the concept of *Nichekeleko*. The use of the local concept to analyse the phenomenon at the WB enables us to face expression that deals with issues of ‘unity’ and ‘support’ contextualized in the word. Therefore, I bring out a divergent linguistic strand of literature on corruption to present an integrated analysis that has been relatively absent in most academic debates. I reject absolutely the Anglo-Saxon application of the word corruption to analyse behavioural conduct at the WB in Zambia. I argue that by not paying attention to social relations through words and their semantic differences, sadly is the real confusion for not knowing the factors causing corruption everywhere.

Data in this chapter was sourced by interviews with WBOs, observation of major events and documentary analysis of law reports and history books on the subject of corruption. Therefore, corruption causes provided a broader debate on the persistence of *Nichekeleko*. Later, I shall examine the patterns of behaviour in relation to power as the reasons that facilitate actors to indulge in *Nichekeleko*. In this chapter, I have been guided by the following questions. Firstly, what underpins *Nichekeleko* at the WB in Zambia? This will help us explore the contours of *Nichekeleko* by tracing it from an Africa ideology-*Ubuntu*. This, has further helped me to examine the practice from a local cultural sense in the word *Nichekeleko* linguistically.

Firstly, the general debates on factors facilitating corruption are as discussed as follows:

4.2 Debates on corruption causes.

Jain (2001) attributes the existence of corruption to discretionary powers, economic rents, income from corruption, corruption deterrents, legitimate income or fair wages, strength of political institutions, moral and political values of society and the penalties for corruption. Others scholars have attributed ‘corruption’ as likely to be a symptom of wider institutional

failures (Kaufmann, 2006). They argue that corruption may hinder the accumulation of knowledge and technical capital and economic growth (La Porta and Shleifer, 2008). However, this description underpinning corruption is inadequate for failure to recognize the varying degrees of cultural norms and values when a localized concept is used. When the word ‘‘corruption’’ is used to analyse behavioural conduct at the WB and elsewhere it fails to reflect a common held understanding for support. The meaning of the English word corruption is less unifying. The locals have a specified local concept *Nichekeleko* to reflect behavioural conduct based on relations of power by actors when engaging in the phenomenon. This means that the problem of corruption, however, stems from a combination of these values. Therefore, the problem of describing corruption causes from discretionary powers held by the executive is wrong. According to DeMaria (2009, pp.10-19), ‘‘exposing corruption using discretionary powers is basing it on western structures being applied to cultures with very different traditions of political and economic organization’’. For example, in Zambia, there is a traditional belief that every member of the community is equal. This demonstration of equality is implied in the word *Nichekeleko* through many of its derivatives and not the western culture application as causing corruption. From observing WBOs manner of speaking and greeting at the WB, the word *Nichekeleko* suggest that it is wrong for one person to be higher than another, especially within a family grouping or friends as this inevitably leads to disharmony and conflict within the community or group.³⁰ What this explains is that of relations of power contributing to the persistence of *Nichekeleko* in Zambia and not the other way round it.

Further, another overview on corruption around the world shows that many of its most commonly cited causes and consequences are thought to be economic in nature (Tanzi, 1998). Mauro cites causes related to rent-seeking through subsidies, price controls, and trade arbitrage, influence related to trade restrictions or protectionist tariffs, and incentives or bribery stemming from low wages of civil servants, and other societal factors such as ethno-linguistic fractionalization and family ties (Mauro, 2000). However, these overviews are not accurate either because they fail to reflect the meaning of the word in its literal sense for support. Informal economic activity that operates outside of the formal economy has many pseudonyms including, but not limited to, three arenas, which may overlap. Recall that corruption’s equilibrium necessarily allows benefit or gain for a portion of the actors. The

³⁰This assertion is based on conversations and interactions I experienced in at the WB (2015) and, specifically, on a conversation that took place at Gonde Lodge during lunchtime with the Senior Weighbridge operator (SWBO).

exchange of products and services, such as the unofficial, underground, unobserved, unreported, undeclared, non-transparent, informal, hidden, shadow, illegitimate, barter, cash, parallel, secondary, black, and grey economies or markets, of transactions are on the ground versus on the books (Feige and Urban, 2008; Schneider *et al.*, 2010) are inaccurate when it comes to corruption cause in Zambia. For Eurostat these are the ‘non-observed economies’ (Eurostat, 2011) are all missing the point on the causes. This is because they are not implied in the word corruption when it is used as tool of analysis. From observation, this is the kind of practice at the WB when the word *Nichekeleko* is applied except that the tool of analysis is the Anglo-Saxon word “corruption” that does not have innate characteristics in it. Therefore, the concept used to describe such phenomenon is “corruption” in the sense of bribery and embezzlement of revenue that is in contrast to how actors engaging in it perceive their conduct. To the actors such an action is *Nichekeleko* as culturally linguistically defined to mean social support. A number of semantic words implied in the word are used to reflect the relational reality of such exchanges at the WB. (See chapter five, on *Chewa* common words for respect and support that expose relations of power between actors contributing to the persistence of the *Nichekeleko*).

During observation whilst stationed at the WB, I found that items such as bags of rice game meat etc. are all part of unofficial gifts that exchange hands between TDs and WBOs. The right interpretation and word used for such exchanges is *Nichekeleko* as it reflects some kind of debt that is “unpayable” between friends because sometimes what is exchanged is smaller and trivial. What is key for the gifts to exchange hands is the concept of “friends”. The relation in friendship makes the WBOs and TDs enjoy the full meaning of life.

In Zambia, the use of the concept “corruption” is demanded by the lobby and special interest groups, i.e., Political Action Committees (PACs), labour unions and cartels (Gluckmann, 1990). These believe corruption persist but not for those involved in the practice because they are “friends” and what they are engaging in is *Nichekeleko*, to mean support both materially and emotionally. For the trade unions and the donor community, concepts such as “State capture,” which is the ability of domestic or foreign informal institutions or firms to mould or manipulate state laws, policies, or regulations they have believed it has all contributed to the persistence of corruption (Kaufmann, 2003). However, this view is not similar to how WBOs and TDs understanding the practice. For them, the word corruption is a misinterpretation of their intentions as it is not always true that what they exchange is only in monetary value. Sometimes it is gain by (or through) the trading of knowledge (i.e.,

espionage, trade secrets, copyright infringement, scientific breakthrough and reason). I think the use of the world corruption makes it clear to how world scholars and NGO advocates use it for propaganda and rhetoric, as it fails to capture the way of life for the WBOs in Zambia. Therefore, the suggestion to postulate a semantic change to it and embrace the local concept reflects relations of power due to the misuse of the word. When the word corruption is used for describing the practice at the WB, it appears to imply social prejudice (a condemnation) rather than social relations a reflection of what the word *Nichekeleko* literally means in *Chewa*.

Another scholars, Werlin (1994, pp.554) argued that corruption: “arises out of the inadequacy of political software (persuasive power), particularly the distrust of governmental institutions” and, “has a corrosive effect on the requirements for development” (2000, p. 182). Weak, formal, legitimate systems, ineffective political hardware (contracts, procedures) and influential institutions are symptoms of poor state management, or ineffective governance systems facilitating corruption. According to Joseph Nye (1967), “corruption seeps into the social, governmental, and political realms. It flourishes with the weakness of social and governmental enforcement mechanisms. Susan Rose Ackerman (1999), describes “corruption” as a relation between the state and the private sector. She contends that state officials are the dominant actors; and in other cases, the private actors are the most powerful forces” (p, 113). Nevertheless, this analysis of corruption is part of the inconclusive debates about which form of political and economic system is susceptible to corruption.

Equally, in his introduction, to “*vocabularies of public life*” (1992, pp 80-81) a well-known sociologist Robert Wuthnow observed that culture analysis lies at the centre of human science. However, one analysis conspicuously absent from the list explaining causes of corruption is linguistic semantics based on relations of power. The omission of local language in power relation in analysing the proliferation of corruption is one thing that world scholars ignore. Further, the establishment of democracy in Zambia as another best strategy to reduce corruption is weak. This is because of lack of evidence that democracy is an answer to corruption reduction anywhere in the world. This brings us to the local debates on the causes of corruption in the preceding paragraphs. Since there are no concrete answers to causes of corruption in a broader context, Zambia economic policy measure were explored to explain the persistence too.

4.3 Economic policy and Corruption in Zambia.

In the Zambian economic plan, corruption is often seen as a function of the changing political economy, particularly the transition from state socialism to a market economy (Ndulo, 1998). Ndulo's hypothesis is equally wrong for failure to analyse the phenomenon basing on relations of power using a local concept. The argument that as reforms unfolded and widens more opportunities for public officials to seek private gain by abusing the office emerged but not in the "feel" of every participant as it is simply perceived as social support. The debate that the dawn of democratisation process coerced by Western governments, international donors, academics and commentators on developing countries was seen as significant step that could provide the impetus needed to solve Zambia's political, social and economic problems and hence reduce corruption is inadequate. It is wrong for the omission to recognize the localized concept based on relations of power.

I confirm that refusing to pay attention to semantic difference between the words *Corruption* and *Nichekeleko* in power relations on the problem is inconclusive hence the reoccurring of it. The initial policy by the Western governments' that was attached as conditionality for developing countries to access Aid, as it was believed would reduce corruption is also wrong, for failure to localize corruption in the literal sense of meaning as implied in the *Chewa* word. This is the reason why the locals have a specific word to expose social relations in the engagement of corruption. The assumption was that once institutions transform from a communist state to limited, transparent and responsive one, it will put an end to the debilitating impact of corruption, misappropriation and waste that characterized earlier regimes.

However, Zambia, like many new democracies have yet to realize significant reduction in corrupt activities. This begs the question as to whether the promotion of public sector reforms was enough to achieve such goals. Others have argued that democracy and public service reforms fostered new types of corruption. What has changed from the pre-reform period is that new opportunities for corruption mainly in its economic forms presented themselves to an official-doom with informal relationship accustomed with informal strategies (Xiaoba, 2000). Nevertheless, even they are wrong because from our observation at the WB, what is shared is not only in economic value but also in moral support. A detailed discussion of this argument is in chapter five.

The diverse manifestation of corrupt transactions in developing countries could be distinguished into two, namely; “Grand corruption” on one hand and “petty corruption” on the other. According to Moody, “grand corruption is the misuse of public power by heads of states, ministers and senior officials for private pecuniary gain” (1994, pp. 90-111). In grand corruption, one is dealing with highly placed individuals who exploit their positions to extract large bribes, or simply transfer large sums of money into private overseas accounts. Examples of grand corruption in Zambia is when the late President Chiluba alleged to have siphoning billions of Kwacha into London and Switzerland accounts out of Zambia. Grand corruption is the form of blatant looting of the public assets (Goig, 1999). While petty corruption is the soliciting or extortion of smaller payments by low level officials in order to accelerate business by wounding through red tape or to do what they are supposed to do anyway. Petty corruption is often referred to as speed or grease money (Goig, 1999). For example, the outright extortion of revenue by WBOs, police officers is an example of petty corruption in Zambia according to the definition of the word, but not in literal meaning of it. In literal sense according to my findings, it is support, because not only money exchanges hands at the WB. Even if is described as theft, one WBO said, “it supports our activities that are not sufficiently funded by the treasury” (RDA staff, 20015).

However, as the old economic system was replaced by an emerging market economy, were others have observed it being replaced by non-economic corruption as a dominant form in the since the 1990s, is also a wrong observation in the case of relations at the WB. This is precisely because the new economic system brought new opportunities, new names, new tactics and strategies in fostering exchange not only in monetary value but also in social relations being strengthened at the WB. This is what most WBOs understandably believe to be *Nichekeleko*. The term *Nichekeleko*, though not a new concept, has appeared frequently in Zambia’s vocabulary after the economic reforms program. Conventionally, it refers to a wide spread practice perceived as a negative behavioural pattern by a large number of people which is understandable, but not for the actors at the WB. The actors outside the WB think the most prevalent and most detrimental exchange is *Nichekeleko* in negative sense but not the actors at the WB because to them it is support based on social relations. When the word *Nichekeleko* is used to describe phenomenon there it means that corruption has gradually changed from “whom one knows (Prebendalism) to what one controls” based on one’s discretion over resources and power relations between actors. This prebendalistic behaviour reflects a common cultural tradition at the WB that of sharing implied in the word

Nichekeleko. Interviews with WBOs and traditional leaders near the WB, revealed that before economic liberalization; Prebendalism in Zambia had a special name called *Katamulomo*³¹ and most perpetrators were cross boarder traders that used to smuggle essential commodities such as cooking oil and sugar into Congo. It was an exclusive concept used by cross boarder traders. Today the concept actively used is *Nichekeleko* with the word *Katamulomo* implied in it. It is reflecting both vertical and horizontal power relations by those who engage in the phenomenon. This also means that the location where *Nichekeleko* take place is everywhere, as long as one controls the resources. Before the reforms, Zambia's corruption syndrome was mostly at state level, but now it is a common phenomenon. Indeed the great leap forward into economic reforms may have facilitated the *Nichekeleko* phenomenon, and certainly, it marked the beginning of its becoming wide spread and entrenched as of today in Zambia. This brings us to the next issue as we quest to understand the *Nichekeleko* phenomenon at the WB.

4.4 Corruption and good governance.

As already discussed above Stiglitz (1998, pp.67-64) "on the good governance agenda as empowered by the World Bank was a partial reaction to the failures of structural adjustment programs in unindustrialized countries". Diverse development experts have seriously criticized these reform policies. For instance, in the views of Stiglitz (1998) and Kasongo Lumumba (2001) who contained that, "advocates of privatization may have overestimated the profits of privatization and underestimated the costs, particularly costs of the process itself and the obstacles it has posed to further reform"(pp23-41).

For my purpose, even more, interestingly, the head of the World Bank's Asia-Pacific branch, Jean Michel, has also argued that, "infrastructural privatization in that region was a failure, because of the high level of corruption that categorized the process" (Hawley, 2000). The failure was particularly attributed to the lack of local possession and the short-term policy framework of the IMF and World Bank. "State institutions have tended to be privatized without enough time to establish workable frameworks for proper regulation" (Stilgz, 1989, pp. 80). The World Bank's focus on corruption is that the introduction of free markets will cure problems associated with the introduction of market biases by the state that creates incentives for corrupt activities. This, according to Krueger (1974) is centred on the "rent-seeking activities of public office holders". Consequently, specific anti-corruption measures

³¹ *Katamulomo* is a lingua franca concept originating from Congo which means close your mouth. The word was only used by cross boarder traders

were not considered to be of particular importance in combating corruption. Brown and Cloke (2004) considered the assumptions about the beneficial effects of reducing state intervention as a logical error.

A view that is supported by Hatch (1997) argues that; "even if markets are biased by rent-seeking activities as a result of state intervention, does not mean that if state intervention is removed rents would be allocated as if markets were perfectly competitive". However, as discussed above the Bank in the mid-1990s, as part of its good governance initiatives began to re-consider their anti-state sloganeering of the 1980s and early 1990s, by recognizing the strategic part that the state can play in development. This has led to an emphasis on the support of public institutions, their transformation to become more transparent, open and accountable, a strengthening of electoral laws, judicial systems, and a focus on the role of civil society in fighting corruption.

Nevertheless, at the same time that the Bank has begun to pay attention to these issues by promoting the core neoliberal values of economic liberalization, privatisation and the further reduction of the role of the state (World Bank, 1997). For instance, according to Brown and Cloke (2004) "some important limitations of neo-liberal policies is that the ability of the state to function efficiently have been reduced by the successive years of cutting state spending such that the cost of economic reforms have become an obstacle to meeting the basic needs of the people" (p86). In addition, in a similar manner, it is important to add that the adoption of neo-liberal reforms will not automatically translate into lessening of corrupt practices, particularly in states with weak administrative institutions and poor criminal justice systems". This is because this type of policy alterations also flouts the recognition of informal practices using a localized concept that re-creates incentives for other forms of corruption to flourish.

In Zambia, there is considerable evidence to suggest that privatisation program of the current years has been characterised by corruption. For example, in 2001 the second Republican President was arrested for corruption charges during the privatization process, that begun 1990 (Ndulo, 2009). It is reported that Chiluba's administration was the most corrupt regime in the history of politics in Zambia. The President abused his position during the privatization process to transfer the ownership of many public institutions to his political associates and other stake groups.

Prominent amongst Zambia's privatisation corruption scandals are the disputes surrounding the sales of the Zambia Consolidated Copper mine, ZCCM LTD and the Anthony Shansonga

privatization of Access finance Bank. These are some of the executed market reforms that could actually be cited as having increased the frequency of corruption in the country. Others scholars have argued that properly designed and executed market reforms do not increase corruption. Some scholars have argued that avoiding economic reforms such as privatisation may increase avenues for corrupt practices because political elites often tend to promote personal interest above the common good by accumulating financial wealth through monopolistic structures. A good example in connection to the transport sector is during the United Independence Party (UNIP) government. It was fashionable, during the UNIP era to abuse state resources for personal gain. This war chess according to Kaufmann (1997) “becomes a major weapon to obstruct or distort reforms”. Similarly, Kaufmann also, “maintains that limited monitoring and state involvements in the market, as well as a stable macroeconomic environment and simple tax regimes with limited choice will reduce corruption” (Kaufmann, 1997). Whilst up until a few years ago this seemed true that, whatever the social effects of neoliberalism, institutional reforms had promoted economic growth but modernization and contemporary events such as the current financial crisis that turned into a global financial and economic disaster in the USA. This has raised many questions about the effectiveness and reliability of neo-liberal policy reforms and the validity of Kaufman’s perspective on the subject of corruption and neo-liberalism effect. Although there may have been several technical explanations as to what led to the recent financial crisis, most opponents believe that the problem was unconnected to certain failures in the highly liberalized American financial system (Stiglitz, 2008). The predicament can be partly blamed on professional irresponsibility and the greed of the financial system on Wall Street. There have been mounting criticisms of how Chief Executive Officers were lavishly rewarded with millions of dollar in bonuses at the slightest appearance of profit, even if it later turns out to be an illusion. Paul Krugman has argued that, “at the crudest level, those profits and bonuses as declared by CEOs on Wall Street, are ill-gotten gains and that corrupt corporate capitalists have perfected the act of leveraging their connections in government for their own personal interests” (Krugman, 2008, pp.89-93). Similarly, Joseph Stiglitz contends that, “hypocrisy and dishonesty in the finance sector led to the financial crisis” (Stiglitz, 2008, pp. 23). However, to add nuance to this debate while disagreeing with the notion that neo-liberal reforms and good governance offer a cure for corruption it is also important to state here that more state-centred approaches may also be far from the solution. My analysis with the situation at the WB is that the problem of corruption is not directly related to notions of the size of the state and good governance agendas. The narrow linguistic concept

appreciation contextualized in relations of power by most scholars is missing in most neoliberal debates for economic growth agendas. The concept “corruption” is an Anglo-Saxon word which fails to reflect the undercurrents and differences of informal cultural practice in relations to power in each society. In short, it simply expresses a condemnation of neo-liberal policies without linking them to informal cultural practices in context of social relations. At the WB, the word “corruption” is not a reflection of the life world by those involved in the phenomenon. This view is also supported by Tanzi who confirms that corruption has nothing to do with the manner in which the state operates and executes its functions (including how it relates to the private sector) but what is more significant are informal relations than the size of public sector activity alone (Tanzi, 1995). Thus, even if an effectively regulated capitalist economy that subscribes to the proper sighted functions of an effective state is applied and observed, such would never reduce corruption at all because of ignoring a broad range of social relational interpretations as in the lens of those involved in the phenomenon. It is based on the observed facts at the WB, that I suggest the recognition of the *Chewa* word “*Nichekeleko*” to expose behavioural conduct of actors involved in the phenomenon.

My argument in the study was that if the local concept *Nichekeleko* were adopted to analyse state functions in relation to governance, it would expose different interpersonal relations that have attributed to its persistence in Zambia. Therefore, the neoliberal policies as having facilitated corruption do not make any sense at all. Equally, the argument here is that mere slogans of anti-corruption struggle by the international monetary banks are not enough without understanding how corruption is perceived locally.

I take for example, Mauss's (1992) positive view of how exchange works to link individuals to each other and to their social order is how those who indulge in *Nichekeleko* view it. Mauss argues that reciprocity is the crucial principle through which individual actions reflect and help to sustain the "ends and peace" of the social "whole" (1967, pp.79). He suggests that even competition and inequality in exchange is in harmony with some kinds of social order. Another scholar, Price (1987), observed that when people tell stories, they assume that their listener shares with them assumptions about how the world works. This argument is a complete departure to the views held by the IMF and WORLD BANK and other western organizations regarding the persistence of corruption. In my case, to get awareness into the factors facilitating corruption, I used the *Nichekeleko* concept to analyse the phenomenon, during attachment at the WB. I obtained this data by paying particular attention to a range of

words, proverbs, songs and some syntax in *Chewa*. For example, during observations during attachment to the WB, I quickly came to recognize a distinctive measure of movement between the WB itself and the shops, or business houses, and forest a sure way in which *Nichekeleko* is conducted through songs. For instance, every morning people surrounding the WB leave their homes and report at the station. Those who leave their homes mostly go to cultivate in their vast gardens, where the main crops such as maize and sweet potato are planted. Sometimes men choose to spend all or part of their afternoon leisure time drinking ‘*Chibuku shake-shake*’³² near the WB. While others both men and women gather wild-plant foods in the gardens, although they usually do so for only part of the day near the WB. People stop for familiarisation at the WB. The WB is a place where every social activity can take place. For those who have worked there long enough, it is called the *Kuwait, or Iraqi*. These names of the two countries reflect the conduct of WBOs at the WBs. It is a well-known fact that Iraqi and Kuwait are oil-producing countries. Therefore, every WBO is a minister for petroleum. You must be foolish to come out of Iraqi poorer. The names of the two countries coherently represent *Nichekeleko* phenomenon in an implied pattern of behaviour in both economic and social gain. My argument in the study was that if the word *Nichekeleko* is used it would help to learn more about cultural relational patterns that are underestimated as being facilitators of the problem. Therefore, in a sense if a local concept is used, it presents an implied pattern of behaviour in terms of social relations.

Further, what I observed is that the WB plays a very important social and economic function in the lives of WBOs and the surrounding villages. For example, each WBO has temporarily employed one person from the community that lives near the WB. The people near the WB are also employed by operators as cheap labours to clean their environment. The RDA has not employed cleaners or sanitary officers but each WBO is forced to employ one not as stated in the RDA regulations but the responsibility society has placed on the shoulders of WBOs. Linked to this is an even broader idiom of common origin. Usually the sanitary cleaners I discussed with are those assumed to be from the same ethnic origin with the WBOs. If one is *Chewa* speaking, you will see him “employing” a *Chewa* sanitary cleaner. Through this principle, many people consider themselves related to WBOs even though they are unable to trace actual ties of descent or marriage and may live in different settlements all

³² The Chibuku is a business sorghum lager based the traditional African homeland. Beer is made, the primarily out of sorghum and maize. However may likewise contain some millet. The name Chibuku originates from Max Heinrich's propensity for recording every customers' remarks and process in a book, and Chibuku is an adoption of the local word for "book"

together. The question of what is *Nichekeleko* and what is exchange, both socially and economically has been unveiled in Chapter 5. The purpose of Chapter is to historically bring out general debates on liberal causes of corruption and compare it to the *Nichekeleko* phenomenon at the WBs. The results are proportionality different from the neo-liberal policies as being the answer to the “why” corruption persist. This made lead us to examine the extent of corruption when the local concept *Nichekeleko* is omitted to describe the phenomenon at the WB.

4.5 The extent of Corruption in Zambia: Statistical Inferences.

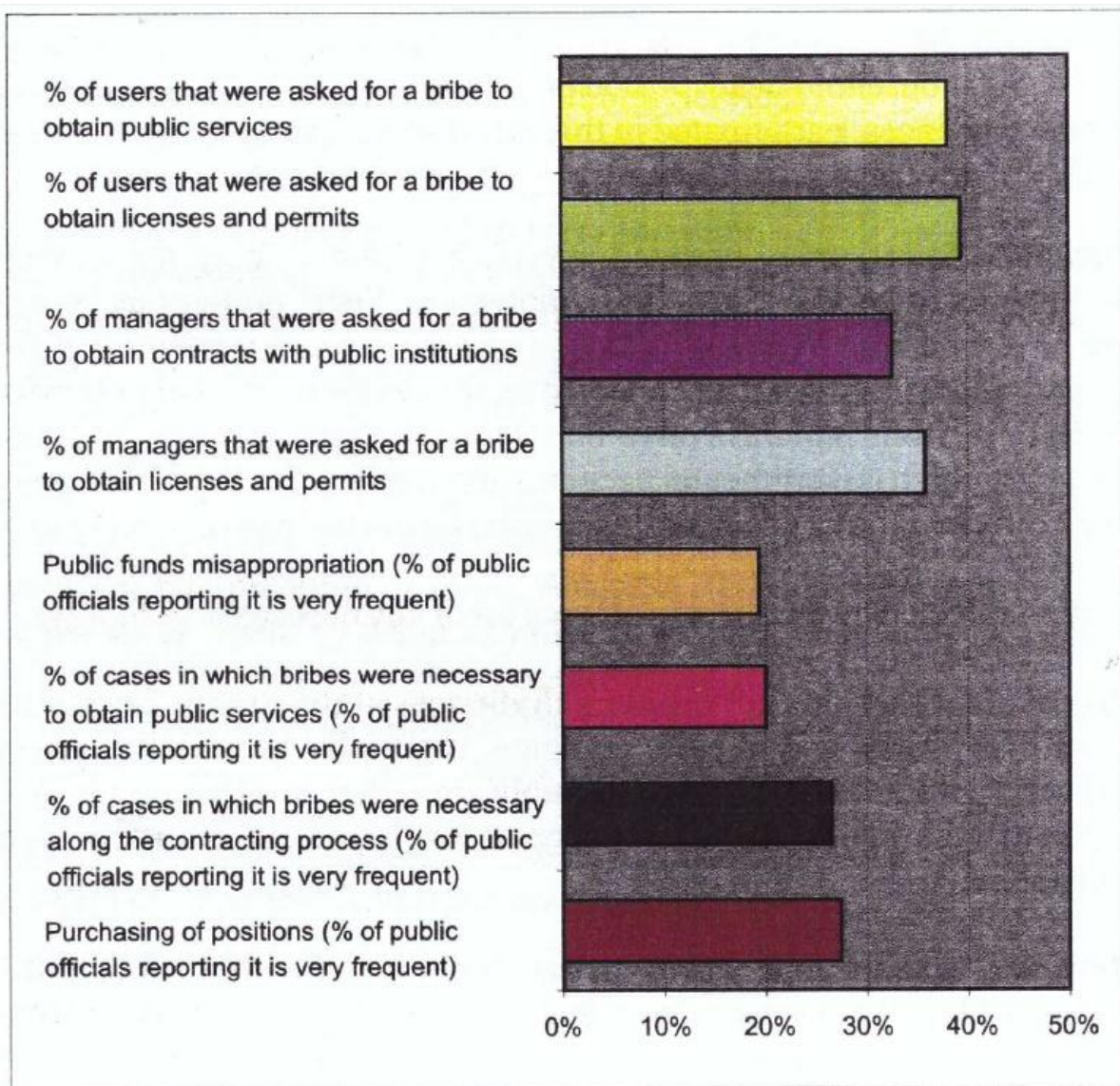


Figure 2. Source: The University of Zambia (2004-2010)

The diagram above on figure 2 covers the findings on the in-depth baseline survey conducted in 2004 to 2011 by the University of Zambia; department of Political and Administrative

Studies in the transport sector. The survey was conducted to obtain levels of corruption in the transport sector so that government can design appropriate strategies and policies in order to reduce it in Zambia. The findings were that corruption in Zambia has many faces especially in the areas of public service delivery, permits and licences, and procurement that affected the quality of public services. For example, users that were asked question to pay a bribe in order to obtain licences and other certificates such as motor vehicle certificate of fitness and Certificate of Weight at the WB were rated at 39% and 40%.

Nevertheless, the results of baseline survey data were generalized. The study failed to define corruption in the context it is perceived in a localized concept “*Nichekeleko*” based on power relations. Equally, the study ignores to recognize dynamic characters of groups in public institutions’, which is an important ingredient to examine social phenomenon. The failure to gain insights in social phenomenon using semantic³³ linguistics is detrimental to understanding individual’s ways of thoughtfulness and acting, something ignored by most studies. Wierzbicka (1997) on this issue confirms the stronger links between the social relations of a society and their language spoken. This applies in equal measures to the outer and inner aspect of life. It is no wonder that actors at the WB have special words for corruption. Obviously, *Nichekeleko* tells us something about power relations that most studies miss. This is because; words reflect not only the existence of a certain social ritual but also the way of thinking about life’s important events. For example, when the word *Nichekeleko* is applied to non-permanent relationships at the WB, its meaning is similar to the Anglo-Saxon (English) word “corruption” but when applied to closer patterns of relationships; it refers to someone who must share his life. Wheeler (1972) interprets this meaning as helpmate. It is also used in metaphorical sense, as loving, caring compulsion and support. This means that the word has no limitations in the way it highlights people’s thinking and acting based social relations. It highlights assumptions of special relationships based on intimate communication represented along the lines of *Chewa* words: among others; proverbs and popular sayings. For instance the proverb:

Bwenzi la ponda apa naine mpondepo (Mchombo, 1964). Meaning, my best friend from our observation meant an innate relationship between TDs and WBOs. It is an illusion to suggest that corruption causes and existence can only be explained from neo-liberal policies. To the contrary, no fundamental debate on the factors that have facilitated such a phenomenon must

³³ Semantics is the etymological and philosophical investigation of meaning in a dialect.

skip over vocabulary in context of social relations. As contextualized in the proverb by Mchomba (1964) above, these relations such as friend are implied in the word *Nichekeleko* and are a tool to explain social support as the persistence of the problem omitted in the study. What is missing on the survey about corruption is a clear realization of the importance of the local concept *Nichekeleko* in relation to power. It is a concept reflecting embodied cultural artefacts in the people of Zambia. It has inbred characteristics, which is absent in the Anglo-Saxon word *Corruption*. This has not been recognised rendering the meaning of corruption criminal and treated as clueless to human nature in general, contrary to what is implied in the word *Nichekeleko*, meaning support. Therefore, the word *Nichekeleko* illustrates collective categories where all social relations of members are equal that probably gives an opportunity to its persistence in Zambia.

4.6 An ethnographical account of *Nichekeleko* in Chewa: The Literal meaning as Support.

Chewa, also well known as *Nyanja*, is a dialect of the Bantu language family. The noun class prefix *chi-* is used for languages. Therefore, the dialect is called *Chichewa* and *Chi Nyanja* (spelt '*Nyanja*' in Zambia, and '*Cinianja*' in Mozambique). In Malawi, the dialect was officially changed from *Chi Nyanja* to *Chichewa* in 1968 at the insistence of President Kamuzu Banda (himself of the Chewa tribe), and this is still the name most commonly used in Malawi today. In Zambia, *some tribes such as the Ngoni and the Kunda speak Chichewa*. Therefore, a more neutral name, '*Nyanja*' (language) of the lake (referring to Lake Malawi), is used instead of *Chichewa* (Mchombo, 1964). *Nichekeleko* is a *Chewa* word linguistically with prefix *Ni* and the root *cheka* (from *Cheka*) meaning cut and *leko* as suffix standing for leave it. The word is a product of social elites³⁴. Literally, the word means support in *Chewa*. Literal meanings are usually a guide and product of a societal power of elites in a particular culture or clan (De Certeau, 1984).

From ethnographical records, one is clear that the concept "*Nichekeleko*" is culturally characterized with the political power of the paramount Chief Kalonga Gawa Undi³⁵ - the giver. The Kalonga is the giver of all things, such as land, food and water. In the process, he cuts (*Cheka*) it and gives it to those in need. However, the modern translation of the word in to English; meaning "'corruption'" is built on official characterization taken from the Western

³⁴Elites in *Chewa* are a group of elders whose belief or attitudes influence authority more than others. Their views on a subject are taken more seriously and carry more cultural strength.

³⁵ The Paramount Chief Kalonga Gawa Undi is for the Chewa speaking people of Zambia, Malawi and Mozambique.

sense of action. Nevertheless, this representation, *cheka*, interpreted as “cut” apparently in *Chewa* is an appropriate action. The Western mind of formal characterization of corruption is rather reactive and narrow interpretation, detached from society of complex social systems. Instead, by its very nature in *Chewa*, the word is a cultural weapon for supporting one another, materially, emotionally etc. This is a situation where the body makes itself heard in the language. There is always no pure voice, because it is determined by the life style and codified by a way of receiving it (De Certeau, 1984). One is not always told what to do, but his actions are always interpreted as in the cultural literal sense. In order to indicate some of its effects, this study has pointed out a few. In modern western culture, the word is not a discourse that plays its role of social support. The original literal meaning is not what is narrated but rather a multiform and murmuring suspicious activity of producing practices illegitimate according to the law. Nonetheless, most researchers (Bohannan, 1997 and Gluckman, 2004) regarding the subject of semantic sciences express that, "ideas taken from one cultural system cannot be unequivocally used to name practices in different cultural systems and literal meanings ought to be interpreted in the context they apply to the whole cultural system" (pp.23-27). This view is ignored among the relativist scholars of corruption namely; de Mari (1984) and de Sardan (1998). Gluckman and Bohannan on localized concepts of other societies show their importance by stating the role they play in understanding cultural variations. Explanations of local practices should, Bohannan claimed, be sensitive to original concepts. Agreeing with Bohannan (1997), I state the importance of fitting these practices and concepts into the larger conceptual system of the people who use them. This is because they reflect the literal meaning in the context people use them. By contrast with other languages, Gluckman claimed that many of these concepts can “without alteration after careful and perhaps lengthy descriptions and discussions, be given English equivalents” (1955, pp.12-14). This debate has recently reappeared in differences between Stephen (1995) and Jones (2007) about the effectiveness of local terms in understanding people’s beliefs. Stephen (1995) took Buchannan’s claims a step further by arguing that the literal meaning of words is often a good guide to their actual meaning than slacker but well-established etic equivalents. As Wierzbicka (1997) claims, “local concepts reflect ways of living and ways of thinking, a characteristic of a given society” (pp.45). “This is where language and patterns of thought are interlinked and conceptual systems are embedded in languages”. Alternatively, as in the words of Bohannan, “English and native languages are not equivalent entities; juxtaposing one with the other means that you are changing media” (1997, pp. 345). Nevertheless, these concepts might not only be unsuited and thus difficult to

translate but they also represent different kinds of thought. The solution necessitates that analysts use what could be termed contextual translation. This interpretation takes into account contents of linguistic groupings. It fits them into a larger conceptual framework as claimed by Bohannan (1997) through the semantic principles fundamental to these frameworks. Unfortunately, this is missing in the general corruption causes in most academic debates. Thus, this thesis has been situated using Michael Foucault power relations and Pierre Bourdieu habitus to expose the persistence of *Nichekeleko* in the context of power. At the WB these ways of thinking is embedded in ways of operating creating a case of relations based on practices locally conceptualised as *Nichekeleko*.



4.7 A linguistic model for the *Nichekeleko* concept

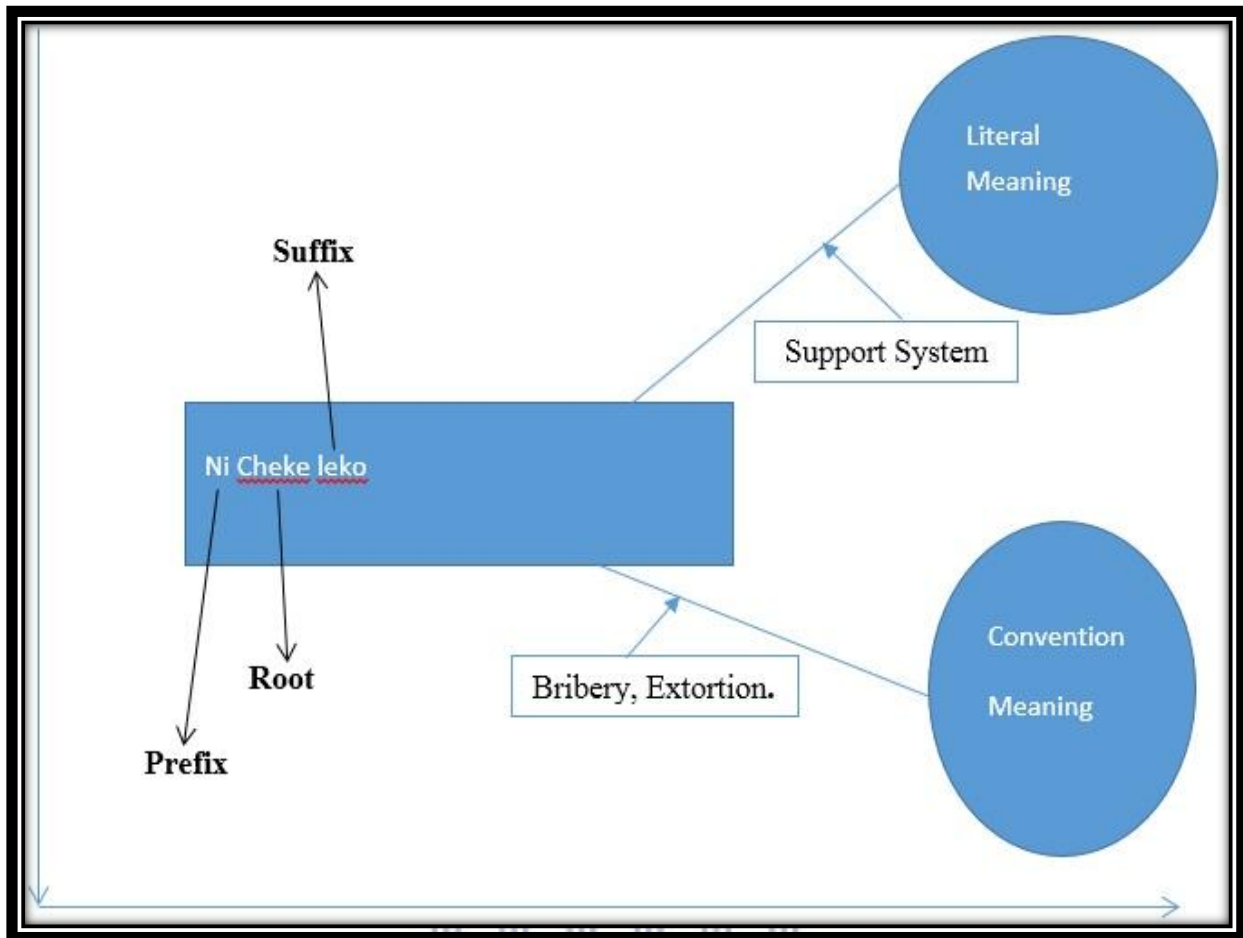


Figure 3

The diagram above shows how the word was developed in form, meaning and context. In form, it has the suffix, the root and the prefix. I contend here that the meaning in the above diagram is what the sender expresses in his message to the receiver, and what the receiver assumes from the current context. Therefore, *Nichekeleko* must be understood within the context of its relevance today. *Nichekeleko* meaning is within us and shared, thus a cultural fact. The word *Nichekeleko* is understood differently today as originally meant in *Chewa* cultural context due to new inventions, changes in values or other modern influences.

There is also a strong link between the *Ubuntu*³⁶ ideology and the context in which the word *Nichekeleko* is used. For example, Broodrygk (2011) on *Ubuntu* explored it as a “more complex of traditional behaviour developed by the human race that is successfully learned from one generation to another” (pp 230.). *Nichekeleko* is another way in which practice is acquired in the *Chewa* tradition, remarkably similar in content to the word “*Ubuntu*,” one

³⁶ Ubuntu in isiZulu means human kindness or care.

learns *Nichekeleko*, not only through written regulations but also through codes, symbols and common *Chewa* words. This probably explains the irreversibility of *Nichekeleko* phenomenon in Zambia.

4.8 Link between *Ubuntu* and *Nichekeleko*

The philosophy of *Ubuntu* can be mirrored on the practice of *Nichekeleko* in terms of the social relations at the WB, in materialistic and non-materialist ways. Thus, in order to get inside the idea of *Ubuntu* at the WB, I observed the frequent spoken word “*Muntu*” either through a greeting or by merely gestures. These gestures made me gain understand of the views of people who are involved in the *Nichekeleko* phenomenon. Sogolo (1993) stated the importance of having an understanding about *Ubuntu*, since its meaning is still relevant today. Broodryk also repeats this statement when he said:

“Ubuntu is the completely intricate of traditional behaviours which has been developed by the human race that is effectively learned by each generation” (1997)

The above statement shows that *Ubuntu* cultural norms are orally translated from one generation to another over a long time. These norms have never been produced as literature or in written form. Nevertheless, the word *Ubuntu* is not exempt to misuse or over use, because of being a strong and value-loaded idea. In the Zambian context, the word, even though spelt differently, from the South African language isiZulu, *Ubuntu*, in *Chichewa/Nyanja*, it is written with an adjective³⁷ as “*Umunthu maningi*” meaning a full human being. The adjective demands that the person is not just an ordinary human being, but one who provides practical service to others is a real human and friend. For instance, according to Michael Onyebuchi Eze (1997), the principal of *Ubuntu* can best be summarised as follows:

“A person is a person through other people’ strikes an affirmation of one’s humanity through recognition of another in his or her uniqueness and difference. It is a demand for a creative intersubjective formation in which the other becomes a mirror (but only a mirror) for my subjectivity. This idealism suggests to us that humanity is not embedded in my person solely as an individual; my humanity is co-substantively bestowed upon the other and me. Humanity is a quality we owe to each other. We create each other and need to sustain this otherness creation. And if we belong to each other, we participate in our creations: we are because you

³⁷ An *adjective* is a word that modifies a noun (or pronoun) to make it more specific for example a "rotten" egg, a "cloudy" day, a "lovely" lady, or a "tall," "cool" glass of water.

are, and since you are, definitely me, therefore I am not a rigid person but dynamic self-constituted dependent upon this otherness creation of relation and distance”.

The ideology of *Ubuntu* is mostly visible at the WB. There is genuine warmth with which WBOs treat both outsiders and people of the surrounding community, pedestrians and visitors. This open display of warmth is not merely visual but enables formation of unplanned relationships. The resultant collaborative work within these spontaneous relationships surpasses the negative aspect about *Nichekeleko* at the WB and gives practical importance to the value of support hence probably the reasons why the phenomenon has persisted today. For example, most parents and pedestrian request for a lift from the drivers without paying a fare for it reflects the some of the residues of *Ubuntu*. Warmth is an essential condition for WBOs to work efficiently even though genuine warmth may leave one helpless to those with ulterior motives. *Ubuntu* is comprehensive. It is best realized in deeds of kindness, compassion, caring, support, solidarity and sacrifice (Tefo, 1998). Such acts yield positive results both for individuals and for the community. It makes it possible for an individual to count on and expect the meaningful social support from fellow human beings at the WB especially during times of need. People are expected to share the resources with which they are blessed. It is not uncommon for surrounding communities to request the WBOs for transport for their children who are late for school as they cannot afford bus fares, and have only paid boarding fees. Such actions contribute positively to parents near the WB as they maintain and preserve community cohesion. This shows the link in practice between *Ubuntu* (an African Ideology) and *Nichekeleko* (in terms of its literal meaning as support) is the best way in which actors contribute to society. Further, this is better explained by popular *Chichewa/Nyanja* proverbs such as,

“Mwanawamnzako ngwako yemwe, ukachenjera manja udyā naye” (your successful neighbour’s child is your own too) (Mchombo, 1964).

This proverb clarifies the main principle in *Nichekeleko* phenomenon as “providing support”, where the WBOs are considered successful by parents near the WB with finance are obliged to help those without members of the community. Blessed are they to be appointed operators and deployed at the WB. Therefore, in literal sense *Nichekeleko* at the WB is the basis or foundation of feelings for kindness, responsible for making life more caring for others precisely those without money. This mirrors the *Ubuntu* ideology in practical sense through a concept *Nichekeleko* in relations of power at the WB. The ideology of *Ubuntu* is revealed in

action, through *Nichekeleko* phenomenon based on social connectivities. The purpose for which the *Ubuntu* ideology in South Africa and the *Nichekeleko* phenomenon in Zambia serves is a moral one. The way in which one relates to the other people and ones surroundings is critical to determine the positive and negative influence of *Nichekeleko* to individuals. Ideally, this link between *Ubuntu* and *Nichekeleko* is best illustrated on the diagram below in figure 4 below.



4.9 Tracing the Contours of *Nichekeleko* in *Ubuntu* Ideology

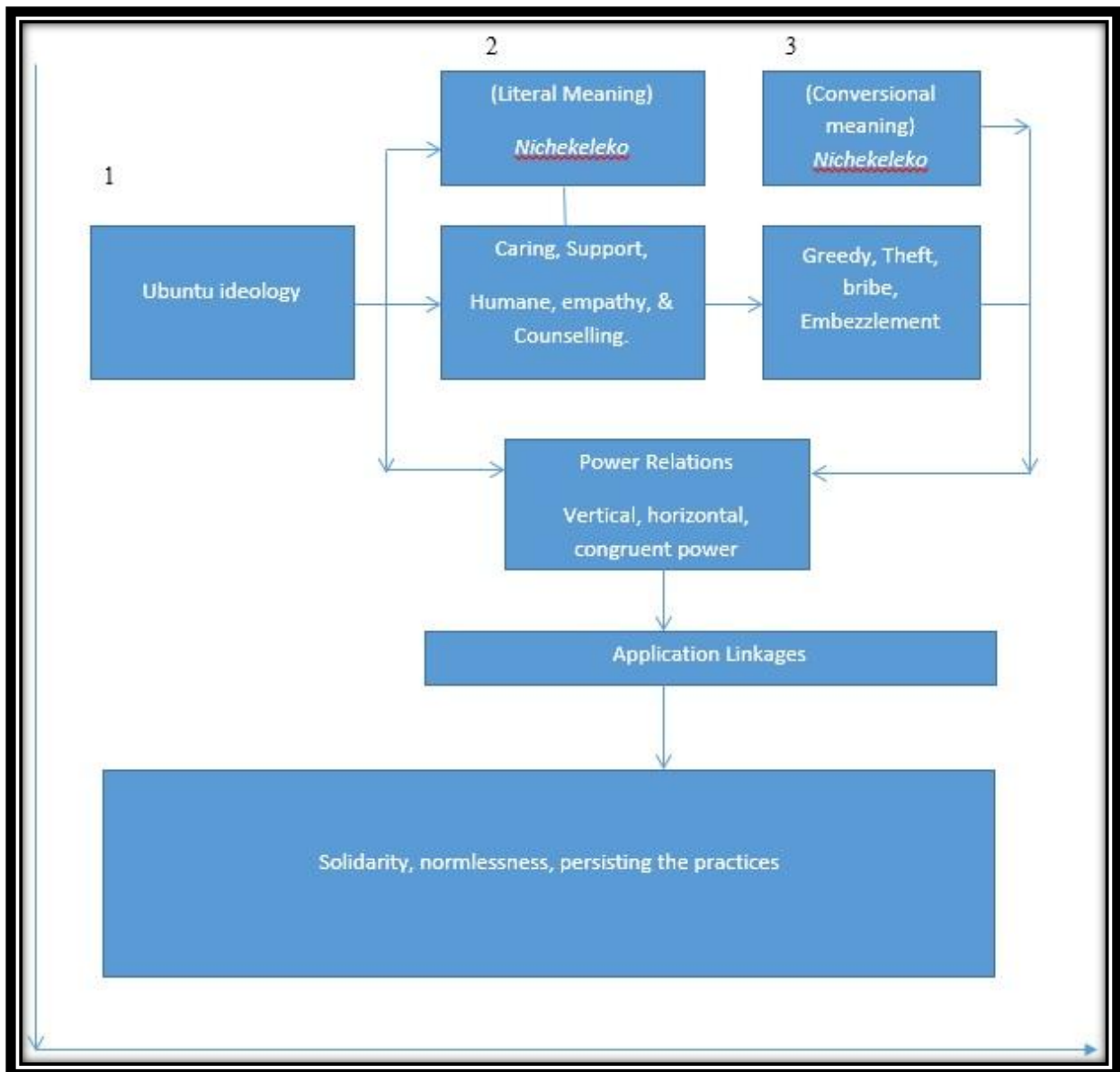


Figure 4

Figure 4 above indicates contextual links between *Ubuntu* and *Nichekeleko*. In Southern Africa, it has come to be utilized as a term for a kind of humanistic philosophy, ethic or ideology, otherwise called *Ubuntuism*. The term *Ubuntu* showed up in South African sources from as early as the mid-nineteenth century. Reported interpretations of *Ubuntu* covered the semantic field of "human instinct, humanness, mankind; ideals, goodness, generosity". According to Broodryk (1997, pp.56), he claimed that, "linguistically, the word consolidates the root - ntu for the individual, person with the ubuas prefix shaping abstract nouns so that

the term is precisely parallel data to the abstract noun 'mankind'. Broodryk (1997), a socio-linguist claimed that, "*Ubuntu* is simply the African life style that traces the linguistic formation of the concept". The word defines a confident quality supposedly held by a person. It is an inner state of being or the very essence of being human. Similarly, having *Ubuntu* is identical with behaving according to the wellbeing of others and the community. The vocal expression in *Ubuntu* is equally contextualized in *Nichekeleko* based on relations of power. For instance, the way one relates to other people is the way of life at the WB. Through positive acts, one is connected, linked and bonded to others. Perhaps this explains the resistance of *Nichekeleko* phenomenon in Zambia. My argument is that failure to analyse corruption from a linguistic and philosophical perspective implied in *Nichekeleko* is like reducing the practice to mere violation of the law or moral rules. A much closer look at corruption from a language vantage point provides us with essential dimensions of *Nichekeleko* persistence in Zambia. This entails the neglected dimension of corruption that this thesis has examined.

4.10 Conclusion

This chapter expands upon the historical global debates on the causes of corruption. It respectively examined the general historical foundation of Zambia's corruption issue and the facilitating factors for its perseverance. It starts by quickly highlighting the general economic and development experiences of Zambia after the privatization of state companies and explores the various economic factors that may have contributed to the corruption persistence. According to scholars, De Maria, *et al* (1996) corruption in Africa is embedded in the politics of the state from the outset. First, class formation and the accumulation of private wealth are dependent on state power and access to state resource. The argument here shows confusion between state power and corruption. This is because not all incidences of corruption are rooted in economic incentives but in social relations. It is essential to examine the structures of particular systems or sectors using a localized concept basing on relations of power. This is because the underlying economic incentives for corruption in areas such as public works, police, judiciary and taxation are common throughout the world. However, what is missing in the analysis is using localized semantic approach in power relations. It is built on this that I suggests the use of the word *Nichekeleko* in the situation of power relations as a cautionary measure to understand the reasons for its persistence. My argument is that technical neo-liberal solutions based on analysing it from an economic incentive is not

enough as it has substantially failed to reduce corruption. It is better to replace it with localized understanding of the phenomenon in context with social relations.

The second part of the section examines the dynamics of corruption using a localized concept. The chapter travels in what de Sardan (2009, pp.345.) calls, “the unexplored social mechanisms”. It attempts to show that the western type of constructing of corruption is shallow; ignoring cultural variance and that if we are to understand corruption, we have to take note of the undisputable reality of cultural variance in terms of social relations. At least this position validates our voices in discourses about corruption. Western countries seem confident in their understanding of corruption, but they cannot even agree that corruption causes social and economic damage (De Maria, 2009; Riley, 2000). Indeed, for the study of corruption a local concept was used to expose social phenomenon at the WB. This approach helped us to trace corruption mirrored into an African ideology “*Ubuntu*”. By exploring it through linguistic semantics in relation to power, it helped to examine corruption through its historical roots in the language used and describe the complexities surrounding its meaning to those involved in it. In support with Lovett et al., (1999), I define *Nichekeleko* as a network of informal interpersonal relationships. It is an act of exchanges of favours and gifts established for conducting social activities in Zambia. It is an informal cultural concept that signifies the presence of interpersonal connections. It has been an underlying philosophy dominating people's social and economic lives for a long time now. Its strengths partly lie in intricate and pervasive relational network consisting of mutual obligations, assurances, and understandings. It has been present for centuries in every aspect of Zambia's social and economic activities. Therefore, not only does *Nichekeleko* have profound implications for interpersonal lives in Zambian society, but it also is the lifeblood of social activities at the WB where it frequently acts as support. As a practice, *Nichekeleko* has a strong and direct effect on social attitudes at the WB. It also has implications on the rapidly changing culture, governance, and development within Zambia. In the present day Zambia, *Nichekeleko* can be defined as special relationships two persons have with each other. Alston, (1989) and Osland (1990) also support this assertion on special relationships between two, as he claimed they only happen when a person who is needs of something tries to befriend the one who has the ability to give something and accepts the relationship. In other words, *Nichekeleko* can be interpreted as relationships of particular ties, a reciprocal relationship of exchanges such as gift giving.

Briefly, this chapter states how corruption in Zambia has been examined widely in different context, including culture, ethics, psychology, economics and sociology (Fundanga, 2001, Mbao, 2009; Ndulo, 1989). While all these examinations have given an important knowledge on corruption, but most of them have neglected the local context “*the feel*” of it, adding to the confusion on what causes its persistence in Zambia. This chapter has filled this gap as explained in detail in the proceeding chapters. Equally, most studies on corruption have not investigated the issue at individual level but at an organizational level. Moreover, this has been taken care of in chapter five and six of this thesis. Chapter 4 was simply an expansion to the debates surrounding its causes and the context of corruption by tracing the practice from *Ubuntu* philosophy down to word formation, its meaning and implication among the actors who indulge in it at the WB.



CHAPTER 5: NICHEKELEKO IN SCOPE AND PATTERNS OF BEHAVIOR CONDUCT BASED ON RELATIONS OF POWER AT THE WB IN ZAMBIA

5.1 Introduction

This chapter is about patterns of behavioral conduct that has facilitated the persistence of *Nichekeleko* phenomenon on the basis of relational power at the WB in Zambia. However, before examining various patterns of behavior facilitating *Nichekeleko* it was found appropriate to discuss the broader scope of corruption before narrowing down to it as *Nichekeleko*. Nevertheless, corruption is illegal all around the world and as a rule in most case illegitimate. This issue is affirmed by Heidenheimer (1990), who asserted that corruption has two faces. Firstly that it is openly illegal and secondly it is covertly legitimized as a social practice in connection with power. This type of corruption is tolerated and sometimes informally encouraged. It is along these lines that this sort of corruption is justifiable, known as *Nichekeleko* in Zambia, because of the way in which it is practiced. This forms the premise of discussion in this chapter. What should be stated from the start is that data of this chapter is gathered from narratives, participant-observation of events, administering of questionnaires and focus group interviews, though most facts of it are not established, substantiated and visible. But it is one of the characteristics of corruption that is constantly condemned without major proof hence encouraged in some way. Amongst the *Chewa*, this sort of corruption is implied in *Chewa* proverbs songs and popular sayings that reflect social relations.

In examining this kind of corruption I listened to the allegations, accusations, and suspicions that are aired either in the press or private conversation. In this regard, I was more like dealing with the sociology of rumors as confirmed by Blundo (1998). Therefore, this approach makes me risk in defining corruption as mere rumors. In short, as what it is said rather than what facts say about it. Nevertheless, Scott (1997) on the study of corruption claimed, it must be understood as the transaction between power and money. However, I also observed at the WB that corruption takes into consideration transactions between power, influence, networks and the language used by participants. This semiological approach in studying corruption is missing in academic literature which this study took care of throughout this thesis. For the sake of convenience in this chapter, as a lead researcher, I examined corruption at two different levels, the first being that of the patterns of behavioral observed as an everyday practice. Secondly, the prevailing popular *Chichewa* utterances will form the basis of analysis of the *Nichekeleko* phenomenon in this chapter. I will draw examples from

the *Chichewa* language that is widely spoken in Zambia. What are essentially involved here are widely shared representations that exist beyond individual variations. These views on behavioral conduct represent the *Nichekeleko* phenomenon and can be found in the *Chewa* language in terms of familiar expressions, like proverbs and sayings that illustrate corrupt practices at the WB.

Nichekeleko phenomenon on the context of power relations in the road sector in Zambia is the most talked about in both English and vernacular languages, even though the most neglected in the academic sphere. Scholars and other commentators on corruption have pointed out various deficiencies in the road sector indicating that it exist, but its relationship to how it persist and done has never been closely examined, let alone systematically investigated. Policy makers as well as scholars seem more ready to attribute the problem in the road sector to external factors such as undue interference from the ruling party public officials and lack of resources but never on relations of power in the pattern of conduct. Even when scholars do pay attention to it they do so most often only in passing. This causal treatment of corruption in the road sector has resulted in its marginalization in the academic field.

Briefly, from an academic perspective, this chapter seeks to answer the three main questions: What are the behavioral patterns that facilitate the conduct of *Nichekeleko* to exist in the road sector, particularly at the WB in relation to power? How is it related to the narrow definition of corrupt activities in Zambia? How can the findings be explained or interpreted. In answering these questions, I adopted an inductive³⁸ reasoning developed from interviews and observation of events from 12th October, 2015 to 29th January, 2016. Here, I described, investigated and analyzed basic factual features and patterns of behavioral conduct that raises opportunities for actors to engage in *Nichekeleko* at the WB in relational power which has been discussed in-depth of chapter five as follows:

5.2 Patterns of behavior conduct facilitating *Nichekeleko* persistence at the WB.

As one who explored the terrain of the patterns³⁹ of conduct facilitating actors to engage in *Nichekeleko* persistence at the WB, I begin by narrating what Jeff, Mataa [not real name]; (a

³⁸Inductive approach is the thinking in which the premises are seen as providing solid proof for the reality of the conclusion. While the determination of a deductive contention is sure, reality of the truth of an inductive contention is plausible, in view of the proof given. See Bourdieu, (1984),pp 670-73

³⁹ Patterns are habitual behaviors that often go unnoticed in persons exhibiting them.

friend for over 15 years) described on what produces them. In short, what behavioral conduct produces them and by who? Here, this discussion is about patterns of conduct in social relations that have facilitated the proliferation of *Nichekeleko* at the WB with results generalized to other sectors of the society. The method used in this chapter of the study involved various anthropological and sociological standard tools of analysis. In other words the corpus comprised four main categories of data collection namely; participant-observation interviews focus group discussion and narratives as follows:

1. Non-verbal patterns of conduct based on relations of power observed during the weighing process:

Non-verbal pattern based on relations of power stimulates WBOs to engage in *Nichekeleko* conduct (RDA staff, 2016). This is an exploration of the semantic field and the ideological configuration which is still in an early stage of analysis in the academic sphere. But I was compelled to use a semiotic approach in the context of relational power as the only methods to quality data. For example, in observing the procedures of weighing over weighted trucks I was convinced that the semiotic approach in terms of language would surely give me the description of how the everyday practices that take place at the WB is conducted. Thus; when the truck is being weighted on the axle, it takes ten minutes to complete. The process requires blowing of the whistle by the WBOs informing the TD to observe signs, symbols and codes. The blowing of the whistle signifies the completion of the weighing process. This is an action without reference to ordinary language, so hidden but only evident to those involved in *Nichekeleko* phenomenon. These take place in specific tactics or symbols and relations of power. For example, sometimes when the driver knows that the truck is overloaded he does not even listen to the whistle blown or see the signs and codes given, but tactfully and silently comes out of the driver's seat to negotiate with the WBO for his release in exchange with a gift or favor, now or in future. To the WBOs this is not corruption at all but *Nichekeleko* meaning support. Communication using symbols give rise to social spaces⁴⁰ and events that can be isolated and identified. For instance, on the 18th of January, 2016 I observed five TDs negotiating with the WBO using specific sign by raising the right hand finger. In less than five seconds the negotiation was over. When I asked our friend Jeff what that meant, he simply answered “ nothing serious’”. What is at stake here is the relation of friendship and the

⁴⁰Pierre Bourdieu (1998) portrays space as something that is foreordained developed by society, to a degree that actors on the network are characters that are dispersed in the field as indicated by their position according to the principle rule of specialization, (pp230-234

rank held by the actors. The personal relationship and the position held by the WBO are seen as providing the latitude for *Nichekeleko* such as favoritism and promising to give a gift to take place. When one is weighing the truck, signs and symbols denote both power and friendly language displayed in whistle blowing. I was particularly interested in the horizontal power relations⁴¹ between the drivers and the operators in the weighing process. By focusing on the body, I was able to trace the workings of power were the operator established his position, not necessarily by imposing his values on the driver, but the blowing of the whistle made the driver behave either in a submissive or unfriendly manner. Most drivers when they know have overload by exceeding the statutory required 6.5 metric tonnes per truck, they tactfully accept and begin to negotiate the penalty of paying a lesser fine with either to differ the payment to some other date or with a promise of a gift. In fact, before the truck is weighed, the drivers communicate with the WBO using codes. It is not everyone that uses codes in this process for *Nichekeleko* to flourish. In short, it is the know-how to blow the whistle and know-how to respond that is important in this relationship for *Nichekeleko* such as gift giving and favoritism to be executed now or some other time anywhere. This communication shows an element of horizontal power relation between the WBO and the TD. It also indicates the connection with the language and the action taken. It is this connection in practice through language (verbal) and action that facilitates actors to engage in *Nichekeleko* for its persistence.

Further, WBOs also exercise the function of testing trucks after offloading the over weighted ones. They exercise that function precisely in order to detach themselves from the everyday anti-corruption and police observation or rules. These moves are too complex. To these moves corresponds an action of particular type. They tell each other what type of move was taken the night before. The moves are told in stories over a cup of coffee or tea in town-Kafue or Kapiri-Mposhi using specific symbols, which is making it clear that every specific event is a particular (application) action for someone to indulge in *Nichekeleko*. These moves are formalized in terms of power reinforced in everyday artificial language. For example the symbol “∑” signifies ‘add’ to what you did not give last time, and the symbol “☺” am happy you have fulfilled your promise to give a gift. These are tactics popularized in the art of speaking through symbols and common proverbs reflecting relations of power. They are patterns of everyday practices taking place at the WB. This shows how the extortion (such as

⁴¹ See Michael Foucault (1984), who recognizes power, not as a property of the might lord but a set of forces which establishes positions as a way of behaving that influences people to behave in a particular way, (p111).

theft) of money for private gains by the WBOs is perpetuated. Unfortunately, semantic perspectives to analyze cultural phenomenon is missing in most scholarly work, which probably explains the dearth of literature on *Nichekeleko* persistence in Zambia.

Similarly, by observing WB operations other similar patterns of conduct facilitating *Nichekeleko* persistence in power relations were noticed; known as “*verbal patterns*”. Analyzing the persistence using language I observed that the actors move from one field to the other by equally being tactful. For example, the WBOs leave their station during the close of business hours to meet at a lodge or petrol filling station with known drivers. The actors communicate to each other by the latest technology such as mobile phones as well as whistling to each other. During our four months attachment to the WB, we observed a ¼(one quarter) of the 750 trucks driven during lunch hour were unstopped and avoided the WB altogether. This narration confirms the description of *Nichekeleko* phenomenon in a subtle way of extorting resources as a way in which it happens even if we do not have enough data on it. However, this argument is confirmed by Rose-Ackerman (1999), who states that every employee in an organization has “a way of knowing how to manipulate the system for personal gain, like extorting of resources” (pp.456-458). I observed the TDs and the WBOs engaged in verbal communication as friends signaling each other that lunch hour is approaching and the state police will not be on duty to compel them weigh their trucks faster. Equally, this action is usually better reflected in a popular *Chewa* proverb at the WB in Zambia. Our friend Jeff, when asked why he took long to come back from lunch and report for work at Kafue WB, he simply laughed and referred us to a popular *Chewa* proverb that says, *Mbuzi idya pamene aimanga*. Translated to mean that; “a goat will only feed near where it has been tied”. This proverb is said in order to take advantage of the occasion. For us the conversation with Jeff and the *Chewa* proverb triggers a pattern of practices in the context of language that have facilitated actors to indulge in *Nichekeleko* such as the extortion and theft of revenue, a common phenomenon at the WB in Zambia. However, to the WBOs, literally, the proverb reflects a support system and not theft that is subtle acted upon by them. It confirms the everyday pattern of *Nichekeleko* in relation to the power of language used at the WB as a means to extorting revenue as well as favoring one other. The proverb confirms the widely held saying of constituted actions as narrated. Similar expressions are found in these views referring to *Nichekeleko* transactions as social support at the WB. These offer an explanation to the reasons for its persistence at the WB. This confirms that *Nichekeleko* is not just an everyday practice lived and spoken by everyone, but also an

occurring event in the public and private domain facilitated by power relations. Succinctly, this confirms a network of actions between WBOs and TDs, whose informal rules are outlined in their verbal and non-verbal language responsible for the *Nichekeleko* opportunities to occur and persist.

2. *La perruque*⁴² pattern of behavioral conduct

Is another pattern of behavioral conduct based on relations of power that actors are involved in; reflecting the *Nichekeleko* persistence at the WB. It perfectly describes the pattern of behavior reflected in actors' life world in Zambia. Data here was sourced by observing functions of the WBOs at the WB. I confirmed similarities in characteristics of *La perruque* with that of *Nichekeleko* phenomenon. What I mean is that the concept of *laperruque* is implied in an everyday action by WBOs based on relations of power. For example, I observed the three SWBOs in performing their functions that they report for work during holidays and weekends (i.e., Saturday and Sundays). When I asked Jeff one of the SWB officials why he works on Saturdays and Sundays, he justified his action as one way of offloading his work load. But a thorough observation revealed that *laperruque* introduces other techniques and space necessary for the persistence of *Nichekeleko*. Accused of fraud, WB officials indulge in *laperruque* by diverting time and space known as "free" time. Through free time they are involved in private jobs and they use the open space at the WB as a workshop. They creatively take liking in finding a way to create work whose only purpose is to show their own skills through their functions that profit themselves. For instance, most WBOs possess mechanical skills, and usually trucks that are detained at the WB for a longer period of time later develop mechanical faults due to rust. Those that develop mechanical faults are repaired by the same WB officials in the spirit of "private" and supporting one another. In fear to have their petroleum oil rooted from tanks by thieves and worst limited time allocated to them by their organizations the TDs succumb to pressure and fear, have no choice but accept to be assisted by the WBOs in any possible way. Under various names in numerous countries this phenomenon has turned out to be more typical (De Certeau, 1988). In the Zambian scenario when confronted to stop it at the WB, SWBOs turn a blind eye to it. This confirms the power relations between the actors through what can be known sociologically as; "a social and economic solidarity" with one another, thus between the

⁴² For Michel De Certeau (1984, 24-26) the idea of *laperruque* is the laborer's own particular work masked as work for his manager. It varies from stealing in that nothing of material is stolen. It varies from absenteeism in that the worker is authoritatively at work.

WBOs and the TDs. Many other examples show these everyday practices. There is no exploitation of a dominant power in these relationships. During the wide spread nature of *laperruque*, WBOs never hesitate to work during the weekend and use their own personal vehicles for the job of the public services. In their eyes, this reality of supplementing honest state service in this way legalizes the various patterns of behavior for actors to engage in *Nichekeleko* involving the collection, extortion, and charging of bogus WB fines. Therefore; *Nichekeleko* turns to be the main motivation of the public service benefit being referred to and guarantees its everyday operation at the WB. Nevertheless, the very existence of *laperruque* holds the principle as facilitating factor to the *Nichekeleko* persistence in the context of power at the WB in Zambia.

3. Reciprocal Obligations in Gifts and Trust.

*Gifts*⁴³ and trust are some of the known patterns of conduct that facilitate actors to indulging in *Nichekeleko* phenomenon on the basis of power. Firstly, I observed specific events such as giving gifts to be common. The expected and normal social interaction with human beings is that bosses give gifts to their employees, but at the WB such is not the case. Instead, it is juniors who give gifts. This statement is affirmed by Willet (2001, pp.21) who claimed that, "the thought one has unmistakable obligations to supervisors, separate from ties of reliability, friendship is regarded unnatural and strange because nationals are expected that personal ties with senior supervisors are expected to complete anything requested and that it is very proper to remunerate supportive officials with gifts". These gifts are part of the relations of power between drivers, superior officials and WBOs. My observation at the WB is also confirmed by Mathiesen (1978) who argued that gifts are exchanged between the rulers and ruled and are given in the context of relations of power. From my side, gifts at the WB represent the existence of the patron client relationship where the reciprocity of it is encouraged or accepted and widely practiced. For example, during industrial break and Christmas holidays, even though not all the 207 TDs sampled from a population of 854; have given or received gifts from someone, yet gif giving is a common practice. When I sampled 18 WBOs from the 96, I discovered that all of them have at one time received a gift, during and after public holidays from TDs. Therefore, the gifts confirm the monopoly of power held by public officials at the WB. It is this monopoly of power that provides an opportunity for the actors to engage in *Nichekeleko* phenomenon of gift-giving and receiving. For instance, while gift-

⁴³A gift is present given to someone without the expectation of payment.

giving and patronage are well accepted and intended, they do impose hidden costs that are not well appreciated by ordinary citizens hence the public concern about the practice. However, other officials from the sampled participants defended gift-giving at the WBs arguing that they are purely altruistic⁴⁴ exchanges with no expectations of any kind of reward. That it is misplaced argument to compare gift giving to bribery, for example. Johnson (1998) confirms this issue arguing that gifts provide the psychological benefits such as the affection, sympathy or satisfaction of living up to a moral commitment. While, Rose-Ackerman (1988) and Sen (1997) states that, ‘‘gifts in institutions benefit individuals and strengthen personal relations between the giver and receiver, as important dimensions of many transactions that have an intrinsic value. In short, they reflect an element of social support towards one another. In Chewa amongst the WB personnel the support has another derivative word implied in *Nichekeleko* known as *thandizo* meaning help. It is an act of prebendalism.⁴⁵ Xiaoba (2001) on acts of prebendalism says they occur when organizations are transformed from places of work to places of resource collection’’ (pp.23-45). This implies that these places such as the WB, workers have the power to pursue their own goals. Prebendalism provides a context in which the state is perceived as congeries of office susceptible to individual cum. Nevertheless, our observation is that prebendalistic behavior at the WB is not necessarily about monetary gain but emotional support. This means it does not only involve economic benefit but it manifests itself in such form as usurpation of official privileges and back door agreements with the use of another *Nichekeleko* derivative word popularly known in Chewa as *Chigwirizano* or as already said herein as *thandizo* meaning helping one another. Prebendalistic behavior is from norms of public office bearers (Xiaoba, 2000). At the WB our observation was that it is performed by WBOs with goals of private gain that it is primarily non-economic and sometimes political in nature. According to Torsello and Veriad, (2011) on prebendalistic behavior, the usurpation of power by personnel does not always involve give and take dyadic relations. My observation at the WB was that triadic relations are more prevalent than corruption. This view helped us to analyze corruption both from the public and private domain since the official definition of it has remained vague. It is this vagueness that I use a localized concept *Nichekeleko* to describe pattern of behavior conduct of actors at the WB. In sociological analysis these acts of personal exchanges (prebendalistic behaviors) are the key to gift giving. The question is why are these gifts common at the WB? Firstly,

⁴⁴ Showing a wish to help or bring advantages to others, even if its results are disadvantaging you.

⁴⁵The practices were incumbents of public office receive privileges and perquisite tied to that office. Incumbency or control of that office entitles the office holder gifts or payments of factious duties See Xiaobo (2001), p67 on ‘‘Prebendalism’’. Cambridge press.

interpersonal links facilitate gift giving because; disputes resolutions have proven costly and time consuming. Secondly, bribes are often disguised as gifts to limit criminal liability. Thirdly, gifts are common and often given to friends at the WB, not because the giver feels special about the recipient but because they develop emotional bonds that have far reaching implications between the recipients and givers in their lives. These gifts are exclusive. They are only limited to members of the WB. My observation was that the reason for the limitation to the receivers of gifts is because it reduces the risks of WBOs being exposed by new comers. My observation after interviewing 3 senior officials at the WB about gifts was that; gifts induce others to give gifts so they get special favor. It is these reciprocal obligations that facilitate *Nichekeleko* and undermines attempts to reduce it hence its persistence. Equally, actors who indulge in it believe they give gifts freely to their personal friends even though they expect a favor in return. As an observer, the pattern of gift giving appeared to be an informal and illegal culture, but not for those involved in it. To them it is *Nichekeleko* literally as it applies in *Chewa* language, meaning support.

4. Trust pattern of behavioral conduct

Whilst at the WB, I discovered actors trust one another. Trust as another pattern that stimulates actors to learn or engage in *Nichekeleko* phenomenon because they live together as one family. There is enough evidence to support my hypothesis that trusts as in family relation facilitates the persistence of *Nichekeleko* at the WB. I observed and interviewed 3 officials, 20 truck drivers and 8 former WB personnel out of 50 sampled. All agreed that WB functions require trust in one another. Trust can be accredited to interactions between people. They live closer to one another, and they have established relationships with others outside the work environment. Trust means many things to different people. However, at the WB, it is the social identity trust⁴⁶. Actors trust each other because; they feel safe that way to socially identify themselves with social and economic challenges hence the feeling to cover one another's shortcomings in their lives. Lodge (1998) and Gumble (2001) use the word trust in two senses. He points to the state's lack of competence and legitimacy in the provision of basic services. WBOs and TDs do not trust the state to resolve disputes fairly and efficiently, and so look to alternatives. This implies something closer to their personal ties. Actors trust each other at the WB, because of closer links and play favourites. We Remembered Jeff our friend for over fifteen years narrating as follows:

⁴⁶Social identity "is trust in outsiders as a function of group-based generalizations or in-group favouring behaviours based on salient group memberships".

“that sometimes TDs are let free not because they have bribed us but because of the social support we have rendered to each other that has been built on trust over the years”(RDA staff, 2015).

I noted that it is social support built in the trust entrenched in WBOs to engage in *Nichekeleko* and not in reliance for them to indulge in bribery. The philosophical analogue on trust among actors adds value to this observation. The argument that, “trust is more than a relationship of reliance” makes sense (Lodge, 1998). Even though, philosophers; Annette Baier and others have made a difference between trust and reliance by saying that trust can be betrayed, whilst reliance can only be disappointed (1986). Carolyn McLeod explains Baier's argument by giving the examples relying on a clock that gives the time. He claimed that, “people do not feel betrayed when the clock breaks down”. This is because, “trust is not when there is a suspicion of other people” (pp. 78). Therefore, the definition of trust as a belief is the confident expectation of something. This leads to eliminate the notion of risk from the definition. This is because the definition does not include whether the expectation is favourable or unfavourable. For example, to have an expectation of a friend to give a gift and he does not, but he has habitually given the gift for the last fifteen years is a confident expectation whether one is angry at the action or not. Trust is not about what one wish for. Nevertheless, it is in the consistency of the data of our habits. Consequently, when one trusts, there is no risk or betrayal because the data now exists as collective knowledge. This is contrary to the economic assumptions that treat trust as the pattern of conduct in the engagement of corruption to mean “value in return of expected behaviour”. From my observation at the WB, trust by people who engage in *Nichekeleko* is implied as part of elements in “social support”. Whereas, trust in economics is treated as explanation for a difference between actual human behaviour and the one that can be explained by the individual desire to maximize one's gain. This means that in economics, trust provides an explanation for the difference between actual and the observed behaviour. Such an approach can be applied to individuals as well as societies. In economics, actors are rational people and the motivating factor is an economic value. In economics the analogue that actors need not know each other is inaccurate for the WBOs to facilitate them to engage in *Nichekeleko*. The problem with the economics explanation is that of quantifying trust, usually in monetary terms. The level of correlation between the increase in profit margin and the decrease in transactional cost can be used as indicators of the economic value of trust (Seligman and Adam, 1998). However, at the WB, the actors I interviewed on the value of trust stated that

trust enhances the quality of their interpersonal relations. Trust enables them to gain confidence in themselves as people who are skilled at fostering personal connections that go deep in their everyday lives. They practice trust with each other because they feel secured as a group from internal and external interference hence their involvement in *Nichekeleko* to mean support in trust.

5. Behavioural conduct of Ostracism or Blacklisting in relational power.

Through focus group discussions with six former officials, one-research assistants and two headmen, our friend Jeff invited us and his group (team) to a braai at Kafue Lodge during the Christmas holidays. I posed a general question to avoid any suspicions. Our friend asked the group to contribute on perceptions of corruption at WB's today. One of the answers summarized denoted "*Ostracism*" meaning rejection. Moreover, I noted ostracism (rejection) in the story narrated by one of the participants about the experiences of Mr. Chinshi Joseph a whistle-blower on *Nichekeleko* activities at the WB. Our friend narrated, "That there are two types of WB officials". These whistle-blowers are popularly known as *Anione-Anione* or *Wamawanu* in *Chewa*, and *Kulibonesha* in *Bemba*⁴⁷ languages that simply means rabble-rouser or whistle-blowers. These concepts are many among the *Chewa* derivatives words implied in *Nichekeleko*. These people are known to report someone easily to superiors and the police for corruption without verification from the suspect. Depending on the fluency in the language spoken by the participants, those not fluent enough in *Chewa* language, such people would rather use the term "*Kulibonesha*" and those fluent in *Chewa* refer to WBOs as the latter. The WB is a place where many languages are spoken even though *Chewa* and *Bemba* are the most prominent. The second WBO or TD is called "*Munandi*" or "*Bwenzi*" meaning friend. In both situations, power relations take a central stage hence *Nichekeleko* legitimisation at the WB. Let us now analyse the following story that links our analysis of *Nichekeleko* persistence to ostracism (rejection) in power relations at the WB.

Story Telling (1) for Mr Chinshi Joseph as "*Kalibonesha*" –Whistle-blower

In story 1, Mr Chinshi was employed as a weighbridge operator, in 1991 with relevant technical qualification from the Northern Technical College (NORTEC). He rose through the ranks to a position of senior mechanical superintendent. He was responsible for the maintenance of WB mechanical faults and supervision of junior staff under his jurisdiction.

⁴⁷ The people of eastern Zambia, Tanzania and the Democratic Republic of the Congo speak the Bemba language.

Mr Chinshi was also a Jehovah's witness a sect Christian organization whose faith borders on integrity and accountability. One function for the WBOs is the daily banking of WB fines for overloaded trucks. Nevertheless, government-funding system to the WB is insufficient. Provincial superiors whom Mr.Chinshi reports to rely heavily on the revenue collected every day being disguised to benefiting staff. For example, when there is bereavement, superiors would instruct the WBO to release funds to spend on such purpose. However, such funds are not accounted for. This instruction is not in writing but verbal. To cut the story short, the system is abused such that there are no records of periodical banking. Mr Chinshi decides to approach the provincial superiors for being found with shortages of cash and reported the matter to the permanent secretary hoping he would be protected. Mr Chinshi's action risked him his job as he was dismissed for incompetence. As researchers, we noted courageous dissent in his action of whistle blowing and monopoly of authority by superiors but not for the participants of the group discussion during the Christmas braai. To them it was an act of *kulibonesha* (rabbleroising). As for the superiors it was an act of not recognizing the 'social support' rendered to everyone when there is bereavement. However, we noted nowadays in Zambia, there are some employees who have been unwilling to be so compliant and have dared to take an active and vociferous stand against the behavioural conduct of engaging in *Nichekeleko* they have witnessed defrauding the public. By following the path of whistle blowing at the WB, they have forged new tradition of dissent in Zambia. However, the focus group discussants did not agree with Mr Chinch's action at all. They argued that in refusing to succumb by blowing the whistle, such employees like Mr Chinshi risked their lives, careers and families security in order to do what they called "socially wrong thing". For the media these are referred to as whistle blowers and not for the focus group discussants. Mr Chinch was the "*kulibonesha*" or "*Anione-Anione*" type (meaning the rabble-rouser) a social misfit type and not an ethical resister who was committed to the principles of Zambia that espouses; 'integrity, accountability and active concern for public good.'⁴⁸ Instead, he was a social misfit for not conforming to the principle of *Nichekeleko* that is to support one another. In our discussion we focused on why Mr Chinshi reported his superiors to the provincial permanent secretary even though he knew his action will inflict pain on him and what happened after he contacted the permanent secretary. The answers we heard from the participants were that some employees are dissentious; while others argued that Mr Chinshi instead risked being blacklisted (rejected) and could not find work after he lost the WB one.

⁴⁸See Muna Ndulo (1998) on Zambia's code of ethics and GRZ Civil service code of conduct 2008.

Blacklisting or rejection can be covert and subtle one (Lyron and Glazer, 1987). Mr Chinshi was not given a reference to any potential employer as he was regarded as a troublemaker. The problem with blacklisting someone is that it often makes one suffer depression while others fantasies on how they would destroy those who have deprived them with their achievement and dreams. Accordingly, we were particularly interested on how the monopoly of power by the state institutions facilitates participants to indulge in the *Nichekeleko* phenomenon and also how whistle blowing has not been a solution to reducing it either. Therefore, the patterns of conduct in ostracism for blacklisting WBOs and TDs are some of the reason why *Nichekeleko* is still a source of concern today. This perception is reinforced by Foucault's analysis on power relations. In short, power is exercised from innumerable points and everyone can feel the effects of its power. For example, on the issue about power and punishment unrushed on the whistle blowers at the WB of Zambia. At the WB, the effect of discipline is that it works against whistle blowers. They are disciplined through suspensions resulting in them being alienated from fellow officials and family. Those who whistle blow (*the Kuliboneshas*) are alienated from their friends and those affected ponder with the feelings of loneliness. The superiors charge that such people overstep the boundaries that concerned them as operators responsible for safety standards of the road network. This pattern of behavioural conduct of ostracism (rejection) through alienation suffered by the whistle-blowers "*Kulibonesha*" WBOs presents insights into the experiences of everyday life for WBOs at the WB, making it impossible to reduce *Nichekeleko* in Zambia. This is because those who want to resist it experience alienation from their own friends who cherish *Nichekeleko*. However, the positive effect of power relations would have been creation of network relations within the social space (Foucault, 1984). In this case, power would be more effective because it would be hidden from public view that is a discussion in the next paragraphs on transfers, concerning those who comply to indulge in the *Nichekeleko* phenomenon.

6. A pattern of Behavioural conducts in Dismissals and Transfers.

Threats of dismissal and transfers are yet another pattern of behavioural conducts from employers that coerce employees to be involved in *Nichekeleko* phenomenon in relations of power at the WB. Dismissals are the most common form of retaliation foisted upon the whistle-blowers (*Anione- anione*) by supervisors, as they are locally known in *Chewa*. Those resisting engaging in *Nichekeleko* face threats of dismissal and transfers. This data was collected during interviews from six former WB operators and two chief executive officers as

well as by analysing WBO's personal files at RDA headquarters we had access to. The revealing truth was that officers who had resisted *Nichekeleko* with SWBOs and TDs are threatened with transfers and dismissals, because they were a threat to a support system that everyone enjoyed and nursed. Even though it was difficult to obtain information with the people we interviewed, but two of the stories backed up our findings. I was able to see the bitterness, depreciation and anger suffered by former officials, which also characterize Mr Chinshi's story earlier talked about on this chapter. However, I was able to learn that some courageous operators succeeded in suing the RDA to court after they were dismissed on disciplinary grounds. This confirms Foucault's analogue on power relations that, "it is everywhere diffused and embodied in discourse, knowledge and regimes of truth" (1991) and (Rabinow, 1991). Power for Foucault is what makes us what we are, operating on a quite different level from other theories. Foucault analysis of power is a demonstrated courage of the whistle-blowers, thus they refused to be treated and de-humanized when they felt they were right. They sued their employer and the court ordered RDA management to reinstate them in their employment position. This shows the significance of Foucault's analysis of power. His work denotes a radical departure from past methods of considering power that cannot be easily integrated with past ideas. At the WB, power is diffused between SWBO and WBOs. Power is embodied in them rather than possessed. Power at the WB is discursive', rather than purely forced on them. Gaventa (2003, p1), on power, confirms about Foucault's approach to power that it transcends politics as an everyday issue. It is also a socialised and embodied phenomenon. Foucault's analysis of power implies it lies with the people and it is everywhere. The operator's action to file a law suit with the industrial relations court in 2008 was one way of exposing systematic power possessed by the actors that it is everywhere in the relations hence the law suit and the verdict in their favour. This shows how power relations are at play in stirring up *Nichekeleko*. Some WBOs have so much power that they cannot be easily dismissed as they are well vested with the legal system, which probably holds the principle factor to the persistence of *Nichekeleko* in Zambia.

7. Transfers:

Public service workers are presumably protected against precipitate and arbitrary acts, but those who resist *Nichekeleko* at the WB, are normally alienated by fellow workers in performing their duties within the public service. When they show signs of resistance are faced with threats of being transferred anywhere in Zambia. Onu, (2001) and Peretz *et al*, (1989) on transfers, stated that dissenting officers in any public institution are often

transferred to positions outside their area of expertise. For instance, those who dissent at the WB have been punished by assigning those tasks well below their level of competence as security guards, as a constant reminder of their powerlessness. These reprisals often serve as a first step in a long process of retaliation by RDA as an employer that culminates into transfers. In response, the whistle-blowers either accept the humiliation associated with the transfers or fight back by contacting lawyers, the press-i.e., the newspapers, and other investigators generally. Infrequently the transfers of dissenting employees transform an individual protest into a full-scale one of resistance. As the conflict escalates, management usually feel more compelled to bring new charges on them in order to warrant dismissal to counter the negative publicity. The transfer is a clever administrative device that alters a predictable managerial technique into a punishment supplemented by several symbols of humiliation. For example, as a form of punishment for WBOs, like many other government officials have found themselves at WB stations offices without utility vehicle for their operations. While transfers may not always lead to termination of employment, it is designed to cause isolation, punishment and cooperation that forces workers to comply and engage in *Nichekeleko* as an employment surviving strategy. This is probably the reason why the phenomenon has not reduced. Transfer resistance confirm the presence of power relations facilitating the proliferation of problem. For example, as more workers are alienated from each other through transfer threats they develop a support system to counter management's tactic of alienation and threats of transfers.

8. Behavioural pattern of conduct through Artificial Sociability by cronies or conformist popularly known as the (Munandi⁴⁹ or Bwenzi) and TDs.

Artificial sociability is another pattern of behaviour giving to actors to indulge in *Nichekeleko* that we observed at the WB between TDs and WBOs. A simple sociological phenomenon as diagnosed by Heidenheimer (1990), known as ‘artificial sociability’ in power relations may also help to explain the emergency of *Nichekeleko* irreversibility in Zambia. Thus, artificiality is the habitual and repeated contacts between WBOs and TDs. It fosters lasting ties between them that lead to the exchange of services that penetrate beyond the professional setting. Therefore, *Nichekeleko* is influenced by the artificial sociability between actors. My observation is also confirmed by Polzer that; “the sociability of two actors who are in

⁴⁹ In Bemba, munandi implies companion. It is a relationship of shared warmth between at least two individuals. It is a more grounded type of relational bond than an affiliation.

constant contact at work ultimately the boundary between the public and private sphere in terms of resources becomes blurred” (2001). In exploring the dimension of the support system at the WB, I was informed that cronies undertake these practices. According to Begley, Khatri and Tsang (2010), “cronyism is the practice of partiality in awarding jobs and other advantages to friends or trusted colleagues, especially in politics and some organizations”. In Bemba, “cronies” stand for Munandi (a friend) and Bwenzi in Chewa. Usually, cronies are appointed to positions of authority, regardless of their levels of competence and qualifications. Cronyist is one appointed at the WB whose services benefit those in authority. For this reason, the appointer appoints individuals who do not weaken their proposal or express views contrary them. Politically, “cronyism” is a demeaning concept used to imply buying and selling favours, or, giving desirable ambassadorships to exotic places.

Data of this part of chapter five was collected from administering questionnaires that revealed that; at the WB, 44 out of 96 sampled, 46% of WB personnel are children of former weighbridge officials and the rest rated at 54 % are children of a Bwenzi (*plural*) or Munandi (*singular*) of senior RDA officials. These concepts are nouns in *Chewa* for people and are implied in *Nichekeleko* practice. The concepts are not exclusive to WBOs, but at the WB, they mean support. Interviews with officials at the WB revealed that each one is a friend connected to either a senior official at RDA headquarters or a TD. When it comes to WB operations, engaging in *Nichekeleko* such as gift giving is motivated by head-on clash between the WBOs and the TDs. This is because the TD would want to accelerate the truck weighing process as quickly as possible as he is given time limit by his employers while the WBO’s aim is to satisfy his master or superiors who made his employment appointment successful; and, therefore, his whole aim is to waste as much time for his employment security. In confirming the presence of power relation between actors, one TD I interviewed at the WB, said, “*The WBO is always right*”. This shows why TDs always develop strategies for anticipating *Nichekeleko* demands from WB operations. In some instances, says the TD, “*the standard official WB charges will absorb the entire profit a truck would make on a signal trip.*” Thus, the drivers are involved in a race against the clock and soon they have to offload passengers or fuel, or else the fuel will be siphoned by unlawful fuel merchants and even gutted into flames the whole consignment. Therefore, they prefer to pay abnormal WB fines or promise to offer a gift later as they come back from an urgent business trip. Equally, data analysed from the transport policy documents, there is no single agreed standard

“Vehicle gross Weight” (GVMw) among member countries in the Southern African Development Community (SADC), hence the impasse in WB fines. The risks with employing cronies like those that most studies have shown from the perspective of the social exchange theory are that it perpetuates social networking placed in various fields. This triggered me to examine another pattern of behaviour that facilitates *Nichekeleko*'s irreversibility at the WB.

9. Social networks,

My observation was that social network embeddedness in the WBOs and TDs provides an opportunity for actors to engage in the conduct of *Nichekeleko* in the context of power at the WB. Granovetter (2005) on the social network study observed “embeddedness as a determinant of job attainment, creativity and job security”. This study establishes the importance of networks as the determinant of actor's behaviour. My focus on networks assisted to clarify the persistence of social relationships between WBOs and TDs. It also explained the effects of networks on those who engage in *Nichekeleko* phenomenon over time. Social networks are persistent ties or relationships connect social actors also called nodes together (Granovetter, 2005). At the WB, I observed that WBOs and TDs have a consistent interaction and network due to the WB functions. In networking, both actors can be represented by several levels of friendships between them. These ties connecting them can be valued, indicating stronger or weaker connections. Ties can also be directed, where one person chooses another as a friend, who may not choose him back. I observed that actors at the WB, are also connected simultaneously to several other drivers with the focal point being “trust.” The focal predictor of these ties in Simmel's notion is referred to as “the inside network” arising out of the triad relationships. The triad relationship is triggered by proximity to each other. This means that the selection of networks at the WB both direct and indirect is conditioned by trust and opportunities for interaction that are structured by the network. There is a tendency for WBOs and TDs to become friends with friends of their friends. This though reflects a common human relation tradition, which is more unifying, but is mostly ignored by scholars of corruption as a social support system that I linked to the persistence of *Nichekeleko* at the WB from observing TDs and WBOs.

Nevertheless, the concept of networking has been found to be vague by most researchers, namely Borgett and Foster (2003), and newest reviews by Dacin and Dalios (2005). These scholars affirmed that the theory of networking is vague because it focuses primarily on network benefits such as ease access to information and mutual support. However, I believe

that a theory of effective networks requires an understanding of both their upside and downside. In order to address the neglected downside aspect of social networks at the WB, I identified both negative and positive consequence of networks. For example, because of networks at the WB, WBOs tend to offer preferential treatment to their old friends who are TDs without regard in their qualifications or urgency of the trip. Therefore, I observed that networks are what have made the phenomenon of *Nichekeleko* persist. Even though, networks seem natural and inherent, as per the definition of a network in the Oxford English Dictionary (1989). Nevertheless, during observation of events at the WB, I sought to ascertain network relations how they facilitate actors to engage *Nichekeleko* phenomenon. For example, my interviews with 9 WBOs revealed that networking is simply an act of privilege, rather than a practice made by them. At the WB, it is compared to a kind of ‘perk of coffee’ and thus represents the natural extension of the official status (Olivier and De Sardan, 2006). In effect, privileges are an extreme form of the extension of the rewards of office found in all African administration. The WBOs, to justify the pursuit of such privileges as a popular representation of power say, all "positions" and ‘privileges’ coming from God with a local popular saying in Chewa as; *“Ufumu onse apatsa ndimulengi”* meaning every position is an appointment from God or simply *“fipelwa nalesa”* in Bemba language. This infers to mean everything is God given, hence they deserve respect and they can network whomever they “trust” to work with. Therefore, networking is the accepted practice reflected in the popular *Chewa* popular statements. The statements are derived from the concept *Nichekeleko*, and the tokens, favours or gifts given to the actors in return for a service is merely an expression of privilege to them and support for each other. The receipt of money or gifts from TDs and the misappropriation of it is merely one legitimate privilege among many others. The enjoyment of the privileges of power gradually becomes a habit and irreversible conduct of actors involved in *Nichekeleko* phenomenon in Zambia.

10. Lack of emic approach to the pattern of conduct expressed in beliefs systems of witchcrafts and religion.

This part pays attention to meanings of beliefs in the practices of witchcraft and religion at the WB in relation to *Nichekeleko* phenomenon. I observed that mainstream arguments and ideas are by all account not the only sources of interpretation and analysis as far as the regular engagement of *Nichekeleko* at the WB is concerned. Through observation and focus discussions with the two retired WBOs out of six sampled (that were easier to reach at Kafue

and Kapiri-Mposhi WBs) officials and two traditional leaders I noted that the emic⁵⁰ level approach have certainly been ignored as the source of unique data to examine *Nichekeleko* hence the failure to understand its irreversibility. Through discussions with the two chiefs, I found levels of relationships between the everyday lives of WB operators and the mystical (i.e., witchcraft⁵¹) world for purposes of confirming exemption or self-protection against arrest on everyday basis.

Around the nineteenth century, most anthropologists mistook witchcraft from Africa and elsewhere as primitive and colonial thinking (Levy-Bruh, 1926), something Europeans themselves had in the past but had now outgrown. However, Camaroff (1999) on witchcraft argues that while training and science, the two most powerful signs and sources of improvement and innovation eliminate beliefs in witchcraft, but doing so did not erases our resolve to explain the unseen in the magical world at the WB. Since the 1980s there has been an upsurge approach in the academic spheres interested in Africa to understand the powers of occults, rituals and even commoditization of body parts and the roles of God (Mulengi) and the Devil (Satana) as opposing forces in the world. The key question to this approach includes whether witchcraft is appropriate as a catchall general concept that can be used to describe the life world of those at the WB. What is also true is that from the contemporary research work on Africa the word witchcraft has been utilized to cover a differences of exercises frequently of the detestable sort and that in a significant part of the writing, the idea is utilized conversely with occults, magic and charm (Camaroff, 1999). Nevertheless, for the sake of this thesis, a more capacious and shapeless use of the term ‘witchcraft’ referring to a more contextualized widespread local use as stated by Fortes (1953) was adopted. On the issue of witchcraft, Fortes stated that it meant local beliefs about good, evil, causation; divination and healing. This; from my observation provided us with a coherent ideology related to the daily lives of WBOs. This was found as an appropriate approach that shows an element of support for one another at the WB. Even if this in itself is a very broad definition and clearly accounts for the easy extension of the term witchcraft to mean many things in Zambia such as rituals, deaths and occult powers but was used to confirm support received by WBOs who believe in it. In short, in this context, witchcraft was understood as a concept for social diagnosis rather than a belief for negative application. I was alive to the understanding,

⁵⁰The approach that examines how local people think is known as the emick. See Conrad, Kottak, (2006). This approach analysis how individuals classify the world, the principles of conduct, and how they envision to clarify things. While etic approach is the translation of cultural values for the societies fairly

⁵¹See John Mbiti (1987). Witchcraft as the practice of and the belief in magical skill.

as most researchers on the issue of witchcraft practice are neither an arrival to customary practices nor an indication of backwardness or absence of advancement. The use of emic approached helped us to understand expression of suspicions moral concern and inadequate rewards and aspirations in the contemporary world at the WB. Through local sayings such as “*Alisamba*” meaning he has been “cleansed” used in context to imply he was bathed with magic water. The concept *Alisamba* is derived from the word *Nichekeleko* too. This “*alisamba*” concept derived from *Nichekeleko* confirms why some operators have never been transferred from one WB to another. The derivative word “*alisamba*” confirms the link between *Nichekeleko* and the belief in witchcraft. Further, it also confirms the practical support system actors gain from by believing in it. According to Mbiti (2000 pp.11-16) noted the following on witchcraft, “we are in Africa, there are powers that can hypnotize in specific cases”. Here I limited myself to the relationships between *Nichekeleko* and witchcraft. I found links in the local sayings, thus between *Nichekeleko* and the mystical world. I was able to see why some WB officials are not transferred to another station for ensuring impunity or self-protection. The lack of transfers is interpreted as proof of an attack of witchcraft to internal auditors so that WBOs could continue indulging in *Nichekeleko* such as gift giving for their benefits and others in the network of relations. The auditors who audit see nothing mischievous in the books of accounts and even if they see it, they do not find anything illegal in the practice because, the difference between what is public and private is blurred. For example, the auditors will not see anything embezzled or stolen. This shows that witchcraft and *Nichekeleko* are interlinked on occasion and that there have been a series of suspicious transfers of some WB officials- but not all. One of the focuses being made is that seeing contemporary witchcraft and mysterious practices in Africa through the lens of specific European authentic experience risks the genuine misunderstanding (Crick, 1997). This is because, the same technique maybe moral and approved in one context to mean “support” but immoral and outlawed in another (Krige, 1947). I am not justifying the belief in witchcraft at the WB, but it explains the inexplicable and also offered explanations for misfortune, exploitation cohesion and addresses the why the persistence of *Nichekeleko*, more than the how questions. For example, as Comaroff and Comaroff have said,

“Power also presents, or rather hides in the form of everyday life. Sometimes ascribed to transcendental, suprahistorical forces (gods’ ancestor, nature or physics, biological instinct or probability). These forms are not easily questioned. Being natural and infallible, they seem to be beyond human agency, notwithstanding that the effect that the interest they serve maybe

all too human. This kind of power proliferates outside the realm of politics, saturating as bodily form of power. This is an effective use of salient power as the most coercive in shaping and directing social thought and action” (1999, pp.11).

Drawing on the notion of Comaroff, behavioural patterns of power in witchcraft; *Nichekeleko* is implied in the *Chewa* word “*Alisamba*”. This means that it cannot be abstracted from their meaningful dimensions and that reality is an inseparable component of peoples experiences hence the use of the *Chewa* word- *Alisamba*. I will discuss a particular event witnessed during my attachment at the WB as the revealing ways suspended WB operators are provided with a platform when the institutional hierarchy-the RDA, has silenced them. Even though they are estranged from tangible structures of wealth and authority, suspended WBOs have successfully managed to channel their own forms of potency through WB manipulation by conniving with TDs who communicate with them to speak to WBOs for a favour. This favour is interpreted to mean support for one another in *Chewa* known as “*Thandizo*” after all, they say we are our “brother’s keeper. For the people surrounding the WB, such suspended WBOs are perceived to have engaged in ritual or witchcraft practice and not for the WBOs. To them it is support for their friends. For example through observation I noticed that, every morning there is a plate for “help” or money donation going in rounds to every WBO house meant for the suspended WBOs. In attempting, to speak to the WBOs stationed at the WB are actually reworking the bases of moral economy which rejects the rules and principles laid down by the RDA hierarchy. Suspended WBOs are not told to leave their homes, and through Christianity faith as maybe, they are able to rework out means of surviving as a way of support for one another during crisis moments with the ones not on disciplinary charges. The Christian faith images and narratives are also a powerful vehicle of collective consciousness. This is because they are rooted in the religious cosmology, the veneer of Christian practice and such is used as a persuasion and coercion vehicle to help and support them as the marginalized faction alienated from the structures of control. Therefore, the very existence of such common stocks of belief systems is missing in most studies as behavioural patterns stimulating *Nichekeleko* phenomenon at the WB in Zambia.

5.3 Conclusion

In conclusion, this chapter has identified a number of behavioural patterns of conduct as reasons that triggers actors to indulge in *Nichekeleko* phenomenon because of relational power between them. These can be categorized into two; namely verbal and none verbal pattern of expressing the phenomenon. It has also noted that *Nichekeleko* phenomenon is

perpetuated by many patterns of behavioural conducts of actors involved in it. This links the patterns of conducts to complex social construct with many variations of power relations. While in most social commentaries, the patterns are discussed in general terms and in negative context without due regard to how they facilitate actors to engage in *Nichekeleko*.

Nevertheless, from a methodological style of participant-observation, the questionnaires, group discussions and interviews with informants, their narratives and stories, this chapter noted patterns of behavioural conducts that facilitate *Nichekeleko* to persist. What is clear is that these patterns take place at a social space that has interrelated fields, or social collectivity. Individuals at family, friendship can carry out these patterns of behavioural conducts at the WB. At friendly level *Nichekeleko* is more of an “expression of social and instrumental ties” similar to what Hwang (1987, pp.78) termed “collective ties”. They are conducted in verbal and none verbal pattern, implied in songs, popular sayings and proverbs, witchcraft and religious beliefs systems themselves all derivative from the word *Nichekeleko*.

To the TDs, engaging in *Nichekeleko* denotes the social action of discovering a solution to them being favoured for weighing their truckloads quickly or paying less WB tax transactions using “personal” connections or social networking. They do this because they are racing against time. This behavioural pattern facilitating actors to involve themselves in *Nichekeleko* has a specific concept derived from *Nichekeleko* word locally known as *Thandizo* (meaning help) to the TDs and equally *Thandizo to the WBOs*. The behavioural pattern of *thandizo* does not happen in a vacuum, but with power relations not fixed but fluid. The pattern changes with time and season. If it is at nighttime, a different pattern of expressing *Nichekeleko* between actors also changes.

It is clear that this chapter has noted various behavioural patterns of conduct that facilitate *Nichekeleko* persistence because of its difference in almost all aspects: nature, purpose, function and what is exchanged. For example, at friendship level *Nichekeleko* is rooted in ideological values of emotionality driven showing affection where sometimes nothing is exchanged, in which reciprocity is not always necessary. From these discussions, trust seems to be the factor that facilitates this pattern of conduct for *Nichekeleko* to persist in power relations. By contrast during business hours thus between TDs and WBOs, *Nichekeleko* is the product of current political and socio-economic systems; utility-driven, a deal of money and power. It is at this hour where an exchange of or promise to give gifts takes place in reciprocity for a favour by the WBOs. In terms of intent at this level, it is based on friendship

ties. *Nichekeleko* is stronger, more stable and requires long-term commitment through trust. In other words during official hours between TDS and WBOs, *Nichekeleko* is said to be influenced by tactical, opportunistic and analytical behavioural conduct in varying power relations contextualized in gifts and favours between actors. In reality here, *Nichekeleko* is perpetuated by far more complicated pattern of behavioural conducts, which are always situational, which gives the parties, involved discretion to define or interpret their *Nichekeleko* over time. It is no wonder at the WB; *Nichekeleko* has many derivative words with different meanings to different participants. It depends who is using the concept at particular time. At certain times, it is purely for profit gains. This is expressed in certain *Chewa* phrases such as *Thandizo* or “*Chigwirizano*, all for support. From my understanding, ambiguity and subtlety are the very nature of *Nichekeleko* relationships. This is because, all the sorts of it could be linked, making it difficult to differentiate between it. The *Nichekeleko* phenomenon between two parties may change from one form to another over a period. Equally, I observed that members of *Nichekeleko* share more than one relationship between them mainly because of patterns of behaviour influencing them.

Therefore, my argument is that there are various behavioural patterns of conduct perpetuating the phenomenon and it is also possible that an individual may exhibit all the above patterns of behaviours. To an individual who may have exposed different behavioural patterns of conduct to engage in *Nichekeleko* with different persons, they are treated differently in terms of importance, frequency and intensity within the network.

However, in Zambia, nothing has been written on the importance of and benefits brought by the *Nichekeleko* phenomenon, how it is related to individuals and what kind of role it plays in social structures have remain largely unknown. In fact, most scholars (Ndulo, 1985; Mbaol, 2009; Fundanga, 2011) when they criminalize this phenomenon, they use the concept of “corruption” an Anglo-Saxon word that does not expose interpersonal relationship between actors. They explore corruption as a “social vice” eating away the moral fibre of the Zambian society contrary to what is culturally implied in the word to mean social support through many other *Nichekeleko* derivatives. In reality, they find it hard to distinguish the different behavioural patterns of conduct that facilitate the actors to engage in *Nichekeleko*.

There is a tiny uncertainty that *Nichekeleko* phenomenon will remain a significant area for further research. The main purpose of this chapter was to try and bring out behavioural patterns of conduct proliferating *Nichekeleko* phenomenon that gives opportunities to actors

to perpetuate it at the WB namely; verbal and none verbal expressive behavioural patterns. Among them are witchcraft and religious beliefs, gifts, trust and *laperruque* as stated above.



CHAPTER 6: THE *NICHEKELEKO* PHENOMENON IN PRACTICAL CONTEXT AT THE WEIGHBRIDGE.

6.1 Introduction

There are questions that are rarely asked and clarified in research on corruption. However, most present studies on corruption concentrate on the unimportant relationship of corruption with the external factors that have no cause and effect towards its persistence, for example, decentralization and legal reliance, which makes little sense. The enabling role of corrupt actors has rarely attracted academic importance. Enabling in this context means that once the motivation of corruption has been established, corruption actors can also strategically plan their conduct to overcome the laws, morals, and mental barriers, which are supposed to obstruct it. Therefore, this section fills this gap by analysing the corrupt conduct from the life world of those involved. This gap has been achieved by analysing the corrupt conduct with the use of a localized *Chewa* concept *Nichekeleko* in the context of interpersonal relations, such as families or friends.

Wierzbick (1997) agrees with our observation about the importance of language in understanding social phenomenon based on relations of power. He contends that a person's perspective on social phenomenon is clearly influenced by his or native language. I totally disputing the use of the Anglo-Saxon word "corruption" to analyse social phenomenon at the WB. I am convinced that the enabling role of participants is significant to explain the reasons for *Nichekeleko* persistence at the WB. I am aware of the sensitive nature of the Anglo-Saxon word "corruption" which does not make sense to the participants. This is because the word corruption does not have innate describable content, as it fails to expose interpersonal relations in all exchange relationships. Because of the innate disadvantage in the word "corruption" I propose the use of the local concept *Nichekeleko* to examine how it is conducted. Simply, the reason for using the local concept to find out how corruption is carried out is because, the word *Nichekeleko* has innate characteristics, is cultural specific, more unifying and descriptive than the Anglo-Saxon gword "corruption".

I argue that when the concept corruption is used to analyse behaviour conduct at the WB, it is more of universalizing corruption, which is inaccurate. I confirm that refusing to pay attention to semantic difference between words is the reason for inconclusive debates on corruption causes. Therefore, I posit the use of a localized concept *Nichekeleko* to determine the "how" and "why" corruption is carried out at the WB. It is self-evident to confirm that

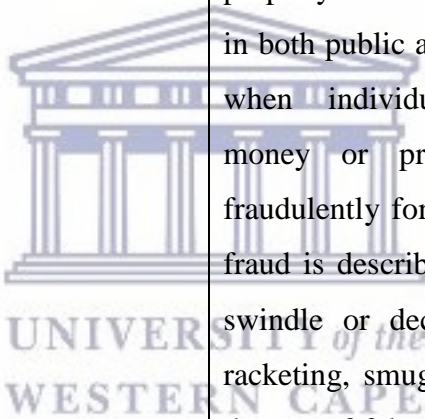
language and patterns of thought are always interlinked (Hunt and Benaji, 1998). The question guiding us in this chapter on the enabling role of those involved in the phenomenon of *Nichekeleko* is, how is *Nichekeleko* undertaken and what influences it during the weighting of trucks at the WB. In order to investigate the enabling factor, I had to look into the interacting process of actors to engage in *Nichekeleko* conducted. Here, data was collected by participant observation on how *Nichekeleko* such gift-giving, bribery and favouritism starts. My two research assistants and I were stationed at the WB for four months and relieved some female WBOs working at the night. Most female WBOs agreed to be off duty at night. With our reporting for duty, the female employees requested that we relieve them to attend to their domestic chores at night. The purpose was to get an inside view of the social world of the WBOs and the TDs using the localized concept *Nichekeleko*. What we found was a systematic system than a tangle of confusion, fear or chaos. The assumption was that by immersing ourselves in the way of life for WBOs and TDs we would gradually understand why *Nichekeleko* is undertaken. This will enable us analyse the reasons for the persistence of *Nichekeleko* at the WB against radical intervention strategies by government to reduce it.

In short, this section of chapter 6 deals with, in particular, the beginning of actors to engage (contracting) in *Nichekeleko* namely through stages such as the initiation, the agreement, sanction or enforcement phase. More exactly, this chapter will seek to answer the following questions: how exactly does *Nichekeleko* starts between a TD and WHO? How particular is *Nichekeleko* done the way it is and the role it plays in the lives of those involved?

Firstly, in order to answer these questions it is important to expose the weaknesses in the corrupt practices Act No.12 of 2012 before we explore the how *Nichekeleko* phenomenon is conducted. The reason for this is to confirm that *Nichekeleko* is a support system that takes places based on social relations than what is negatively described in the anti-corruption law Act No.12 of 2012 as well as the media. In the preceding paragraphs, I describe and adduce evidence to show that *Nichekeleko* is a support system reflected in a range of *Chewa* words through the use for key words implied in the word-*Nichekeleko*. Firstly, we summarize types of corrupt activities as stated in the Anti-corruption Act below.

Table.3. Examples of corrupt practices specified most corrupt practices Acts such as no 12 of 2012 in Zambia.

NO	TYPE	DESCRIPTION
1	Corruption as bribery	To be bribed there are two people involved namely the initiator and the initiated. The one who is bribed usually is paid something like payoffs. Different terms are used to portray an influence in bribery which include: kickbacks, tips, pay-off, sweeteners, greasing the hands, etc.
2	The meaning of graft in the ACC law in Zambia.	While bribery is a type of corruption that happens between the initiator and taker of the bribe, a graft is a bit diverse in that it involves the obtaining of cash or power by unscrupulous or unfair means by a person with no particular participation from others. This type of corruption happens most normally among government authorities who exploit the position of trust.
3	Extortion and Robbery	This kind of corruption is described by the utilization or the risk to take something from somebody illicitly.
4	Patronage in Zambia	Patronage is the practice of making appointments or giving contracts to people one knows. This is an act of patronage and is legitimate in most cases. However, this is corruption when incompetent persons are considered or selected before ones that are more able are considered.

5	Nepotism	Nepotism is the practice of making appointments on who one knows. The appointment of ministers during the Mwanawasa administration was considered nepotism. The president was accused of appointing his relatives and friends (the famous family tree) (see: Sakala, 2009).
6	Examples of embezzlement, theft and Fraud	 <p>Embezzlement and fraud could be described as stealing by an individual taking advantage of his or her official capacity. In particular, embezzlement involves the outright theft of entrusted funds. It is a misappropriation of property. This form of corruption is common in both public and private sectors and occurs when individuals illegitimately convert money or property entrusted to them fraudulently for their capacity. Additionally, fraud is described as some kind of trickery, swindle or deceit, such as counterfeiting, racketing, smuggling or forgery. It involves the use of false or misleading information to influence the rightful owner of property. For instance, a bank or an Insurance official who induces an individual (customer) to subscribe to a loan package or an insurance policy by misrepresenting certain facts and conditions, which apply to the policy, could be described as committing fraud. However, the regular description of theft is probably outside the scale of any definition of corruption. For instance, a poor and hungry individual who steals a loaf of bread from a truck could be described as having committed theft, but may</p>

		not be considered within the common definitions of corruption.
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Source: The Anti-Corruption practices Act No.12 of 2012.

There are different types of corrupt activities throughout the world. Nevertheless, a few indicated on the table above seems to be common in the developing countries associated to poverty. These are typical in Sub-Saharan Africa. They are commonly known as blackmail and bribery (Uslaner, 2008: Tanzi,1998).

The table above is a summary to the different types of corrupt practices common in Zambia and elsewhere. In terms of the widespread at the WB, the most prevalent are gift giving and bribery. However, there are weaknesses in the corrupt practices examples that probably give opportunities to why actors at the WB indulge in it. The more subtle type, referred to as *Nichekeleko* mostly through emotional support and kindness is never a subject of discussion in the anti-corruption law above. This is because, very little is mentioned from the linguistic cultural rootedness of corruption. In short, the *Nichekeleko* phenomenon as part of the cultural root based on language is missing in the corrupt practices Act. The Act simply describes practices where two parties enter into an impersonal relationship geared up for short-term immediate gain. Yet, the conduct of actors in *Nichekeleko* such as gift giving, according to our observation at the WB that helps to cultivate long-term mutual trust relationship that adds an element of humanity to otherwise cold transactions is never written in the law above. That technical omission renders their argument of corruption discourses irrelevant and unrealistic. The warm, respectful and emotive character of the word *Nichekeleko* with many derivatives implied in the word is missing in the corrupt practices Act. Indeed, the basic lexical grid, for interpersonal relationship that the word *Nichekeleko* mirrors is ignored in the laws. This proposes that the *Chewa* culture places more prominence on diverse kinds of personal relations. Following this line of argument, one would argue that the conduct of actors in *Nichekeleko* phenomenon at the WB is some kind of ‘a principle of civility’⁵² and functions as a “stabilizing alternative”⁵³ or some kind of social glue fostering social harmony and solidarity. Further, the corrupt practices Act missed the context of group solidarity as equals that is criminalized. Broadly, the use of the word corruption to analyse

⁵² Politeness and good manners are demonstrations of civility, as well as signs of how life is to be best lived in urban areas in which citizens are dependent one another and the state for practical relations for complex social networks.

⁵³Stabilizing alternative is where everyone given same opportunity to fill the state gap that it is supposed to provide. It also means the privileged groups benefiting more. See Shils (1996).

social phenomenon in Zambia weakens their observation on factors facilitating it. To achieve anything regarding behaviour conduct with the same strength, it is essential to use the concept *Nichekeleko* that literally means “social support”.

Since the focus of this section is how *Nichekeleko* is carried out in Zambia, throughout this section, three types of *Nichekeleko* were identified. These are examples that demonstrates how they are conducted *Nichekeleko* during the weighing process of loaded trucks. These are “gift giving”, “bribery” and “favouritism” are used as being synonymous with *Nichekeleko*. Therefore, wherever *Nichekeleko* appears in this section, what I mean is gift giving, bribery and favouritism. Here my aim was to escape the possible confusion, because of the doubtful way in which the concept *Nichekeleko* is understood. Therefore, this chapter combined the concept representing the several practices of actors (i.e., *Nichekeleko* of, bribery, or of favouritism) and explains the procedure of engaging in it in terms of soliciting, receiving, offering or delivering a service by the WBOs to TDs which fulfils some conditions. The conditions are that, firstly, the deal involves the exercise of assigned power by one WBO, causing positive treatment to one another, which also means that at least one of the actors is given the assigned power, most especially, from the administrative body. Secondly, the service is carried out as an exchange to a kindness before received from the TD as a turn to produce proper exchange from the WBO in the definite or indefinite future.

There are some common *Chewa* words representing an action that the participant must act upon when spoken which have also been accepted as implied remnants of *Nichekeleko* phenomenon. These are in form of proverbs and common *Chewa* sayings. This section of chapter 6 is divided into three parts. To begin with part one, explicate the types of corruption at the smaller level at the WB taking place between TDs and the WBOs through the whole process of weighing as specified in the corrupt practices Act number 12 of 2012. My main aim here is to refute that while such conducts take place between actors, it is not only for monetary gain but also for support, in terms of emotions. There are many times that money does not exchange hands between the actors at the WB. This is the second micro-level practice of actors to engage in *Nichekeleko* taking place at the WBs in form of gift-giving and favouritism in stages such as initiation, negotiation and agreement during the weighing process. The third part of this analysis answers the question why *Nichekeleko* takes place.

The first part of engaging in *Nichekeleko* by actors (i.e., gift and favouritism) during the weighing process has been illustrated in a diagram below resonates with WBO's behaviour embedded in them.

6.2 Model on contractual stages during the weighing process of truckloads.

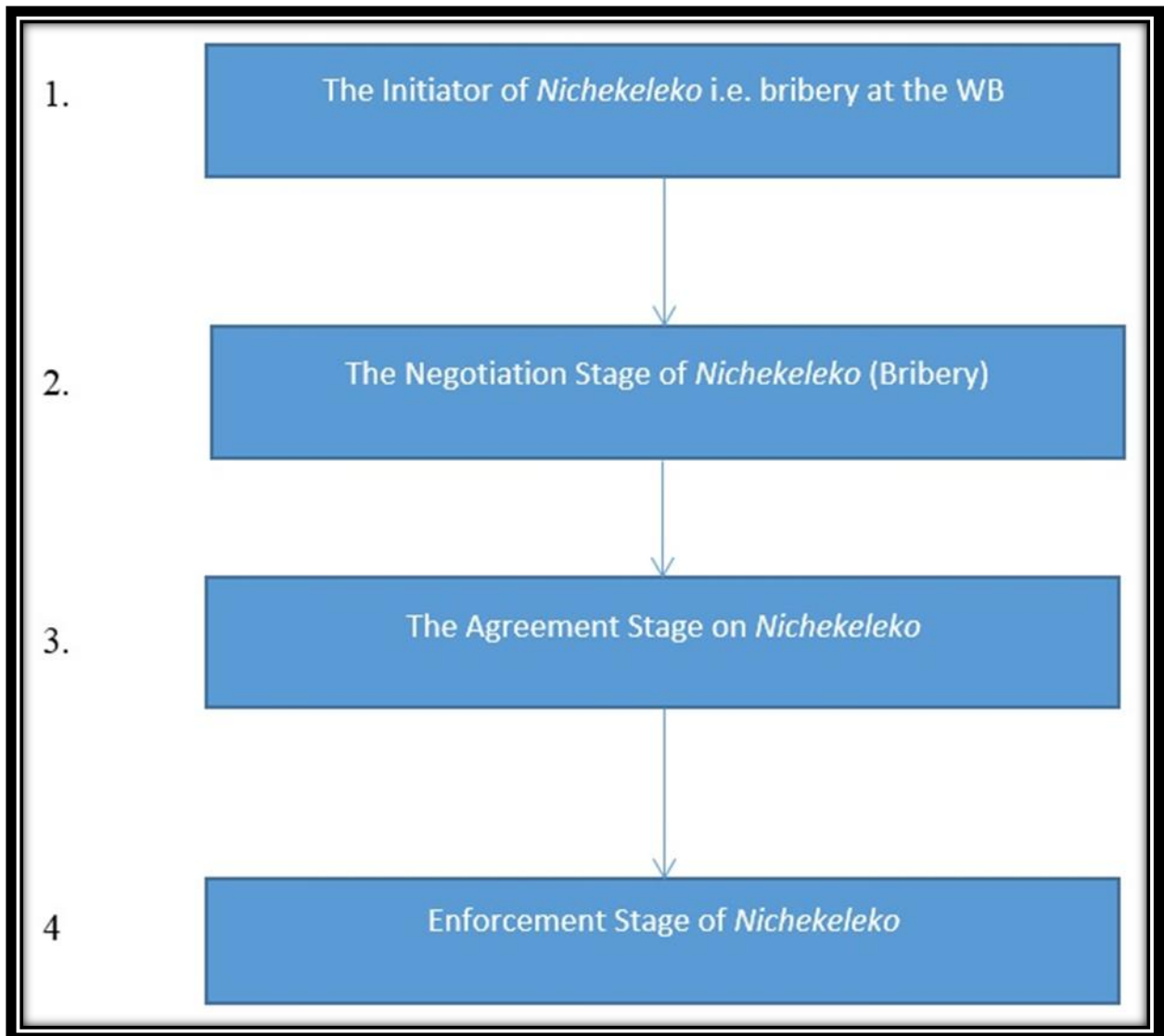


Figure 5.

6.2.1 The initial stage

The initial stage of *Nichekeleko* is as shown in figure 5 above. During field attachment at the Kapiri-Mposhi and Kafue WBs, on the 4th of October, 2015, as a lead researcher, I witnessed initiation of *Nichekeleko* between a TD and WB, a truck registration number AAM 348

marked “Chararambus” from Tanzania loaded with 5 thousand tonnes of crude (oil) petrol earmarked for refinery to be offloaded at Indeni Petroleum plant in Ndola town of Zambia. My aim here was to underscore the homology between WB functions and TD’s behaviour embedded in them. The issue is that certain social relations in the initial and negotiation stage of the weighing process truckloads triggers the actors to engage in *Nichekeleko*. Exact information utilized as a part of this section originated from four types of sources. The first is formal and casual centred interviews and observation for two weeks period about unreported everyday *Nichekeleko* phenomenon. These interviews and observations were done by the author and took place from 4th October 2015 to 4th December 2015. The second form of data collected at the WB is from contract documents or press releases about cases of exchange of gifts and receiving. The third sources are individuals’ personal experience of engaging in *Nichekeleko*. Lastly, though not reliable is my personal experience “once an insider” as a former WBO for the RDA. During my observation when the TD is weighing the truck on the axle (scale), it is the manner of speaking, a question of “slant” which leaves certain room for manoeuvre to the actors who operate within or around certain logic, as it is popularized “common sense”, (in colloquial *Bemba* and *Chewa* known as *makali oni*) at the WB. This behaviour in itself is not perceived as illegal by WBOs. In the initial stage of engaging in *Nichekeleko*, there is an initiator and initiated and the communication between them is so complex. In a wider sense, the conduct of actors to involve themselves in *Nichekeleko* covers a number of illicit practices, which are technically distinct missing in the corruptions Act No 12 of 2012. The initial stage of conduct by actors of *Nichekeleko* normally starts with a conversation of a greeting, smile, nodding of the head even whistling etc.

The data here was collected from a clandestine environment because those who engage in *Nichekeleko* involved the initiator and the initiated as I witnessed the gift giving. This means that this data can easily be contested as lacking merit. To avoid the contestation, the best solution to this was to reconstitute the act from the actors account. This meant having access to the gift given and the scene where the gift is given. In doing such, I was alert in picking the important type of material, given there was great space for elaboration and honest re-enactment. To explain this fact, I observed that the WB is connected to “CCTV equipment⁵⁴” which is usually used to observe parts of the process of weighing trucks. We were permitted access to participate in the actual weighing process at the WB which we divided into “Zone A” and compared with the one at the central control room named “Zone

⁵⁴Shut circuit TV also known as (CCTV)..

B” at RDA headquarters. This is because the environment at RDA HQ is not suitable for participant observation of events as they unfold.

Ferguson (1998) on the subject of corruption discussed a special kinds of relationships that take place between actors in all situations where both sides have power but different kinds of power and in different degrees depending on circumstances, often imposed from without. The key to the relationship is based on the one who needs something and the other who has the ability to do something. In other words, *Nichekeleko* at the WB right from the initial stage should be interpreted as particularistic ties and friendship. These particularistic ties of friendships as observed by Jacob (1997) and Hwang (1987) do not take place in a vacuum, but with relational power. Particularistic ties reflect social relations that facilitate actors to engage in *Nichekeleko* phenomena creating a kind of special bond between them. This shows that the idea of involvement in *Nichekeleko* practice is linked to the traditional conception of a friend who is expected to help in times of adversity. This too is implied in a number of traditional sayings as well as in many of popular *Chewa* proverbs. For example the *Chewa* proverb “*Bwenzi losakaika laponda apa nainenso mpondepo*” meaning a true friend of all times.

During initial stages of engaging in *Nichekeleko*, what we observed is that it is not only money that is exchanged, but it is also an avenue for making of friendship. There is willingness to assist to nice things to the WBO and the TD, which is not limited to time of hardship. However, it appears that adversity is the time when “friendship indeed” or as already stated in chapter four were the concept of “*Bwenzi*” is put to test rather than the only time when active benevolence is expected. The desire to do good things for another is undoubtedly part of the concept of *Nichekeleko* reflected in love, compassion and support during times of adversity (as in WBOs and TDs) for a “true friend indeed.” Therefore, this confirms that *Nichekeleko* is not only an illegal activity at the WB but an expression for common good of humankind. We observed that interactions of such magnitude are a procedural process to social interaction that initially starts with two individuals. Sometimes, WBOs may have social problems⁵⁵ and usually seek help from others to resolve them now or at a later stage in their lives. Douglas W. Maynard (2005) put forth the convincing defence on social problems with the end goal that they are at the heart of "interaction order, 'opening for questioning the" "stuff and substance of social life" (pp. 326). For example, TDs may

⁵⁵A social problem means an issue that influences a considerable number of individuals within a society. It is often the consequence of factors extending beyond an individual's social issue.

have someone in mind connecting the WBO to other social connections. This shows that engagement in *Nichekeleko* practice is a dynamic process in social life even if initially it starts with the initiator and the initiated. It also shows that the TD may play a role of matchmaking or facilitator to the resolving of the WBO's problems. This shows that the process of engaging in *Nichekeleko* phenomenon takes a painstaking process to be established. We observed that it requires building a trust between the initiator and initiated. Trust in this case is the glue that binds the actors together as relational power. We also observed that for *Nichekeleko* to materialize there was need for something to be done. This need triggers actors to engage in *Nichekeleko* to proceed. It involves a series of activities for it to take place, mostly pre-planned and carried out between the TD and the WBO networking team. In order to execute the task of gift giving, favouritism and bribing, the actors initially phone each other before the weighing process begins. Nevertheless, like said already, the result is not only in economic value, but also in networks of relations re-created as a dynamic process of social life.

6.2.2 The Negotiation Stage.

The second stage in the engagement of *Nichekeleko* during the weighing process of truckloads on the axle is the negotiation stage. First, it is import to mention that in many cases negotiation may already have taken place at the initiation stage. For example, when a TD expresses willingness to engage in *Nichekeleko* with intentions by putting forward a specific request or when a WBO put up same request by accepting a specific gift. In this transaction, negotiation is differentiated from initiation not in terms of chronicle sequence but in terms of function. To be more specific, negotiation refers to the process whereby the TD and WBO attempt to settle what each shall give and take or perform and receive in a transaction between them.⁵⁶ Negotiation in *Nichekeleko* has a different form compared with negotiation in legal transactions because of the need to conceal the intent. Instead, the usual basic steps of negotiation in *Nichekeleko* includes where the initiator decides the amount to give or offer and the initiated decides whether to accept, reject the offer⁵⁷ or to counteroffer⁵⁸. Acceptance generally implies that the WBO has agreed to render certain services favourable to the TD. Sometimes, the exact content of the service is addressed in precise terms and sometimes the TD, may expressly state to the WBO 'to treat his case

⁵⁶ See Leigh Thompson, (2003), on negotiation behaviour and Outcomes: Empirical Evidence and Theoretical Issues," *Psychological Bulletin* 108, No. 3. pp.516-670

⁵⁷ Offer and Acceptance are elements required for the formation of a legally binding contract.

⁵⁸ A *counteroffer* is a type of offer made in response to another offer, which was seen as unacceptable.

favourably”. However, it does not mean that the WBO has no say on the amount or content of the gift. Instead, the WBO have plenty of opportunities to negotiate about the amount of the gift. For example, so long as the TD feel obliged at some point to return and pass through the WB every other week, creates unbalanced power relations between them. The TD is in a weak position and has to negotiate his way through by either paying less than the stipulated US \$3000 WB fine or offer a gift in exchange for his Certificate of Weight. A failure to maintain social contract by the TD is seen as a form of selfishness or lacking respect, in *Chewa Ulemu*. *Ulemu* is one of the *Chewa* words implied in the *Nichekeleko* concept. Therefore, failure to give a gift provokes angry retaliations if the TD comes back and fails to honour his promise. It is an act of showing no respect to those in authority. One informant, describe one incident that could lead to problems upon return with WBOs when he previously negotiated his permit without paying the required WB fine narrates as follows: ‘in order to succeed passing at the WB, one need to have and to know how to show *Ulemu* (respect) to the “Boma” government’. Not knowing how to show respect by giving a gift risks the truck being detained. The offense given will be “driving the truckload while disqualified” as established in the road traffic Act No 12 of 2012. This is called a very serious offence. Its penalty is imprisonment. It is also unique among very serious offences in that it is the only one in which the courts has little or no option as to sentence for a first offence. The offender must go to prison unless there are special circumstances attached to the offender. A person not able to offer any compensation also regards the offence serious because the offender is regarded as having breached the law and he therefore endangers the public by exposing them to risks of injury. The consequence of this law is that it triggers TD and WBOs to engage in negotiation in special terms between them. It also has far wider social implications. As TDs and WBOs engaged in negation for *Nichekeleko* to be executed, it discriminates other parties outside the network, which is against the rule of decency. According to the Road Traffic Act people are supposed to be treated fairly. The problem here in the negotiation stage is that when actors are involved it means bending the rules. It is all about exchanging favours especially about obtaining special treatment from the WBOs who are in power. In this case, negotiation process is naturally that of *Nichekeleko* involvement by actors in terms of receiving favours. According to Fan (2002), such a treatment may not be legal and unquestionable in moral and ethical terms. When such is the case, participants take it as normal phenomenon of support in their daily lives. This is because, the concept of *Ulemu* during the negotiation stage signifies an important principle reflecting what is expected in *Nichekeleko* phenomenon. Respect (*ulemu*) is a key relational concept during the negotiation

stage that is particularly important and revealing. It plays a particular role in the negotiation stage of weighing truckloads, and offers and invaluable insights into *Nichekeleko* like the gift exchange at the WB. To make a case in the importance of the word is that giving of a gift is a sign of respect. The concept *ulemu* during the negotiation stage is at the centre of the whole *Chewa* phraseological⁵⁹ cluster. In *Chewa* language, words such as *Ulemu* and “cheke” (cut) are all part of the communicative sciences reflecting the phenomenon. The *Chewa words* are reflective of the life-world of WBOs. As indicated by Habermas the life-world is reflexive of the socially transmitted and etymologically composed supply of interpretive examples (1987). From Habermas position, the life world guides the person's connections with others and with social organizations. In the case of *Nichekeleko*, these interactions are related to the persistence of the phenomenon. This is because these words occur frequently during the negotiation stage in form of proverbs, in songs or sayings. These are key words contextualised in power relations so revealing and generally organized principles reflected in the conduct of *Nichekeleko* by actors. They offer explanatory power relations as to why *Nichekeleko* phenomenon has persisted in Zambia.

6.2.3 The agreement stage

In the era of declining employment benefits WBOs have increasingly obliged to (whether they wish or not) to contemplate and plan for the future. In reference to the employment Act 268/269 of the laws of Zambia WBOs are employed on permanent conditions of service. In their years prior to retirement, they maintain closer relationship with their ties as well as other actors in the course of their career. They have to prepare socially and economically hence acquire assets during their employment period prior to retirement. However, this; prior to retirement period is not ease, has obstacles and challenges. In order to avoid challenges they have to maintain social and economic bonds linking themselves with frequent ties. Our interviews and focus discussion with sampled 3 out of 6 WBOs prior to retirement revealed relationships centred on visiting friends or strengthening bonds with TDs whom they have been inconstant ties with during the course of their career. During interviews, this issue seems not to have been important but we were surprised to find that inquiry about retirement plans and obstacles after retirement. Retirement is mostly not centred on economic but social matter necessary for successful return to an area of settlement. In considering how WBOs succeed or fail after retirement, I was surprised that they quickly turn to attitudes, habits and

⁵⁹ Scholars Cowie, stated that, “in linguistics, phraseology is a process of studying fixed expressions, such as idioms, phrasal verbs, and multi-word lexical units in which the component parts of the expression take on a meaning more specific”. (2009,p 56).

styles of dealing with TDs. At the heart of these connections is the idea the WB is a site of a meeting (i.e., Initiation, negotiation, agreement and sanctions) usually associated with the way of life. The WB is a place that provides opportunities for interaction and negotiation that occurs between TDs and WBOs. It is a place of relations for familiar persons and an outsider becomes no stranger to those on retirement plan. Through the negotiation stage the WBOs continuously maintain relations with the TDs. At the heart of these relations is the word “*Kholo*” meaning parent. In context, this refers to appreciation ahead of retirement time. A *kholo* in context is one who assists another in need at a particular time. The WB ceases to be a *Kholo* when WBOs have retired. TDs assume the *Kholo* title as respect (*Ulemu*) and are expected to reciprocate the favours received during the working life of the WBO. The *Kholo* word is an expression for support implied in the word *Nichekeleko* as best evidence for realities of life experienced by WBOs and TDs. The word is so frequently used among retirees and reflect the concept of “real life” as actors develop a cautionary attitude towards retirement. The word provides evidence for the persistence of *Nichekeleko* and is key to understand why TDs and WBOs agree during the weighting process of truckloads. The agreement stage reveals a special relationship between TDs and WBOs aptly termed as the *Nichekeleko* phenomenon where the exchange or deal between them is agreed upon in terms of offering a favour or gift, not always in monetary terms. Today, *Nichekeleko* phenomenon at the agreement stage is traceable in all crimes. Observations conducted at WB revealed that *Nichekeleko* conduct at negotiation and agreement stage is persistent. The recent case involving the Senior Minister, accused of negotiating and agreeing for a bribe at the weighbridge replicate this observation. This means that *Nichekeleko* phenomenon involving institutions and individuals often is a network relation between high-ranking officials and other actors in the road sector. Briefly, *Nichekeleko* at agreement stage represents a far broader public than the parties concerned. It represents social relations of the entire stakeholders, such as families and friends of WBOs.

However, data examined through interviewing with the three WBOs in the course of this research also reveal that the agreement stage can be affected by the closeness of the relation of the agreed parties. Same as in any types of exchange, the agreement conduct by the actors involved in *Nichekeleko* are influenced by the acceptors’ perception of and attraction to the other party, his or her intelligence, sociability, expertise, skill, ability, cooperativeness, competitiveness, trustworthiness, fairness and other attributes that the initiator makes to explain and to predict the behaviour of his bargaining opponent. When the acceptor likes,

trusts and is ready to engage in future exchanges with his opponent, he would be more flexible on the exchange terms such as deferring the exchange to future dates. However, far-sighted participants (i.e., WBOs aiming for long-term exchange relationship, would not request the repayment of their favour even when the TD fails to deliver the promised service for contingent reasons. Instead, such a WBO would insist that he continues to be owed thereby demonstrating his generosity, trust and commitment to the relationship with the TD. At the point when a required solid bond has been created between the TD and WBO, exchange of gifts can even turn into a joint business in light of the perceived interests. Such a joint-venture structure requires a one-off negotiation on the distribution of the gained from future *Nichekeleko* phenomenon ventures. This helps to avoid the higher transactional costs that would otherwise have to be spent in each transaction. Such arrangement is more common when the TD expects to conduct regular exchange with the WBO. Negotiation and agreement in such relational exchange is more straightforward and explicit.

However, as already discussed above what is at the centre of the agreement stage are key words as in *Chewa* phraseology namely, *Ulemu* and *Kholo*. What is remarkable about these words frequently spoken at agreement stage is that they contain a rich array of *Nichekeleko* phenomenon. The words reflect social relations and encourages a certain perspective about *Nichekeleko*, hence its irreversibility. The concepts are implied at the agreement stage that reflects lives of WBO's experiences by engaging in *Nichekeleko*. In addition, the words help to facilitate actors to engage in *Nichekeleko* phenomenon. As society changes, these words have been modified with new ones being made and to many extent, these words have reflected the way of life for WBOs at the WB.

6.2.4 The Enforcement (Sanction) stage.

As mentioned in the beginning at initiation, negotiation and agreement stages of *Nichekeleko*, all these stages are performed almost simultaneously, which makes the enforcement phase unnecessary. The enforcement (Sanction Stage) becomes imperative when the parties do not perform simultaneously or ignores completely the expected obligation to return the favour. It means that the participant that performs first risks non-performance by the other party. This risk becomes greater when what is being exchanged are gifts and favouring activities because of the lack of support from legal enforcement institutions. Difficulties in producing evidence, such as written contracts, receipts etc., which can prove involvement in *Nichekeleko* conduct, constitutes additional obstacles for possible legal resolution. Nevertheless, human beings have their own ways to enforce performance of the agreement during *Nichekeleko* conduct

such as through social sanctions.⁶⁰ As indicated by Foucault (1984, pp. 97), “when people who live in public neglect to immediately or intuitively comply with the norms, required of that society, these people are either remunerated for agreeing to the norms or punished for deviating from them.” These rewards and punishments are the enforcement of the norms.⁶¹ Foucault (1984) on rewards and punishment said, “that it is connected to power relations as a behavioural attribute of actors” (pp76.). The idea that is forwarded in form of a statement specifying what the members or other men should do, ought to do, are expected to do, under given “circumstances” and those who do not conform are alienated is an example of power relations being applied from numerable points within the network.

However, what is also key at sanction stage is the *Nichekeleko* derivative word “*Gong’a*” meaning fake. You are a *Gong’a* if you do not reciprocate the favours given to you during the weighing process. You are actually being mentally punished when called *Gong’a* meaning nobody would like to deal with you in any future endeavours. However, you can also avoid this punishment if you can prove to the WBO that you are well connected to the SWBO. In addition, you are to be punished or rewarded for your actions if you do not prove stronger relations to the SWBO. For example, if you are favoured to weigh your truckload earlier than expected or you are asked to divert it at lunch hour. You are expected to reciprocate by giving or promise to give a gift confirming reciprocal power relations in the conduct of *Nichekeleko* phenomenon. This shows how effective power is when it is hidden from view. The word *Gong’a* is an effective way of giving reward and instituting punishment on those defaulting, the practice of *Nichekeleko* of gift giving. It is disciplinary power where you individuate those defaulting *Nichekeleko* of gift giving. Through the word, *Gong’a* is also a disciplinary power instituted against erring TDs and WBOs. The most common phrase expressed in colloquial *Chewa* or Bemba for promising or giving a gift is concept of “*Kusova*” meaning, work it out. I agree with Foucault assertion who said, “that such words help to unmask and exposes the innate behaviour of participants to offer support to one another based on relations of power”, (1984, pp.96). It shows that power moves around through WBOs and TDs. It is fluid and dependent on alliances and negotiations between actors stationed at the WB.

However, from the *Chewa* point of view, the statements demonstrated a salient habitual mode for evaluation of behaviour by the actors. For example, when the words, *Gong’a* and *Kusova* are altered at sanction stage the aim is to enforce WB norms of reciprocity between actors

⁶⁰ Social sanctions are casual methods for control disguise as standards and values by a procedure known as socialization.

⁶¹ Sociologists describe norms as casual understandings that control people's conduct in the public eye.

during the weighing of truckloads. Unmistakably, the words are a reflection to the reasons for the persistence of *Nichekeleko* as well as for specific ways of thinking about important events and occasions at the WB. They are also a reflection of how power acts on people, that some groups can be exploited based on relations of power. With a *Chewa* concept *Nichekeleko*, I have demonstrated a basic linguistic point in relations of power which most researches have ignored exacerbating the phenomenon of *Nichekeleko* in Zambia.

6.3 The Expectations during the contractual obligations in the engagement of *Nichekeleko* phenomenon.

Generally, in petty forms of corrupt exchange, the entire process is completed in a short span of time, where some of the phases are compacted in one stage before swiftly switching to another. For example, a WBO accepted a banknote offered by a TD, for ignoring WB regulations of maintaining 6.5 tonnes of total GVMw, the process, including the initiation, negotiation (if necessary) and the agreement to conduct in *Nichekeleko* like gift giving and favouritism merges within the initiation phase. Nevertheless, in case of grand corruption the step is much more complicated, especially when the exchange involves greater volumes of money and more complex services. Adding to the challenge is the enhanced difficulty to conceal the corrupt behavioural conduct. Unlike the previous phases, the agreement stage is done instantly in the weighing of truckloads during which participants need not to engage outsiders (individuals), in order for the TD to perform his obligations. However, on grand corruptions it involves more than one actor in the agreement stage. The grand corruption at the agreement stage is whereby the trucks impounded are over 50. This is the time, for example, where the SWBO housed at RDA headquarters is required to intervene on impounded trucks that are more than 10 and is the only one mandated to authorize an abnormal overload of more than 6.5 tonnes. SWBOs are the only ones permitted by law to issue Certificate of Weight above 6.5 tonnes limit. This is the only phase, therefore, during which corrupt conduct is more likely to be detected. For example, the TD shall deliver the cash to the SWBO with the fewest witness, not only for the safety concern of the TD himself but also for the concern of the WBO. Nevertheless, there are certain situations when such is not followed which according to our informants is not accepted as corruption by actors involved in it but *Nichekeleko* without monetary value. There are times where the TDs want to deliver other items other than money to SWBO considering that it would be awkward for the SWBO to take the goods in front of his juniors. What is delivered is not money but food staff, bundles of cloths and some bags of rice and cassava. There is a specific concept in *Chewa*

language for this action known as *Kankhuku* or *Kalulu*. *Kankhuku* is for a chicken while *Kalulu* is for the *Hare* when such items are delivered. In analytical terms these items describe a network or configuration of relations, which take place only at the field, which is the WB. What are at stake for these items to be exchanged are relations of power. This analogy describes the links and expectations of actors in the conduct of *Nichekeleko* phenomenon. There are rules and regulations for one to take part in *Nichekeleko* which are not codified or are in explicit terms hence the use of the *Chewa* words *Kalulu* and *Kakoko* implied in *Chewa* word *Nichekeleko*. These rules and regulations are exclusive to WBOs and they take place in the field that is the WB. The occupants of this WB always aim at preserving the benefits of the phenomenon no wonder its persistence today.

McElroy (1993, pp.45) on drivers observed different variables that make them behave in a hurry on the road. For instance, "they are in charge of their own wellbeing, in time delivery of consignments, client relations, equipment safety and insurances part in deciding the protection rate all of which have bottom-line effects for motor vehicles". Our interviews with the sampled 27 drivers revealed that the time they spend on the road affects their attitude towards being involved in *Nichekeleko*. They are given limited time to be on the road. Therefore, when the WBO is asked to wait outside the offices of the SWBO such a behavioural attitude influences the TD to indulge in *Nichekeleko* at the negotiation stage as they are racing against limited time. When the SWBO realize that, the TDs is accompanied by WBO they feel uncomfortable to be seen by their juniors that they are engaged in exchange of gifts or being favoured because such an action is considered too indiscreet, react furiously towards WBOs. All this data was collected from our informants through interviews. This shows that the interdependence between SWBOs and WBOs is question. Furthermore, it confirms that in times of crisis, one party feels that the other greatly circumscribe to its own goal attainment giving an opportunity for *Nichekeleko* to persist. This is when there is conflict of interest between the SWBO and the WBO. Moreover, when there is none, this action is regarded as 'progressive' expressed in affirmation as *Baume* or *Mwamuna* meaning real man. These concepts are gender neutral and are an innate way of expressing gratitude towards engaging in *Nichekeleko* by participants. These words expose intimacy and emotional connection between the TDs and WBOs. They express repeated patterns of power relations and are highly informative on what is goes on at the WB. The words shape the way TDs and WBOs perform through their bodily selves. For example, the word *Mwamuna* can also be spoken merely by raising a right hand finger. The word is an appropriate behaviour of

approval for good conduct. The words throw light on the expected behavioural conduct of participants that is celebrated. They mean that all members involved are equal which probably gives an endless opportunity to actors to indulge in *Nichekeleko*. In the lens of participants, such kind of behaviour is not “corruption”, but “social support” popularized through *Chewa* proverbs.

Further, during interviews and focus discussions with sampled 30 TDs and 18 WBOs, data revealed during the agreement stage, that, there is what they commonly refer to as the “reasonable expectations”. Reasonable expectations are an important subject for the parties as it is content dependent without any legal backing. Reasonable expectations regulate behaviour of TDs and WBOs. This shows the many of the possible outcomes during the stages with the medium of communication being *Chewa* language. Furthermore, the disagreements are viewed as being as per the 'sensible expectation of the actors'. It is normal to have disputes between actors, but when these disputes appear, they are resolved within the network of relations through either sanctions, or penalties to pay more or defer the payment as stipulated in the road traffic act. Therefore, at the crux of reasonable expectation is the usage of the *Chewa* words *Mukulu Wanchito* meaning the “big Boss.” It is a reasonable expectation to obey the SWBO (big boss) because one has no power over another. It reflects power relations that can be imposed on TDs to enforce WB values. The happenings are written on the body and it is reasonable expectation to obey this power. My argument is that for things to make sense, language is important. Appignanesi and Garrantt (1995), supports this observation that, “there is no exit from language”. “This is not a twentieth century invention but certainly one which has been put forward by various language scholars” (pp. 76). The word *Mukulu Wanchito* is innate in actors and are implied in *Nichekeleko*. Whether one is junior or senior in rank, *Mukulu Wanchito* is a known fact. The word is an expression of the monopoly of power relations. A simple reflection of reasonable expectation is implied in the word *Mukulu Wanchito*. *Mukulu wanchito* is a derivative word from *Nichekeleko* concept. It is the belief that something will happen because the boss has powers. The expectation to obey is based on the supposition that important human concepts are innate hence no reason to flout them. Here, the WBO has a number of actual expectations concerning the social relations when they enter in an agreement with TDs. The agreement is also a complex process either by expression or implication in the word *Mukulu Wanchito*. In the normative context, this is not a uniform standard, but it is tied to the life experiences considered as normal practice. It is not just a subjective hope for the future on the part of the

expectorate grounds for the expectation are important in determining the justificatory force for *Nichekeleko* to persist. For example, 'reasonable expectation' is implied in the *Chewa* derivative word *Mukulu wanchito*, as a result WBOs believe are entitled to be treated favourably by TDs. They believe their conduct is objectively justified for them to expect some favour from the TDs. The beliefs, regardless of how feeble they are yet exist

6.4 The importance of power relations at the Weighbridge (WB).

This section discusses the importance of power relations by actors during the weighting process, namely; the Weighbridge Operator (WBO) the Track drivers (TD) and the Senior Weighbridge Officials (SWBO). I observed that *Nichekeleko* is not absent from the operations of power. Using Lemke (2003) analogy on power, I adopted his ideas that are useful in this study by identifying three perspectives of power relations at different levels of application. I observed interactional power, institutional and structure power

The first perspective of power is interactional at initial and negotiation stage. This power focusing on a single of interconnected transactions between actors. This can take many forms, for example, philosophical influence or rational based on economic value or moral advice.

Through participant observation and interviews of actors, I noted power in interaction at these stages through the distribution of punishment and rewards to the TD for compliance. This in itself constitutes power relations in interaction. After the weighting the truckloads, the TDs are issued with a Certificate of weight as reward for complying with the standard gross vehicle mass of (GVMs = 6.5 tonnes) as well in compliance with WB regulations.

While, those that fail to comply are punished by requesting them to offload or are fined \$3000 US dollars, and detained at the WB. The institution of punishment and many other benefits for non-compliance to GVM standards is a clear example of horizontal power relations between WB operators and TD. I apply the concept of power relations from the Foucaultian perspective were it produces social realities and practices rather than the assumption that it is property possessed by actors. At the WB, power is exercised from innumerable points between the WB operator and the TD, with the triggering factor being rewards, (for example the issuing of certificate of weight, and punishment is charging a WB fine or detaining the TD). This shows how individual transactions are situated both in the context of institutional structural and relational power.

Another perspective I observed during the weighing of truckloads is institutional power, which is systematized and regulated that go beyond the individual interaction exercise. It refers to the regulation of conduct through institutionalized practices. This is vertical power relation between SWBOs and WBOS housed at RDA headquarters. The horizontal power relations is between WBOS and TDs. Perhaps the most striking things about TDs views of WB officials are their variability. During our interviews with TDs on the kinds of WBOs they interact with on everyday life was that, there are strict WBOs and lenient ones. In order to explore the everyday life practices at the WB, I asked the following question: What does a TD expect a WBO to be like? In short, who is the ideal type of the WBO? The(y) TD all responded that WBOs and police officers are expected to be just and fair in giving them service as they queue for the standard Certificate of Weight. The TDs and other road users expect fair and just treatment in the process of weighting the trucks. In this regard, the TDs and other pedestrian want the WBOs to see to it that the principle rules and regulations are observed and the orders from the SWB officials are obeyed promptly. By upholding these rules and regulations, many lives are protected, serve the TDs from unnecessary delays and detention as well as reduce the cost of maintaining a road. On the other hand, TDs and other Road users want the WBOs to be benevolent and to relax in the enforcement of rules and regulations. In other words, a relative passivity is expected on the party of WBOs and police officers.

Further than this, I found expectations that WBOs and police officers must not rely on the law but good relationships with TDs and other road users. This means that the TDs are put in a strategic good position. For example, when WBOs enforce strict rules and regulations they are labelled as too strict *Chibumba* means brick wall. This becomes a risk to their positions because they could be transferred or demoted any time if reported to their superiors (SWBOs) for being known as *chibumba*. The word *chibumba* is another derivative word implied in *Nichekeleko*. The conditions of employment for WBOs demands being transferrable where their services are required. Moreover, if they relax with the rules and regulations these are marked to be hopelessly lenient. The ambivalence between, justice and leniency rule enforcement and relaxation, presents the WBOs and policemen with puzzling dilemmas in their performance of WB functions. In *Chewa* language the words *Chibumba* or *Mawani* display an important function in the perpetuation of *Nichekeleko* phenomenon as they offer an invaluable insight to the persistence of the problem. The words lead us to the centre of the

practice of *Nichekeleko*. They are expressed in common conversation and are revealing to the network conduct of *Nichekeleko*.

Institutional power alludes to the social relations that go past the unconstrained members in the performance of *Nichekeleko*. For the institutional power relations to happen between actors characters knowledge is required as well as skills to address SWBOs in the case of infliction. The institutional power relations are between the SWBO and TDs. It is incongruent power relations. In the semantic range of the word *Mukulu Wanchito* in *Chewa* as earlier hinted, the concept is remarkably wide. What is also implied in the word is authority SWBO have over subordinates. From the *Chewa* linguistic point of view, the word is an affirmation to the whole system of attitudes, both legal and illegal. This is power between the SWBO and the WBOs. It is power reflected in ranks as stipulated in the organizational structure. (See chapter seven on a further analysis of institutional power relation)

At the WB I observed the subordinate-superior type of power where the person has little room for manoeuvre (Lemke, 2003). The subordinate-superior types of power relations are based on employment position. This means that well-connected WBOs to SWBOs have more possibilities for illegal personal enrichment and protection from prosecution than junior ones. This shows how structural power is linked to *Nichekeleko* because it helps to explain the unequal distribution of resources at the WB. My observation on the effects of structure power is confirmed by Hasty (2005), who contend that; “structural power relations are not only vehicles to corrupt acts or merely selfish but profoundly social shaped by larger sociocultural notions of power, privilege, and responsibility” (pp. 890). This probably explains why actors engage in *Nichekeleko* at the WB in Zambia. Further, the SWBO at the WB constitute the most important decision makers on WB operations according to the actual hierarchy as well as to the TDs. As a result, the TDs consider them the most important officials who hold legitimate power and most importantly in control of punishments, while the WBOs have limited power. The TDs considers the SWBOs as having an important degree of legitimate power to decide the significant question of release or detention of trucks at the WB. From observation whilst at the WB, there is interdependence between WBO and SWB officials. These share decisions when a TD is detained, as having overloaded beyond the required 6.5 thousand tonne of weight. Nevertheless, legitimate power to authorize defaulting TDs is only in the hands of SWBOs according to the law. This shows that they share decision-making and are perhaps not far from being equal partners, but from the views of TDs, it may be safe to say that SWBOs are more important. The SWBOs feel they make decisions based on correct

normative standards of WB functions and feel nothing irregular when they abuse power and call it as social support.

The above synopsis gives perspectives of the truth on power relations with WB authorities. Nevertheless, what is imperative is the close connection between the lives of WBOs and the context of the language spoken, thus the utilization of the local concept *Nichekeleko* and not "corruption". *Nichekeleko* phenomenon infers in an equivalent measure the internal and external part of life for WBOs. An obvious case from the nonmaterial, invisible aspect is that of positions. It is not by default, for instance, that the *Chewa* people have special words for actors involved in the practice.

Ranks such as *Mukulu Wanchito* have far-reaching consequences on the lives of WBOs and TDs. Amongst ranks, the power to weave payment of WB fine for a defaulting TD is only in the hand of the boss (*Mukulu wanchito*). Therefore, as already mentioned in this section the words *Mukulu Wanchito* and *Ulemu* each of these words are derived from the concept *Nichekeleko* and have an implied assumption and value characteristic of the Zambian culture of support for one another. The meaning of these *Nichekeleko* derivatives throw light on the behavioural conduct of participants at the WB, which is revealing proof to the reasons of *Nichekeleko* persistence and how it is conducted.

6.5 Power relations and its effects to participants at the Weighbridges.

The generalisations presented herein so far were based on observations and unstructured interviews with 18 WBOs and 120 TDs in four months from October 2015 to February 2016. From several views and reactions of WBOs and TDs I made a conscious selection of those I consider important to determine whether power relations has significance effect on actors to indulge in *Nichekeleko* phenomenon. My resolve to measurement power relations was simply based on observing one's ability to impose his will on others to determine the behaviour. In my observation, I found out that SWBOs have the ability to punish and reward behaviour by issuing a certificate of weight and they have the ability to punish maintaining order in the weighing process. From the observers point I found the extensiveness of power by operators against TDs is measured in punishment and maintaining order. When these attributes of power are attained, it increases the possibility of TDs to engage in *Nichekeleko*. This shows how the TDs comply with the wishes of the WBOs. In other words, WBO's power is more extensive in one sphere. Through punishment (imposed to pay WB fine of \$3000 US) at the WBOs disposal often represents values to TDs that are effective as sanctions. The practical

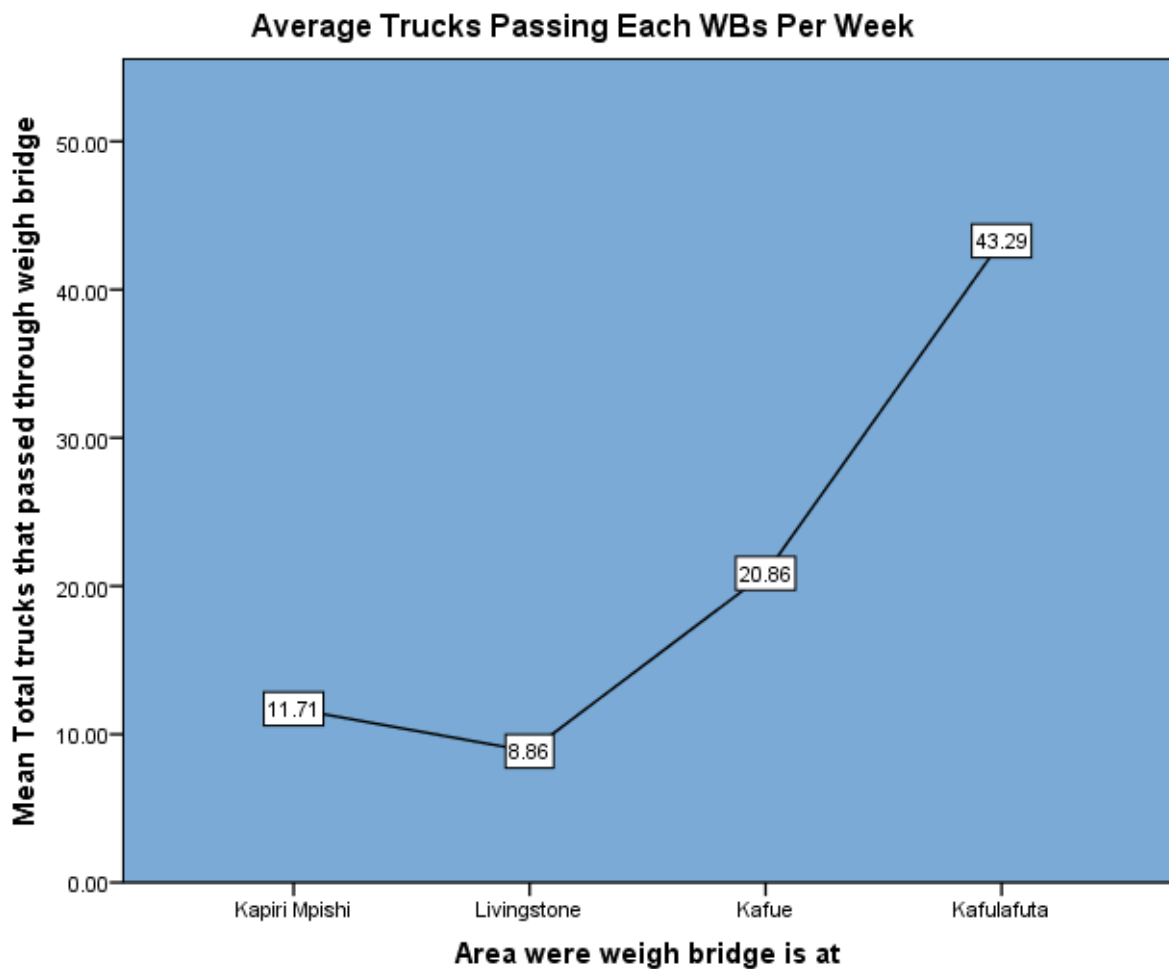
importance of the links between punishment and values is that it coerces the TDs wanting to short cut the process thus by trying to avoid payment of the fine and negotiate for less than \$3000 stipulated. This shows how TDs react with non-conformity to WBOs decisions to sanction them. In short, gift giving or payment of a bribe is a predictable action, as it seems to be an important condition for the TD's release. However, during this process of weighting the truck there is also a considerable chance for WBOs to experience powerlessness in the relation as they deal with TDs. For example, some TDs have direct access to the SWBOs and are released without the knowledge of the WBO, by being issued with a Certificate of Weight. This is a period when power is least extensive but it is vertically imposed by SWBOs. During this time, the WBOs fail to maintain order from TDs. The fact that TDs bypass the WBO is a sure sign that their powers are vulnerable and their jobs not satisfying. This is a situation where the TDs are socially connected to SWBO at RDA headquarters. From these feelings of powerlessness, it follows at times that WBOs powers to punish is insignificant hence the feelings of normlessness⁶². It may be said that the WBO feels weak in the relationship hence the persistence in *Nichekeleko*. It also shows that WBOs have more chances of feeling weak in the relation compared to TDs. Further, the power of the WBOs is reflected in the use of everyday language when dealing with TDs. For instance, in the use of the word *Udindo*, meaning power, is yet another derivative word implied in *Nichekeleko* phenomenon. When TDs have direct access to SWBOs, they mock WBOs by uttering the word *Udindo*. When the *Chewa* word *Udindo* is expressed, it means that the TD has been issued with a certificate of weight by the SWBO at RDA headquarters and they drive away with pride. This shows the incongruence of power relation between WBOs and SWBOs. The incongruence of power seems to be the clearest in relationships between SWBO and WBO. It confirms that the SWBO have more power than the WBOs when it comes to releasing the detained trucks for overloading revealing the reasons for the persistence of *Nichekeleko* in Zambia.

However, TDs relational power is attained by their behaviour towards punishment imposed on them by WBOs. I interviewed 10 TDs out of 750 per week. It is estimated that more than 750 truckloads pass through the WB per month. I picked the 10 TDs by snowball sampling method. Firstly, I used a simple random sampling by picking five who later picked other five. However, I observed and analysed that they attain relational power by either complying with

⁶²See Durkheim (1982) on normlessness, as the way in which individuals feel about social systems that do not integrate their actions and practices. It is a sense of being disoriented and hopelessness.

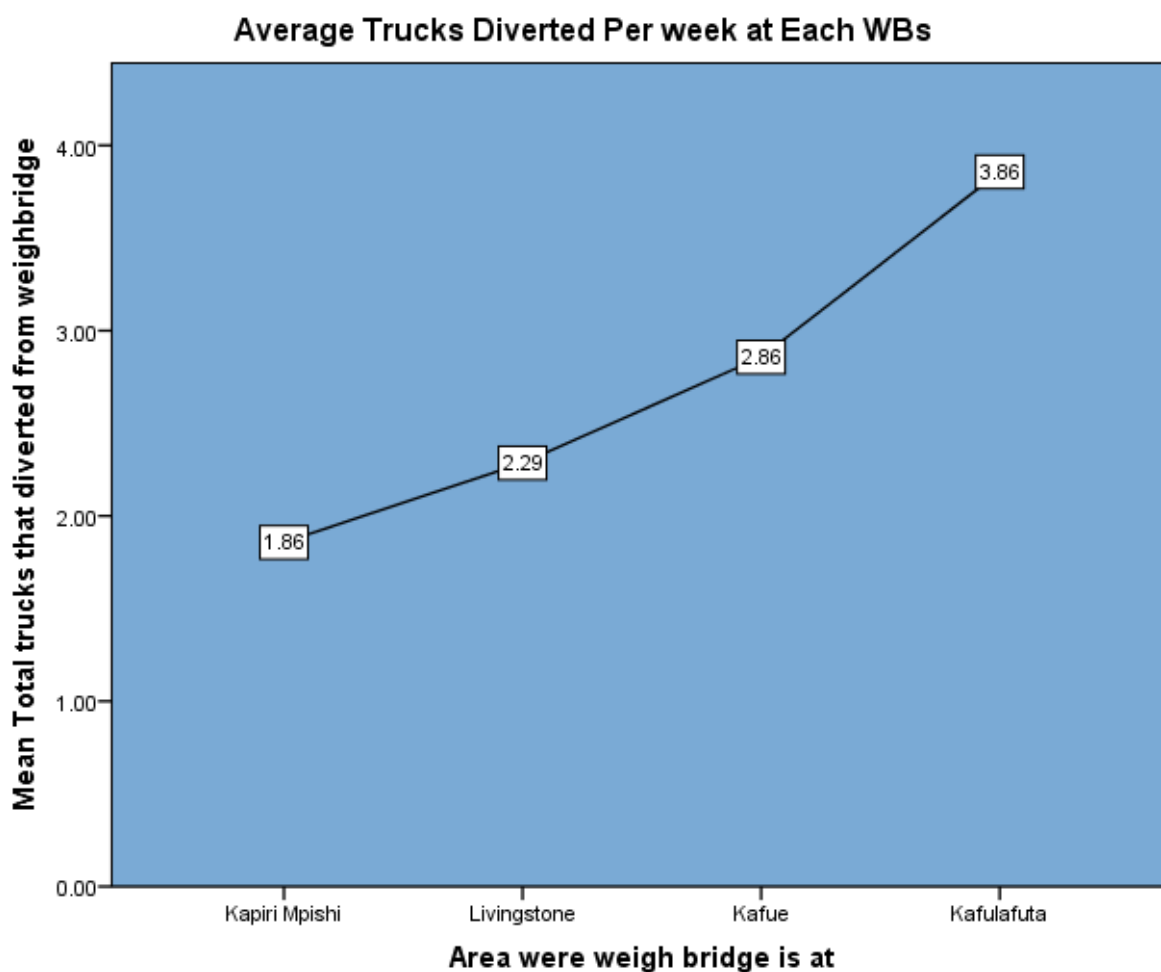
the regulations or by defaulting them. In defaulting them, thus, they simply divert trucks from the WB. I reasoned that the TDs reaction towards discipline is an affirmation of the intensity of *Nichekeleko* phenomenon in power relations at WBs. This relational power on the part of TDs is demonstrated in figure 6 and 7.

Figure 6



By observing trucks passing through the WB, I computed on average score between 6 to 50 truckloads going through every WB per week as indicated in figure 6 above. The state charges a \$2000 US dollars for compliance of standard weight and \$3000 US dollars for none-compliance. For example, there are more trucks passing through kafulafuta WB and less at Livingstone. The reason for fewer trucks passing at Livingstone WB is an environmental one. The total collection of WB fines per week was \$418000 dollars on average at all the four WBs. This figure is from those truck drivers that comply with the standard weight of 6.5 tonnes total weight.

Figure 7. Truck drivers diverting the loaded trucks as resistance to punishment.



This data was obtained by computing on average diverted truckloads at each WB per week. When I interviewed 10 TDs why they divert trucks from the WB, I received several answers ranging from being in a hurry to personal ones. However, when I computed the average number of diverting truckloads at the 4 WBs, I noted that Kafulafuta WB had on average 4 trucks diverting from it per week, which is the highest compared to the other WBs. This means the government lost \$ 12000 US dollars at Kafulafuta alone per week in the month of

October 2015. This explains why most TDs, who default the standard GVMs prefer to negotiate with WBOs on the WB fines because they are charged \$1000 US dollar extra for not complying with the stipulated \$2000 WB fine. Diverting trucks is resisting to punishment. TDs prefer to negotiate for a lesser WB charge as a sign of resisting punishment. From my reasoning TDs have the power to resist punishment by diverting the trucks and by negotiating with WBOs. The resistance by TDs to comply with the standard 6.5 tonnes of the GVMs is based on relational power. Any truck that diverts means the TDs is charged more or less because of not being sure of the exact tonnes of the consignment loaded on the truck, minus its own GVM. Diverting trucks means that social power is not possessed by WBOs but additionally with those, a service is given. Diverting trucks is surely a demonstration that *Nichekeleko* at the WB is a problem and the reasons for its persistence. Unfortunately, studies on the subject of corruption in the transport industry in Zambia ignore relational power between actors. Scholars fail to capture, the meaning of resistance from the experiences of TDs. Truck drivers use diverting of trucks as relational power and as residence to punishment. For TDs, the negotiation and the diverting of trucks in the process of weighing the trucks are no cruel to corruption, because they gain from it. This explains the magnitude of the problem and probably why both actors engage in *Nichekeleko* phenomenon.

6.6 Conclusion

The findings of this chapter are the striking dominance of the conduct of *Nichekeleko* phenomenon through gift giving at the agreement and negotiation stage. This result is expected because it does not leave traces of illegal conducts, such as missing possessing assets or a direct victim or even theft of any kind that makes the conduct discrete and difficult to trace, except when you are immersed into the lives of the participants. For example, in order to understand the life world of those immersed in *Nichekeleko*, I argued that such conducts at negotiation and agreement stage are voluntary between the contracting parties either in terms of a monetary transaction or in terms of an unspecified reciprocation. This shows how both parties benefit, but this phenomenon makes the lives of the participants riskier and more vulnerable to arrests. Even though it creates a sense of equilibrium, which sustains secrecy and makes the *Nichekeleko* conduct more difficult to detect hence the persistence. Indeed, this form of *Nichekeleko* is widespread not just at the WB but in public institutions of Zambia. According to Mbao (2009) and Ndulo (2012) in their recent works on corruption in Zambia, secrecy is an ingredient for it to occur between participants. Unfortunately, the ingredient factors in the afore-mentioned studies have not represented

certain elements of power relation that is necessary for *Nichekeleko* conducted. Equally, there is very little mention on the influence of local language in the contractual stages of the phenomenon.

This chapter has shown a link between *Nichekeleko* and language used at the WB. However, their association with the semantic language does not necessarily mean they are the causes of *Nichekeleko* but only facilitate opportunities for participants to engage in it. In order to articulate, the linkage between these factors at the WB I probed the *Chewa* semantic language in relation with power itself, as an important step that is missing in all the current studies. This is exactly the primary task of this thesis, which examined how *Nichekeleko* participants carry out the conduct during the weighting process at the WB.

In this chapter, I have discussed power relations in a correlational way. Often TD feels that WBOs have legitimate power in the light of their official roles at the WB. Nevertheless, they are also preoccupied in understanding the degree of legitimacy of this power. There is also a feeling of powerlessness among WBOs because of the complex relations between them and SWBOs. The feeling of powerlessness and unpredictability of relations between them is when their power is challenged by TDs. Equally our interviews with WBOs the feeling of powerlessness and unpredictability of their power is most felt when their decision to impound an defaulting TD is allowed to go and issued with a certificate of weight by the SWBO. This conduct by SWBOs gives opportunities to *Nichekeleko* phenomenon to flourish at the WB.

Nevertheless, what I also observed is the link between the language used and the phenomenon of *Nichekeleko*. This shows that the *Chewa* language is the best evidence in reality of the practice of *Nichekeleko*, in the sense of concepts that are all implied in it.

Further, by analysing the empirical data collected in this research, this thesis identifies four sequential phases in the weighing process at the WB, namely, initiation of the conduct of *Nichekeleko*, negotiation, contractual performance (agreement) and enforcement or sanction of the conduct of behaviour in case of non-compliance. The argument is that not all these sequential stages can take place in the absence of power relations. Of course, there are equally main factors that facilitate the conduct of *Nichekeleko* such as personal and cultural factors. However, the immediate benefit of this analytical framework (model) of sequencing *Nichekeleko* conduct is that it breaks up the complicated phenomenon into several distinguishable but chronologically connected fractions. Such a treatment divides the

Nichekeleko conduct into several static frames⁶³. Meanwhile this analytical model helped to restore the dynamics of *Nichekeleko* that it consist of a series of inter-related actions. In other words, this analytical model has the potential to permit a precise diagnosis of what have caused the *Nichekeleko* irreversibility at the WB and elsewhere. It helps us to zoom into the observed conduct in order to understanding of the “logic” of conduct of *Nichekeleko* based on the cause-and-effect analysis that is developed. This is a simplified model, nevertheless, that did not cover every scenario of *Nichekeleko*. In reality, as mentioned in the previous sections, some *Nichekeleko* phenomenon takes a more simplistic form through *Chewa* concepts implied in the word *Nichekeleko* that are only understood by the actors involved. Thus, where certain phases are shortened or congregated; some takes a more complicated form, where they are expanded or mixed with others. Participants who engage in these stages ritualize, appreciate and embody them in songs or proverbs. Further, this chapter has demonstrated the intensity of the problem thus, where TDs divert trucks because they gain from the practice. Diverting of trucks at the WB is a sign of resistance by the TDs. Resistance demonstrated that TDs possess relational power that probably explains why *Nichekeleko* flourishes.

Nonetheless, this study has identified four basic phases in the weighting process of truckloads, which are pivotal to the success of *Nichekeleko phenomenon*. An examination of what factors have contributed to the efficient and successful completion of contracting *Nichekeleko* between TD and WBO has brought us closer to a more precise understanding of how *Nichekeleko* is conducted at the WB.

Succinctly, this chapter highlighted the absence of understanding about the conduct of *Nichekeleko* that is generally self-enforceable. It is partly because most *Nichekeleko* participants consider it as fair trade, of which a level of general reciprocity is expected and honoured. By examining the four phases of the process of conducting *Nichekeleko*, the analytical model and the line graphs presented in this chapter allows us to explain how *Nichekeleko* is undertaken because of power relations and the language used, and how it develops in full cycle at the WB and elsewhere.

⁶³ See Bourdieu (1984), on frame statics, talks about the intellectual and the psychophysical determinants of a decision in dangerous and riskless settings.

This chapter finds that the high success ratio of negotiation in *Nichekeleko* at Kafulafuta is due to the wide bargaining zone, which is inherent in all corrupt exchanges. This wide bargaining zone is derived from the fact that the weighbridge fines are far too expensive, which forces the participant to engage in negotiation in conducting *Nichekeleko*.

At the sanction phase, this chapter finds that most practices of *Nichekeleko* are able to complete their full cycle with the assistance of the preventive enforcement measures such as the down payment without being disturbed or noticed by the legal enforcement support. This section also finds that the initiation phase is of particular importance to the success of *Nichekeleko* conduct though the “style” of initiation may differ depending on the relational power between the potential initiator and acceptor. Being motivated by the high frequency of truckloads passing at the WB gives rise to more opportunities for actors to effectively ending up in *Nichekeleko* conducts at the initiation stage. Our observation was that TDs from neighbouring countries are more inclined to communicate their intent, to WBOs because of racing against time. They are forced to indulge in *Nichekeleko* at the initiation stage because the transport sector in Zambia is corrupt. As the authority to give certificate of weight to drivers moves up in the hierarchy thus to SWBOs the initiation of *Nichekeleko* becomes more visible, risky and complicated. Communication of *Nichekeleko* intent at this stage relies more on inferences and signals and requires a trust building. At the high-end of the spectrum are SWBOs with senior positions in the road sector who are also involved in a subtle *Nichekeleko* conduct with the TDs through vertical power relation with them. The availability of more contact between WBOs and TDs compels them to engage in *Nichekeleko*, hence the difficult in tracing it, if you are not immersed into their lives.

Indulgence in *Nichekeleko* becomes necessary to protect what is exchanged. Professional intermediaries (i.e. the public relations office) have been employed, to shield the WBOs from being directly incriminated by discontented TDs, which probably has helped to perpetuate the phenomenon of *Nichekeleko* too.

CHAPTER 7 : EXPLORING *NICHEKELEKO* IN INSTITUTIONS RESPONSIBLE FOR PREVENTION IN ZAMBIA.

7.1 Introduction.

The previous chapter has discussed the contractual stages performed by actors to engage in *Nichekeleko*. We noted how power relations and language play a major role for *Nichekeleko* persistence at the WB. However, this chapter will discuss how actors engage in *Nichekeleko* conduct in public institutions, in particular, the specialized anti-corruption institutions namely, the Zambia police, the Road Development Agency (RDA) and the Anti-Corruption Commission (ACC) due to their exposure to similar conditions as that of relations of power at the WB. My argument is that *Nichekeleko* practice at the WB is a reflection to how it is conducted in specialized institutions mandated to fight it. For example, anti-corruption institutions, regulations and laws are all prevention strategies against corrupt practices, nevertheless have not helped to reverse *Nichekeleko* persistence in Zambia, because actors are exposed to similar conditions as those at the WB.

To begin with, on political efforts to fight corruption, the late President of the Republic of Zambia, Michael Chilufya Sata, strengthened the fight against it on a few previous ministers and senior civil servants by arresting them, alleged to have abused their authority whilst in power. Therefor, he removed the presidential immunity against his predecessor President Rupiah Bwezani Banda and his relatives. Nevertheless, the issues of corruption have continued. I argue that this battle against corruption is lost cause for overlooking the localized practice as in the lens of those involved in it because of power relations. In 2012, when the PF government came into power they undertook a lot more corruption presentation strategies such as opening investigations on senior ministers under the previous administration, restored the abuse of office law to scrutinize the operations of the executive and followed up on inconsistencies revealed by the Office of the Auditor General in 2013. However, the problem of corruption is far from submerging. Interview data collected from various anti-corruption institutions revealed that what is missing is the clear realization of the localized practice-*Nichekeleko* perceived as support in the lens of those involved in the phenomenon. *Nichekeleko* is an embodying concept, which is a cultural artefact for the Zambian society that creates it. When this is not recognized, its literal meaning for social support is rendered obsolete which is not realistic in the life-world of those involved in the phenomenon.

Moreover, when the PF government came into power in 2011, it set up various commissions of inquiry to explore alleged behavioural conducts of corruption against former Movement for Multiparty Democracy (MMD) administration officials. These gave an opportunity to a broad spectrum of society (including ordinary citizens, as they were held in public places open to all) to present any relevant evidence. There is no progress made on the proposals of the commission's reports and law enforcement offices neither have followed up on it. From my observation, the response to the inefficiency of Anti-corruption fight lies in not understanding the informal practice in the linguistical terms of those involved in the act concerning relations of power.

Therefore, this chapter has demonstrated how on the one hand the institutional design of Anti-corruption institutions has created a permissive environment for *Nichekeleko* conduct to flourish basing on social relations and on the other hand how the presence of the phenomenon in Anti-corruption institutions has seriously affected the effectiveness of anti-corruption measures and efforts. In doing that, this chapter also links the findings of the persistence of *Nichekeleko* to those of the previous chapters as a sociological act of exchange perpetuated in relational power reflective of the one at the WB. It should be clear that data for this chapter was sourced by interviewing actors involved in *Nichekeleko* and analysing law reports, manuals and to some extent newspapers.

Having said the above, I know explore the efficiency of the Anti-corruption Commission in the combat against corruption in order to gauge *Nichekeleko* conduct arising out of an enabling environment in power relations as follows:

7.2 The *Nichekeleko* phenomenon at the Anti-Corruption Commission in Zambia.

Data of this section firstly come from analysing authoritative sources, such as laws, bylaws, internal regulations, guidelines of the major Anti-corruption institutions, most notably, the ACC commissioners and interviewing the ordinary staff members; with 10 sampled based on their employment positions that were kind enough to be interviewed on operations of the ACC as an organization. The second source of data consists of approximately 10 cases concerning corruption in anti-corruption institutions spanning from 2000 until 2015. Data concerning these cases originates from media reports of court-trials or public statements from courts.

It is necessary to note that this chapter identifies certain features in corruption investigation while using only limited data, hoping to explain *Nichekeleko* practice permeating across the

Zambian social fabric. Access to information on the detailed practices of Anti-corruption institutions, especially information on corrupt practices in these institutions is strictly controlled. Therefore, the findings of this chapter primarily apply to the materials indicated in this research. General information was considered with caution and tested when freer access to data is gained.

The rest of the chapter is divided into 4 parts. Section 1, introduces the institutional structure of Anti-corruption institutions, including the main actors and their structural relations with the political institution such as the PF. Section 2, discusses features of investigations and reporting of complaints by those affected by *Nichekeleko* phenomenon in the main anti-corruption institutions. Each case is connected to the features that are common at the ACC reflecting the everyday lives of WBOs at the WB in Zambia. The guiding principles are the reported cases and narratives of actors collected during the course of the research.

There are different types of Anti-corruption commission's worldwide. The main ones include the following, the universal model, the investigative, parliamentary and the Multiagency model including the number of others that are autonomous but together weave a web of agencies to fight corruption. Such a commission typifies the US one. The Zambian government has adopted the investigative characterized by centralized investigative powers (Stapenhurst *et al*, 2010). Therefore, investigative model is a typical characteristic to the one applicable in Zambia. It is a line organisation structure⁶⁴ showing direct and vertical reporting relationships between different levels at the ACC. There are only line departments directly involved in accomplishing the primary goal of the ACC that is investigation, legal and community education and mobilisation. In this line organizational structure, authority follows the chain of commands, thus; from the Director General to investigation officers. The diagram below illustrates the vertical power relations from one level to the next.

⁶⁴ See Griffiths on (2010), authoritative structures help to define the organization and state the allocation, for example, of tasks and supervision all coordinated activities toward the accomplishment of organizational goals, (p.590). Darkwell. London.

7.3 Power relations reflected in the Organizational Structure of the Anti-Corruption Commission (ACC) of Zambia.

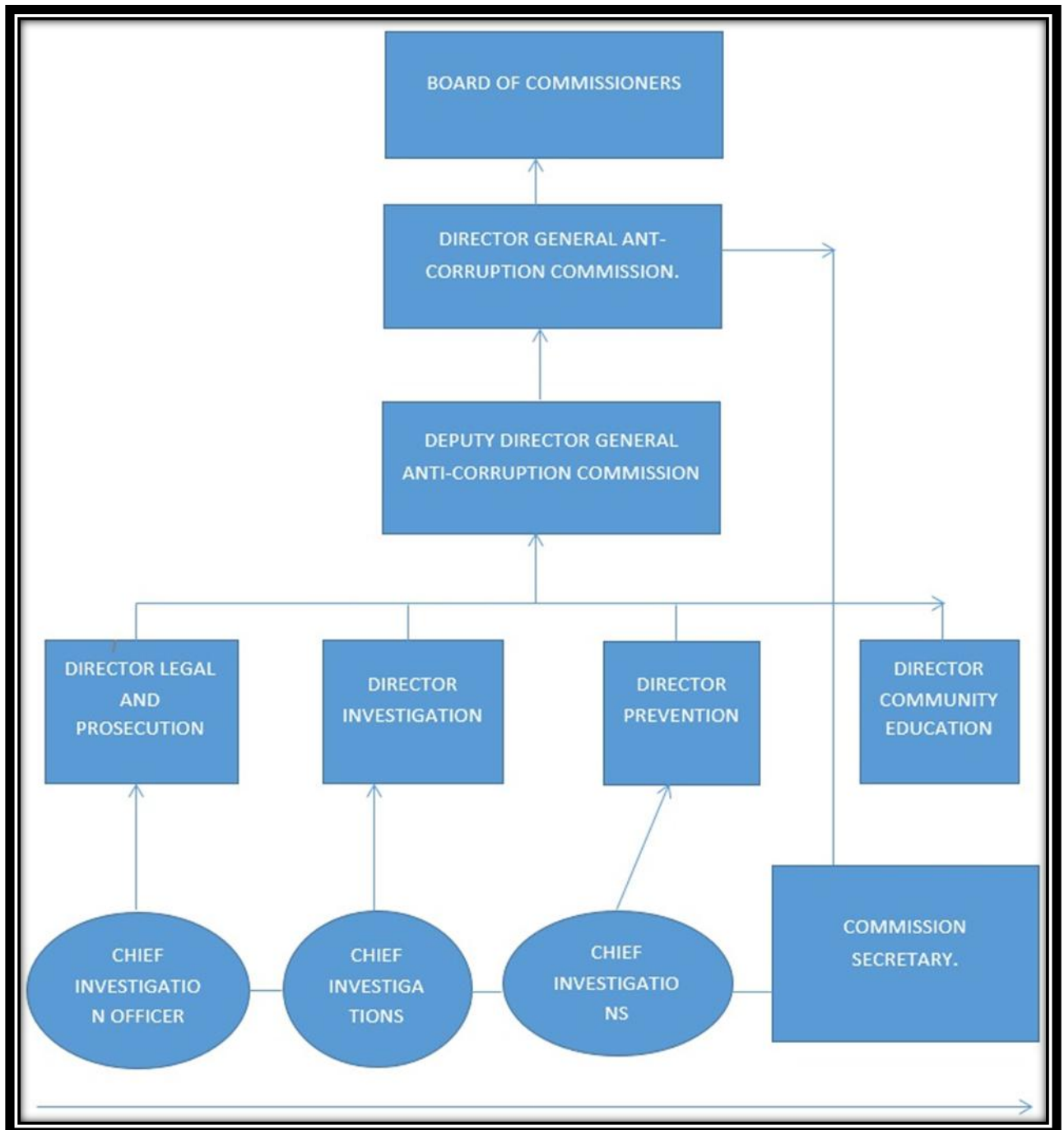


Figure 6

Source: (ACC Manual, 2015)

From the above organizational structure in figure 5, is a model that includes specialization in law enforcement (e.g., the legal and prosecution directory) focusing on prevention measures and the commission secretariat focusing on policy development and coordination. These functions sometimes overlap each other. From interviews with our informants there appear to be a common agreement among interviewees that while there is a body mandated to fight corruption as in the ACC Act No. 12 of 2012 as stated herein as follows.

“There shall be an Act to continue explaining the existence of the Anti-Corruption Commission and provide for its powers and functions”. “The law shall provide for the prevention, detection, investigation, prosecution and punishment of corrupt practices and related offenses based on the rule of law, integrity, transparency, accountability, management of public affairs and property”.

“The law shall provide for the development, implementation, and maintenance of coordinated anti-corruption strategies”. “The law shall specify the promotion of public participation, the protection of witnesses, experts, victims and other persons assisting the Commission”. “The Act shall provide for nullification of corrupt transactions” (Government of the Republic of Zambia, 2012 ACC Act No 12).

From the structure above and the law, it is clear that the director general reports to the appointed political cadres namely; board of commissioners who are appointed by the Republican President (the executive). This creates incongruent power relations between the executive organ of government and the director general at ACC office. The occupant of the position of director general feels individually or collectively to safeguard his position. Therefore, impose the principles of hierarchization⁶⁵ most favourably to their own benefits separate from the mandated function of the commission. Most often prosecutors ignore the political corruption and focus on the less sensitive issues⁶⁶. The structure of the commission is designed to link each position with the other on objective relations; thus materially and symbolically, but not in reality. In reality, the structure clearly shows how corruption can never capsize because of ignoring relational power that provides an enabling environment for it to flourish. However, the realization that relational power enables corruption to flourish is not according to those involved in the phenomenon. For example, data has revealed that

⁶⁵ A framework in which relative status or expert positions are ranked according to order of authority and individuals from an organization or society fit in.

⁶⁶ See Francis Mbaio (2011) on Economic and Political corruption of the former President Chiluba in the case involving the network of 'looters' involved in these practices were well documented.

officers occupying these positions do not think have same opportunities when it comes to material possession earned within the commission during their lifetime in employment. When this is ignored, the meaning of the word *Corruption* tend to be treated as less important, in favour of the local one *Nichekeleko* which reflects personal judgements about human relations at ACC in Zambia.

One reaction from meetings on the most proficient method to reinforce the battle against corruption is the making of an autonomous anti-corruption commission just answering to parliament. Susan-Rose Ackerman (1996) cites ‘the best known successful example in the fight against corruption is as provided by the Hong Kong and Singapore governments both former city states of the British colonialism. In both cases, the turnaround in corruption combined reduced because of stronger statutes and reforms’, (pp.145). Manion, when citing the Hong Kong entrenched corruption experience states that, “people had a choice of getting on the bus,” thus; by actively participating in corruption, “or running alongside the bus”, by being bystanders not interfering with the system, or stand in front of the bus”, by reporting or resisting corruption, which is not a viable option” (Manion, 1996).

In the Zambian scenario, from the interview data sourced, despite the government re-introduction of the abuse of authority laws and the ACC Act No 12 that has delegated powers to the commission to prosecute corrupt practices, but then, since 1980, the ACC has always been under the office of the Republican President and corruption has never reduced. The abuse of authority law has not given the director general new powers to prosecute anybody. In spite of changes to the anti-corruption law, nothing has been achieved to reduce corruption at ACC. What has been omitted in the ACC corrupt practices act is the recognition of *Nichekeleko* word from the lens of those involved in the context of long lasting relations, which is intimate with hereditary of social bonds creating an environment for its persistence. For example, the ACC members themselves are not subjected to the external checks and the officers accused of corruption are reported to have a heavy handed behaviour manifesting through tribalism⁶⁷ and nepotism in appointments of their relatives to senior positions. One informant interviewed said, “there is always a gap on the conception of things and how they are supposed to be working and the realities of life experiences by those serving as staff members under the auspices of the director general (DG)”(ACC staff, 2015).

⁶⁷Tribalism has been characterized in engaged principles as a method for being founded on variable connections based kinships, complementary trade, manual production, oral correspondence, and analogical enquiry

The assumption that the ACC in Zambia is an independent body separate from society is wrong because both staff members and society live in one world in which both parts are interrelated. It is one thing to establish the ACC, but another to maintain a standard of corruption prevention compatible with the spirit behind the anti-corruption law. For example, there is no requirement to review the work practices of the Anti-corruption commission in the anti-corruption law aimed at reducing corruption of any kind (e.g., Nepotistic appointments to senior positions) within the commission policy regulations. The ACC employs officers on merit but the concept of merit⁶⁸ is ambiguous as it has a broader meaning. The concept of meritocracy in the lens of those who experience appointments is vague and therefore provides latitude for different kinds of *Nichekeleko* conduct to persist. For example, one informant interviewed stated that he had to invite a commissioner for dinner in order to earn a promotion as chief investigations officer. To earn a promotion, officers design strategies of gift giving or inviting superior officers for lunch or dinner, which are examples of an exchange for promotion to a higher position. However, there are strategies that include reducing delays in investigations of corrupt conduct and rotation of staff Klitgaard (1988). Quah (1994; 1995) on methodologies contended that the nation diminishes corrupt impulses if government workers have a stake in their employments through high wages, rewards and great working conditions. The point is to keep compensation in accordance with the private business wages. However, as for ACC in Zambia there has never been an improvement to their conditions of service for the last 15 years. This makes the Anti-corruption policy irrelevant as it has left restrictive laws and cumbersome processes that produce incentives for actors to engage in *Nichekeleko* between them to earn a promotion. Our observation for the reasons facilitating the proliferation of corruption at ACC is similar to the ones for *Nichekeleko* at WB. The use of the western concept “corruption” at ACC commission does not reflect the views of those involved in it. If the concept *Nichekeleko* is applied to analyse behavioural conduct at ACC, it would expose innate characteristics that provides an opportunity for officers to engage in the phenomenon hence the persistence of the problem at the commission as well. In fact as Onu Godwin observed on cumbersome process of appointment, “no institutional ensemble for governance is immune from corruption” (2003, pp.87). The argument here is that corruption practices of individuals at ACC is a manifestation derived from the system that facilitates for exchange of goods such as gifts and services giving an opportunity for the actors to engage in *Nichekeleko* within the ACC based

⁶⁸ In a more broad sense, meritocracy can allude to any frame accomplishment in view of compelling class of instructed or capable individuals.

on relations of power reflective to what takes place at the WB. At the heart of these relations at ACC are concepts such as *Malume* meaning “uncle” who are invited for lunch by junior ACC officers. The concept of *Malume* is one of the *Nichekeleko derivatives* with an innate characteristic of exchange that is also an inclusive concept at the WBs. It is difficult to separate the word *Malume* from the individuals’ indulgence in *Nichekeleko* because the word has a hidden, elusive power and the act is social. The word implies that it involves more than one person for action to be executed clearly exposing relations of power that facilitate the persistence of *Nichekeleko* in anti-corruption institutions in Zambia too.

This chapter is part of the continuing investigation of the ways in which actors who are involved in corrupt conduct at ACC is similar to the how *Nichekeleko* practice is conducted at the WB between TDs and WBOs. In short, there is a similarity in character to the corruption at the ACC and *Nichekeleko* phenomenon at the WB, except that the conduct at ACC; an English word is used. My argument is that when a different word is used other than *Nichekeleko* to describe characteristics of society, it fails to reflect their ways of thinking. If the word *Nichekeleko* was inserted in the ACC Act, it would have captured the life word of those involved in the phenomenon. In short, it is *Nichekeleko* in power relations all the way from the ACC to the RDA’s WBs in Zambia.

Getting back to the ACC as an institution; from time to time it second employees at the WB, as part of an operation to prevent corruption according the Act No.12 of 1996. The Act states to second officers to the WB for corruption prevention. Nevertheless, as soon as they are on secondment are meshed into a system that is notorious for facilitating the conduct of *Nichekeleko* through a network of relations. For example, through the mode of operating corresponds to a finite number of procedures. They are introduced to the application of codes that imply logic of operation of actors related to the type of situation.

Lorenzi (1989) on a similar issue stated that networks are highly positive social arrangements that lubricate the coordination of social life through social relations based on cooperation, loyalty and trust. This shows that every society manifests some formal rules that its actors obey. Similarly, the WB is inscribed with various informal rules so obvious even though one cannot see them. When ACC officers are on secondment to the WB, they discard their office hierarchies in favour of fluid network models that make it harder for senior staff to infiltrate, disrupt and dismantle. From interviews with two informants familiar with WB operations, this favours the persistence of *Nichekeleko* of gift giving and fuzzy business careers by ACC

officers as well. The question is why are officers from the ACC attached to the WB meshed into the practice of *Nichekeleko* phenomenon at the WB? The answers lies in what Onyeonoru Ifeanyi and Fayankinnu (2003) stated that; ‘‘in every organization there exists norms and values that guide operation of the system. These norms could be either formal or informal in nature. They both perform the basic function of social control among workers in the organization. In contrast the absence of these norms brings about instability and disorder in the organization as such an anomic state emerges’’ (pp.38). Emile Durkheim in his work described anomie as a state of normlessness in which things are not functioning the way they ought to be.

Through interviews with two former ACC officers, one serving and one retired; data sourced from them confirmed the some levels of normlessness that facilitate the actors to engage in *Nichekeleko* phenomenon amongst ACC officers as well. For example the dismissal of eight officers and retirement of two senior officers in national interest in 2011 accused of extortion of public funds during the ‘‘task force on corruption’’ appointed by the late Republican President Mwanawasa is a case in point. One type of such anomie is severe conduct in *Nichekeleko* behaviour in the misuse of government vehicles arising because of insecurity and uncertainty associated with lack of adequate social security⁶⁹ for ACC officers similar to WBOs in the public service in Zambia.

Further interviews with informants on ACC functions is that the same as at WBs, the anti-corruption commission in Zambia is incorporated with cadres as the ranking system, which is administered by the party in power, in this case, the (PF) government. Such an institutional design clearly helps the party to exercise control over anti-corruption activities. More specifically, the incorporation of the ranking system (e.g., the members of the commission) in anti-corruption commission means that all permanent posts in these institutions are assigned with a rank. Each post is delegated certain decision-making power corresponding to its rank. The Director General is the highest rank and accordingly has the widest power in decision making at the ACC. At the regional level, a manager answers to the senior officer of the province, so he is the senior officer in charge of public prosecution. At regional level, he is subject to dual-administration, thus, he reports to both the DG at national level and the provincial administration. This means he is subordinate to both the party officials in government of the corresponding provincial jurisdiction and the respective superiors at

⁶⁹See Godwin Onu (2006). Social security as an action that spells out various benefits to those inactive employment and those to be retired. Urwin paperback. London

national level. However, in his geographical jurisdiction, the regional ACC officer enjoys more powers since the top political appointee (e.g. Provincial Minister) has an important seat in the decision-making body of the party in government and enjoys privileges that his peers at national level do not have.

Nonetheless, the ACC officers are vested with the powers to conduct corruption investigation on its own initiative as long as the investigation does not encroach upon the jurisdiction of the provincial minister or Permanent Secretary and is not of immediate interest of the leaders at national political party levels. According to the data collected during this research, interviews with informants prosecutors self-initiated corruption investigations are notably concentrated on offenders of lower-ranks. Those ranked in division three notably; clerical officers, office orderlies, security guards commonly known as classified daily employees (CDES) are the most culprits for arrests. Equally, those serving in the private sector, which falls out of the jurisdiction of the provincial permanent secretaries and ministers, are easily arrested for corruption. From observation, the trend is similar at the WBs that 80% successful convictions of those involved in the conduct of *Nichekeleko* such as theft of WB fines, are ranks below division three, notably, WBOs, security guards and clerks. The mere fact that regional ACC officers enjoy more privileges than their colleagues at national level, does not guarantee them unlimited powers to investigate and prosecute law breakers in the party in government above their positions, such an action is treated as insubordination⁷⁰. Since they have a lower political status, the prosecutors are automatically out-powered by the provincial minister due to limited investigative measure. Of particularly interest is the level of power relations between the regional prosecutor and the provincial minister that is that of subordinate and superior relation. The concept of “subordination” limits the provincial prosecutor to investigate a rank above his own. Equally, the prosecutors are subject to Chapter 46 of the penal code (Criminal procedure law) which requires the arresting office to release the detained suspect in twenty-four hours if sufficient evidence for arrest is not established. This legal constraint limits the investigative power of the ACC or the police, even though in practices the constraint is usually circumvented through various means, for example, by applying for extension

Between the DG and the regional manager, the later enjoys a more superior political status, as mentioned as observed during this study. For cases being investigated by the ACC regional

⁷⁰Insubordination in Zambia is when a service member or servicewoman wilfully disobeys the lawful orders of a superior officer whether wrong or right. If a military officer were to disobey the lawful orders of his or her civilian superiors, this would also count.

manager where he exercises his jurisdiction, has the discretion to decide whether to send the case to the Director General (ACC) or the director of public prosecution (DPP) for indictment. If the DG decides to send the case for prosecution, a conviction usually follows.

In Zambia, the capacities to start and attempt criminal systems are vested in the (DPP). The DPP can enter a *nolle prosequi* to stop the process and has the obligation to support or consent to the foundation of particular sorts of charges. Under the Kaunda and Chiluba regime, the office of the DPP was broken down because of its lack of capacity to prosecute government excessive abuses. This causes frustrations to the ACC prosecutors, as their mandate ends at the indictment of the corrupt actors to the office of the DPP. Similarly, the DPP has remained an essential piece of the official body of government, bringing about general worries about the powers of the DPP to discard cases through *nolle prosequi*. There is strict discipline applied in the investigation of cases not only in inter-institutional relations but also in the inner-institutional relations within the ACC itself. This means that decision-making power is highly concentrated in the hands of the staff with superior ranks as shown in the diagram above. Namely, all decisions concerning important issues such as the initiation of investigation, have to be approved by the top leaders of the ACC in Zambia.

The hierarchical nature in decision making at ACC is similar to the one WBOs and TDs experience where the certificate of weight is issued only by the SWBO. In essence, such is an authoritarian organizational culture that has a notably conspicuous display in prosecution that internally, officers call it the “*Nichekeleko* factor”. At the WB, such practices are sustained through popular linguistic semantic concepts *Udindo*. These popular sayings contain an array of phenomenon that merits the label *Nichekeleko*. For example, for new comers at ACC in order to make a good impression to their superiors and colleagues, everyone cares about his status. One must be careful not to offend any. It is better to hide your true opinion or else you are cited for inefficiency. You could be retired in national interest and dismissed as stated in the law for public service workers under the public service commission regulations Chapter 259 of the laws of Zambia (ACC staff, 2016). Such top-down disciplinary control is rigid at the ACC Director Generals office in Lusaka giving room for officer to negotiate their way for employment survival. To survive this kind of rigidity, officers engage in some strategies for economic and social benefit for their own career progression. They invite their superiors for lunch and better still offer gifts hence the persistence of *Nichekeleko* such as gift giving and favouritism in promotion. My point is that such kinds of strategies are not exclusive to the

ACC offices but inclusive to the WB operations as well. For instance, to avoid arbitrary transfers WBOs devise strategies for their employment survival. (See chapter 5)

Further, since the regional managers under ACC have a dual reporting relationship between them, disciplinary rules, which require them to observe are rather weak as from time to time they pay allegiance to party functionaries in the provinces as opposed to the ACC DG at national level. Such top-down disciplinary control is even more rigid at the province since regional managers enjoy more privileges than those at national level and are part of the provincial political administrative structure. Their relationship with the provincial minister is subject to disciplinary rules that require the subordinate to implement decisions and to execute instructions from the superior party officials. Most ACC officers interviewed seek provincial appointments than national ones as it has more social and economic privileges that do not come on a silver plate but with elements of gift giving and that of hero-worshipping based on social relations. In linguistic terms, the colloquial *Chewa* and *Bemba* terms, at the core of these are social relational concepts such as *mwami bazungu*, meaning my boss. These concepts have innate characteristics implied in *Nichekeleko*.

One informant during interviews said, before one is appointed as regional manager for ACC there is “personality screening” or famously known as “security vetting” in line with the development agenda of the party in government. Therefore, choosing and placing the “right” staff, as regional manager at ACC is considered crucial. The primary criteria of selection are the candidate’s political affiliation and “manifesto” (literally means “party spirit” and actually means one’s tendency to follow leaders) which is a clear form of engaging in *Nichekeleko* involving patronage. The behavioural conduct of *Nichekeleko* in terms of patronage is at political level, but at the WB, the word is *lupwa*. See an extensive discussion of “lupwa” in chapter 8. The *lupwa* phenomenon of employment for WBOs is similar to the political patronage appointments experienced at the ACC. When an operator is employed under the “lupwa” phenomenon, it implies his ways of acting and thinking will reflect the *lupwa* disposition. This infers that the conduct of *lupwa* reflects the WBOs life world, which helps to perpetuate the whole *Nichekeleko* phenomenon at the WB.

In an organization governed by such rules on decision-making during recruitments, dissidents are easily singled out, ostracized and given discriminative treatment since the leaders enjoy great discretion in task assignment, performance evaluation and promotion. It means that opposition from bottom-up will be rare and can easily be frustrated, if it occurs. For example,

former ACC director general Paul Russell was victimized for investigating the late president Michael Chilufya Sata, and was ostracized by the MMD leadership then and called a ‘‘British spy’’ (Post, 1992). Equally, many WBOs who refuse to toll the behavioural characteristics of *Lupwas* are blacklisted and some retired on national interest. Wierzibicka on this issue affirms that a man's applied viewpoint on life is obviously affected by his local dialect" (1997, pp. 206). In this way, it is not coincidentally that WBOs see their lives as far as being included in *Nichekeleko* as individuals from the "lupwa" family. It is these relations of power expressed in specific *Chewa* derivative words reflecting content of conducts which most studies have missed that has given rise to *Nichekeleko* persistence in Zambia.

- **Rank jurisdiction**

This is a clear case where the ACC officers are subjected to anti-corruption investigation strict rules of rank-jurisdiction shows the strong desire of the top political leadership to reserve top-down control over anti-corruption investigations. It grants privileges for the powerful, places them above the law and manifests a questionable commitment to uproot corruption. This practice is similar to the one at WBs where those found wanting are junior officers and when arrested are prosecuted merely as sacrificial lambs. In WB circles, the concept used is “*Mulanda*” meaning a poor man in relation power. When the concept of poor man is used, it infers to a feeling of powerlessness. It is only the WBOs who are materially insufficient that are arrested with convictions secured. Hunt and Benaji (1988) confirm that different language concepts and cultures are usually self-evident reflecting patterns of thought and action that are interlinked to relations of power. Therefore, to question language validity on the basis for the lack of evidence is to equally misunderstand the phenomenon-taking place at the WB because according to the participants, the phenomenon is social support to protect the poor man *Mulanda*.

At the ACC offices, most anti-corruption investigations are subjected to the strict rules of rank-jurisdiction that shows the strong desire of the top political leadership to reserve top-down control over anti-corruption investigations. It grants privileges for the powerful, places them above the law and manifests a questionable commitment to uproot corruption. This practice together with those concerning the decision-making process mentioned in this chapter constitutes a facilitating atmosphere for *Nichekeleko* to show within an establishment such as the ACC and at the WB.

7.4 *Nichekeleko* in the Zambia Police Service

Getting to data on policing in Zambia ended up being extremely troublesome, as a great part of the data is esteemed not for open utilization. In 2008 Amnesty International additionally revealed that; “it is hard to access data held by the police in criminal cases including human rights infringement” (pp.907). “It is even worse to gain legal representatives for the accused from the human rights organizations acting on behalf of victims, their families, and the Human Rights Commission” (pp. 34). It would help the situation if the criminal procedure code had inserted a law requirement to compel the police to fully disclose relevant documents to the legal counsel representing the victims.

According to the constitution of the Republic of Zambia, the Police Service is provided for in the Act of 1991. The Act provides for the services of the Police. Under article 104, the Act provides for the functions of the Police. Thus, “to ensure the protection of life and property; to preserve laws; to detect and avoid wrongdoing and to coordinate with the non-military specialists and other security wings as established in terms of the Constitution and the population generally”.

This implies the law that accommodates the establishment of the Zambia Police Service just meet the essential necessities accordingly; to ensure protection of property and lives. In any case, the control of law is undermined by crisis enactment. The Preservation of the Public Security Act, 1960 (Act 5 of 1960) gives the President exceptional powers to keep any individual indefinitely without trial. While the courts can compel the police to deliver a prisoner, they do not have the ability to call the victim.

The issue here is that despite all these legislations the image of the police has been damaged thus from being a friend and a protector of all to part of the criminal minority who indulge in *Nichekeleko* every day. For example, the data obtained during interviews with police officers stationed at the WB revealed that police officers use the WB (roadblock) for personal gain. A clear example this study obtained is from how investigations are carried out. This phenomenon is locally known in police circles as *Kufufuza*, meaning handling the leads. However, is the start of the *Nichekeleko* phenomenon during investigations by the police. *Kufufuza*, is an implied word in *Nichekeleko*, exclusive to the police.

During interviews with a former deputy commissioner of police he helped to explain current practices embedded in police officers or investigation officers on how citizens’ reports are handled in any criminal matter, it be corruption or anything. According to the commissioner,

90 % of the leads will go to the chief division criminal investigator directly after it has been reported. Then the *Nichekeleko* such as that of favouritism will follow, depending on the closeness of the personal relationship between the Chief Division Investigator and the condemned official. This phenomenon is when the chief happens to bear a grudge against the official. The chief would instruct the investigating agent to start the investigation “seriously” commonly known as “*Kumpachika in Chewa*” (meaning to crucify him) and “immediately”. Other phrases used include *Niolakwa kale uyu, alakwila boma* in *Chewa* meaning, he is already guilty as he has already offended the government. When the reported corrupt conduct is confirmed, the chief investigator would set the tone of the concluding remarks to ensure that his opinions are followed before he holds the division meeting. The second phenomena are when the chief investigator has a good relationship with the condemned official. The chief investigator would then intercept the report, not to register it, and summon the official for a “talk”, commonly known as “*Kuzima moto*” in *Chewa* meaning to “extinguish the fire”. During the conversation, the chief investigator would leak the report and emphasize the severity of its consequences if he decides to initiate an investigation, until the official pleads for help and lenience. He pleads not empty handed, but often offer a gift, commonly known as “lunch” or *mafuta*” meaning oil in *Chewa*. These are common phrase and words used by the Zambia police officers are embedded in them and are implied in the concept of *Nichekeleko*. The *yamafuta* concept is exclusive to police officers. In short, it is the “*Nichekeleko* phenomenon of *mafuta*” which is ignored in most academic debates that perpetuates the practice. The prefix “ya” stands for a job. While the verb “mafuta” can imply anything such as material or nonmaterial such as emotional support. It is an embedded culture not to start investigations without “*mafuta*” being given to the police officer, especially if it is a private citizen complaining of theft or robbery. The *yamafuta* concept is implied in the *Nichekeleko* word similar to the phenomenon common at the WB, except that the *yamafuta* is only applicable in the police service but its content and applications is synonymous with the *Nichekeleko* phenomenon one at the WB. For example, the WB houses a police unit permanently stationed there. During interviews with police officers and the surrounding community at the WB, data revealed that the police officers manning the road blocks when a TD has reported mistreatment from the WBOs, police official registers the complaint as *Thandizo* meaning “help” as a personal favour to be reciprocated. According to data, this is a pertinent description of the *Nichekeleko* phenomenon during anti-corruption investigations and it is applicable not only to lead handling but to all phases in the investigative process.

This section will also demonstrate how actors conduct *Nichekeleko* phenomenon in the Zambia police service using practical cases. These cases are categorized in two groups. The first group refers to the phenomenon, in which an investigation is conducted for the private benefits, either financial or non-financial, for the investigator. The second group refers to the phenomenon, in which an investigation is not conducted due to the private benefits of the investigator. The cases to be introduced concerns the Chief Investigation Official (CIO) in the Zambia Police Service and the Anti- corruption Commission as the external monitor for those involved in *Nichekeleko* as well as the leaders of the Zambia Police and ACC as internal monitors of the place in Zambia as follows:

Phenomenon (1): *Nichekeleko* conduct by carrying out investigations

The first phenomenon refers to the situation where an anti-corruption investigation is carried out to realize the investigator's private interest including both financial and non-financial interest

i. For non-financial interest

Data sourced during interviews, with ACC officials and police officers, was difficult to obtain because most officers are unwilling to reveal. For this study, I relied on the former commissioner of police and the chief Investigations officer who had this to say; "to conduct an investigation for non-financial private interests is mainly a conduct, carried out to take revenge or to remove a political rival or threat" "Some of the revenges are performed based on true evidence of corrupt conduct while some are carried out by perjury⁷¹, such as the case of Mr Richard Sakala imprisoned for two years on the ground of corruption charges mainly because he had crossed path with the late head of state Mwanawasa when he was a Vice president." In 2001, Sakala was one of the key players at State House and in his book titled "Mockery of Justice", stacked his book with signs of how the counter corruption crusade started and later lost in the process by a group of lawful specialists and journalist who were at first against the race of President Levy Patrick Mwanawasa for president. Sakala, names these people in the book. It is a book depicting the head of State Mwanawasa under attack, held to reciprocate as a by-product of political of favours. Sakala, names these individuals in the book. It is a book portraying the head of State Mwanawasa under attack, held to convey

⁷¹ Perjury is a demonstration of swearing or distorting information. As opposed to well-known confusion, no wrongdoing has happened when a false proclamation is made while under vow or subject to punishment. For instance, it is not perjury to lie about one's age unless age is a reality for making an opinion at law.

as an end-result of political favours, individual relations, and money related licenses. The book just reflects how some corruption investigations are coordinated to render retribution in the political field. According to Sakala, “the President was forced, for political expediency, to accept an offer he could not refuse. Post Editor in-chief, Mmembe, his lawyers and business partners- Mutembo Nchito offered him ‘leadership’ of the ‘anti-corruption’ campaign, which they had enhanced using secret information from the Zambia Security Intelligence Services” (2010, pp. 89) Mr.Sakala's previous boss, President Chiluba, opened the foreword assaults from another point, depicting the anti-corruption campaign under his successor as a Western-supported plan. This book is a push to give a targeted study to the paternalistic legislative issues of purported donor governments that have kept on managing the pace of political and financial advancement of their previous colonies. Chiluba says in the Zimbabwean President Robert Mugabe style, “The charged crusade against corruption is basically the intrigue and spread of western governments to enforce a managerial change in the developing countries” (pp.76). A seasoned columnist in his own particular right, Sakala is a previous leader of the Press Association of Zambia (PAZA) and chief editor of the once prestigious Africa Literature Centre in Kitwe that prepared a many Zambians and other African writers. Utilizing his journalistic foundation, Sakala, goes up against the Post daily newspapers, blaming the management for tossing morals out of the window, wanting to settle scores. Sakala writes;

“I found to my dismay that using lawyers was not only expensive but very frustrating. The legal fraternity has created for itself a structure and framework that bears little resemblance to reality, the multiplicity of forms, submission procedures and archaic language seems designed to dissuade any ordinary person from seeking redress” (2010, pp.34).

For example, Sakala questions the logic of Fred Mmembe’s travel to London to testify as a state witness in a case against Chiluba but at the same time wanting to pretentiously pose as an objective journalist when covering the same case. For Sakala, Mmembe’s conduct in the investigation process is a clear testimony for engagement of *Nichekeleko* phenomenon to mean support contextualized in vengeance and perjury. There is basically nothing exchanged during Sakala’s arrest, but it is some kind of political support based on relations of power between the President and the journalist. For Sakala, he argues that: “no reasonable journalist testifies in a case in a foreign country who has never worked for a government agency” (2009, pp.89). The journalism profession on the other hand demands, “a high professional ethic that should ensure moral neutrality, accuracy, truthfulness, fairness and balance” (2006,

pp.908), Sakala lectures to the Post newspaper appropriators. According to Sakala, the Editor of the Post newspapers, as a prosecution witness cannot be expected to serve an impartial and objective role given their own commercial as well as personal interests. Sadly, the public cannot distinguish when the post is posturing for self-interest and when it is genuinely presenting an objective fact – this being the result of professional compromise.”

Away from the Post, Sakala attempts to show in the book a number of glaring financial irregularities in the Taskforce created by the late President Mwanawasa and headed by Mr Mark Chona. In the book, Sakala shows the lack of tender procedures when awarding contracts. He contends that, “the taskforce has been prosecuting cases concerning non-adherence to tender board procedures and yet the audit report is replete with cases where it abused the system”, (Sakala, 2010, pp. 75). He, for instance, gives an example where a UK firm was awarded a contract for a month. However, it is public knowledge that the author served a jail term of two years with hard labour for abuse of authority and theft of a motor vehicle. Sakala argues his innocence even now and blames Zambia’s legal system for his sentence to *Nichekeleko* common as to the one at the WB. He equally blames the judges and the tedious legal procedures, which he said could not guarantee justice for a man without a power. The story of Sakala is a demonstration of how power relations between the President and the post Newspapers editor are interlinked to *Nichekeleko* phenomenon. In short, no kind of conduct to favouritism or perjury can take place without power. For Marilyn on power stated that; it is the primary value in the political and social world. In the case of Sakala, power was the ability to compel obedience and favouritism.

Sakala then swings to the Law Association of Zambia (LAZ), blaming the body for abandoning its obligation of giving insight on key issues of national significance. For example, he alleges how the previous executive Director of Public Prosecution (DPP) Mukelabai (late) had sacked Mutembo Nchito from prosecuting him, however, Mwanawasa overruled the DPP notwithstanding when plainly Mukelabai was not subject to the course of any law. Moreover, LAZ stayed silent when the Constitution was being mutilated in this manner, a sub-title of the book is: "Rule without Law Legacy 2001 – 2008– the term served by Mwanawasa".

Therefore, in this case, Sakala’s mistreatment or predicament was not only a result of the fact that an independent judiciary does not scrutinize decisions. It is also a result of power relations in the anti-corruption institutions such as the police and the ACC. These institutions

permit an ungrounded decisions formed by an individual leader to be unconditionally implemented by subordinates. This shows that sometimes when the investigators failed to obtain any evidence of corrupt conduct none of them (ACC staff) seemed to have the courage to challenge head of state's superior's decisions. This demonstrates how the conduct in *Nichekeleko* phenomenon without financial interest flourishes at investigation stage but all facilitated by power relations giving an opportunity to the persistence of the problem in Zambia.

Further, law and justice are ignored by blatant abuse of power relations and the only effective remedy comes from the interference of the higher power, in law circles, referred to as an 'act from God' as by death of a national leader who Richard Sakala had crossed path with as the only saviour for Sakala's freedom which proved impossible. In short, Sakala had reached the end of the road and hence his finally being imprisoned and serving the two years sentence. This story is an illustration for the reasons of the irreversibility of *Nichekeleko* much talked about exist today in Zambia. It also is a demonstration to the fact that corruption takes various forms influenced by multiplicity of relational power such as 'power over' and power with'. Nevertheless, for WBOs this phenomenon in institutions mandated to fight corruption is *Nichekeleko*. The link between what takes place in the public institution to fight corruption is on the story of the former WBO Edward Bwalya based at Kapiri- Mposhi WB. For the WBOs, the appropriate word is *Nichekeleko* and not corruption as a testimony in Bwalya's story. Bwalya was transferred from Mpika WB to Kapiri-Mposhi on disciplinary grounds accused of insubordination (translated in *Chewa* as *Wanthota*) for failure to obey lawful instructions from his superiors in Kasama in the northern town of Zambia. He was once a trusted lieutenant of the Provincial Road Engineer (PRE) for Northern Province. Having worked closely with the Road Engineer for a long time, Bwalya knew quite a few "dirty secrets" particularly about the extravagant construction project of the Kasama-Mpulungu resealing road maintenance which was commonly known as "NORAD RESEALING PROJECT". Soon, Bwalya started to send letters to the authorities; thus; the former Director of Roads and the Anti-Corruption Commission on the corrupt conduct in the construction project. However, one of Bwalya's letters was intercepted by a registry clerk, who was the brother in-law to the Provincial Road Engineer (PRE) for northern province but stationed at RDA in Lusaka who also worked at Mpika WB but as a security guard and was not in good social standing relations with Bwalya when both at Mpika.

The Provincial Engineer for Northern Province at Kasama town was immediately informed of the letter. Outraged, PRE Kasama ordered to intercept the rest of Bwalya's report letters from the post offices and complained to the then Director of Roads (DR) and his rank counterpart for central province to establish a corruption case against Bwalya. The Provincial Road Engineer in an effort to maintain rank (peer) solidarity reported Bwalya to the ACC in Kabwe and Bwalya was arrested for false corruption allegations. At the same time, upon PRE Northern Province instructions, Bwalya's wife and son were also arrested as accomplices in the corruption allegations. Six months after having been detained Bwalya was prosecuted for embezzlement, bribe taking, forging government documents and seals, all based on ungrounded allegations. Bwalya was denied access to a lawyer and visits from his family because both he and his wife were facing corruption charges. The day before a scheduled date to appear in court in Kabwe. Bwalya was given a legal aid representation through his friends who had managed for him to contact them and for the first time to meet his lawyer. Just a few hours after the meeting with the legal aid team Bwalya complained of fever and died a few weeks later at Kabwe general hospital.

In the above two cases, the vicious vengeance of the PRE Kabwe (Central Province) and Kasama (Northern Province) in Bwalya's case are shocking. However, we should also take note that in the two cases the revenge succeeded through the two vindictive leader's individual efforts. Their success in the ungrounded decisions for revenge was loyalty (solidarity of peers) and effectively implemented by their subordinates. This strictly disciplined superior-subordinate power relationship is one critical feature of providing an enabling environment for actors to engage in *Nichekeleko* phenomenon at anti-corruption commission as well as the Zambia Police Service, which is normally called "*Kumpachika*" translated into English as an act of vengeance or putting a culprit on the chopping board or rather to crucify "*Jesus*". This institutional design constitutes the deeper root of the reasons why *Nichekeleko* phenomenon in the Zambia police and the ACC persists. The phenomenon is facilitated by power relations implied in *Chewa* derivative words of loyalty and vengeance that sustains *Nichekeleko* even after individual corrupt offenders have been exposed and removed. In some cases, as mentioned above, some actors involved in *Nichekeleko* have not necessarily led to the punishment of the perpetrators. This story confirms the conduct of *Nichekeleko* without financial interest or exchange but peer solidarity or support for one other as actors in the phenomenon. Therefore, failure to notice the significance to the *Chewa* derivative words (i.e. *Kumpachika*) and its semantic differences reflected in *Nichekeleko*,

scholars who have taken this position have ended up misunderstanding everything they wished to uncover on the subject of corruption. My argument is that if the local concept *Nichekeleko* is used to describe the phenomenon by most scholars and enshrine it in the law it would help to confirm the powerful grip native language has on our lives and habits.

ii. **Investigation conducted For financial interests**

Unlike in the circumstance where an anti-corruption investigator or the police conduct an investigation as a personal revenge against the victim, but when an anti-corruption investigator conducts an investigation for private financial benefits, they will have to engage someone, who can gain from the conduct of the investigator and hence is willing to provide the benefits to the investigator accordingly. During interviews with our informants' the former commissioner of police and the chief investigations officer at ACC revealed some kind of conspiracy between actors involved in *Nichekeleko* in every other situation. For example, the personal grudge between the PRE Kasama and the WBO stationed at Kapiri-Mposhi was considered, as a career rival whom Edward Bwalya believed was corrupt. PRE Kasama sought for help from his colleague, PRE Kabwe to launch an anti-corruption investigation against his rival Edward Bwalya upon PRE Kasama's instruction. PRE Kabwe reported Edward Bwalya to ACC and the Zambia police enlisting allegations against Bwalya. After the registry Clerk intercepted the letter however, did not immediately launch the investigation or report the matter to police and ACC. Instead, reported the said to PRE Kabwe, "there are some problems". The allegation lacks evidence". When PRE Kasama started to worry, PRE Kabwe mentioned in passing, "Recently, I bought a new Toyota Crown vehicle but I am short of money for interior decoration. Do you have some money?" Afterwards, PRE Kasama gave PRE Kabwe some \$2000 US dollars as a top up for the Toyota Crown. Only then, did PRE Kasama personally instruct his friend PRE Kabwe and the registry Clerk to proceed with reporting the matter to police as a matter of urgency. Nevertheless, when the matter was reported to ACC and the police, the investigation officer informed PRE Kabwe that the accused is his personal friend and therefore, he is personally connected with the WBO dating back to high school days. The investigations officer, demands that before he proceeds with this case, he is given transport money, as he will not be the one directly investigating the reported corruption allegations. He makes it clear to the complainant; "that such cases require neutral officers to investigate it". Meanwhile, he privately phoned the WBO about the latest development on the case. In panic mood, the WBO at Kapiri-Mposhi decides to visit the investigations officer (his friend) for possible

destruction of evidence. This is done on condition that money is transferred into his private account bearing in mind that there are many beneficiaries to it.

In this case, it seems clear the possible control in the progress of investigation by the investigations officer and the PRE Kasama. It was either the launching or the suspension of investigations. Therefore, by simply giving orders to his subordinates was almost eminent but did not succeed. The PRE Kasama's capacity to exploit the 'friendship concept during investigation was well understood by the registry clerk and his counterpart, PRE Kabwe which is why he solicited the corrupt "service" from his counterpart, PRE Kasama. However, what the PRE Kasama was not aware of is that the WBO at Kapiri-Mposhi WB was well connected to the social system than he had thought. This gave the case an interesting twist - the investigation backfired. It turned out that before the investigation against the WBO could succeed, the WBO had managed to mobilize the investigation officer to his side in the same social class in terms of rank and hence congruent power relations had thwarted an investigation. It also was a clear testimony of peer solidarity and the intricacies of social networking that is embedded in the word *Nichekeleko* as shown in the behavioural conducted of actors in anti-corruption institutions in Zambia.

Antoni and Zenou (2004) on social networking stated that, "they have a multiplier effect, because of social interaction; individual decisions feed each other and have a capacity of the observed aggregate outcome" (pp, 98). The influence of friends on behaviour in criminal literature has been acknowledged for a long time now (Shaw and McKay, 1942; Sutherland, 1947; Sarnecki, 2001; War, 2002). While in economics the empirical evidence collected so far has suggested that peer effects have had a lot of strength in criminal decisions. From evidence collected during interviews with the former commissioner of police and the chief investigations officer at ACC, the above case illustrates peer connections having a profound effect where money is not necessary the factor that thwarted the investigations for the WBO at Kapiri-Mposhi. In a sense words such as *Bwenzi* meaning friend in *Chewa* may seem obvious to have special culture-specific meanings reflecting not just methods for the living standards of a given society but ways for thinking. In the forgoing case, WBOs did not just talk about *Nichekeleko* but practiced *Nichekeleko* using not only the word *Nichekeleko* but all other concepts associated with this word, such as "lupwa" "*Bwenzi*" and "*Muzanga*". Clearly, the concept *Nichekeleko* reflects not just the presence of a specific social custom but also a state of mind about the existence's essential occasions that probably gives an opportunity for its persistence in Zambia.

Phenomenon (2): *Nichekeleko* phenomenon by NOT carrying out investigation

In this scenario, “no investigation” refers to the cover-up of a corrupt practice so as not to trigger an investigation. It also includes suspension of an on-going investigation as well as a premature conclusion of the investigation. The most recent example is the *nolle prosequi* entered by the Director of public prosecution (DPP) on those alleged to have been involved in corrupt phenomenon at the WB in 2002. The times of Zambia reported that the DPP dropped a charge of bribe taking against Mr Patrick Kamana and Mr.Thomson Mweetwa after having taken a bribe of \$200 US dollars (Times of Zambia, July, 18, 2003). Kamana and Mweetwa were also granted police bond on a similar case before the one involving \$2000 US dollars to a suspect of money laundering⁷². Similar practices are found in the case of former Republican President Fredrick Chiluba’s lieutenant such as Mr.Savior Chungu, the former Chief of Intelligence and Dr.Kashiwa Bulaya. In case of Kashiwa Bulaya the state did not give a valid reason for withdrawing investigations (Sakala, 2005). This is an example of the most notorious form of abusing of power. Zambia generally has adequate laws necessary for the fight against corruption and its predictable offenses (Goredema, 2007). However, adequate laws in themselves are not sufficient. Experience gained during interviews with informants revealed that WBOs abandon the fight against corruption because it does not enhance their chances of investing in properties. Everyone is pre-occupied with property investment, as they do not know when they will leave employment.

In any public institution, the immediate monitor of corrupt activities is the head of the institution and the covering-up may start there before it reaches specialized anti-corruption institutions. However, this is not the case at the WB. In fact the head at the WB like to be referred in *Chewa* as *bwana*. At the WB one of the *Chewa* word implied in the *Nichekeleko* phenomenon is known as “Inde Bwana” an affirmation for “Yes Sir.” Often the word ‘*Inde Bwana*’ (an adverb), summarizes specific actions by the TD and the WBO, reflecting specific events and instructions not to investigate anything mischievous between them. The word “bwana” does not just represent a subordinate superior relation, but at times the subordinate is also referred to as “*bwana*” depending on what is at stake being investigated or exchanged. Other critics would say, it simply confirms power relations between the actors, in short between the superior and subordinate. Nevertheless, during observation at the WB,

⁷² This is a process of converting proceeds of crime such as assets and money into personal property

the word reflects and permits certain point of view on human doings and instances. This is a powerful word, that subordinates and superiors use to encourage the TDs to reciprocate in the exchange of gifts during investigation. Those in need mentally force the TDs to offer a gift or favour to the WBOs speaking the word. In *Chewa*, a WBO would express statements such as a *Bwana Ndimwe* meaning you are the “boss.” Such words derived from *Nichekeleko* reinforce actors to indulge in it during investigation in Zambia. The word provides a cover-up to all micro-socio activities deemed insignificant but not in the lens of those involved. They literally mean support for each other, in times of need and even times of plenty. This also confirms that the cover-up is not usually exposed when it involves senior officials’ lives in the investigation process.

In the police, sometimes, when the evidence of corrupt conduct of the suspect is too strong and too risky for the anti-corruption investigator to cover, the investigator can render a lenient sanction to close the case. The lenient action known as “*Mpulumutso*” in *Chewa* is another version of *Nichekeleko* without economic value. My argument is that *Nichekeleko* is not only in economic value but also in leniency confirming the support system that is systematic even during investigation process. Fortunately, it is the same word used at the WB, and carries the same content, as used by police officers. For example, data collected in the police service concerning the lenient sanction can be termed as the “what happened effect during investigation.” It is what happened in terms of memory; time and statements uttered which determine the pace of investigation. During investigation, every moment is actually crucial, as the prosecutors proceed with investigations. There are times they are intimidated by perpetrators of *Nichekeleko*. For example, when the perpetrator of *Nichekeleko* is a relative or son of the senior official at RDA, the investigator usually receives intimidation, or threats, and maybe reluctant to proceed with investigations. Understandably, under such circumstance a leader would have stronger incentive to help his subordinate to be free from investigation if the leader was also involved in the *Nichekeleko* conduct. The suspension of 18 WBOs was one such a case where investigation failed to discover the truth as manifested by simple fact of intricate relationships of those involved. This was proof enough to show that the *Nichekeleko* of bribery or favouritism at the WB operated like an enterprise-involving network of relations. One of our informants at the WB revealed that a prosecutor was bribed in order to abort the investigation because of obstruction from the father to the accused at the WB. It was later reported in the newspapers that the alleged *Nichekeleko* scandal concerning

WBOs operating at Kafue WB lacked requisite evidence as a result the investigation through a commission of inquiry was rendered irrelevant.

In the Police service, sometimes, a corrupt offender succeeds in having his case dropped by obtaining confidential information about the informant of the crime to seek revenge. This scenario is the same at the WB. For example, the case of Mr Charles Chaile at the WB in the North Western Province of Zambia in Solwezi town, where it was established during court proceedings that the accused was threatening the prosecutors with revenge as he had obtained information to incriminate them also. Leakage of confidential information by WBOs not only provides them a chance to destroy evidence but also puts the *Nichekeleko* prosecutors in peril. This shows how the State and the WBOs are linked to ordinary people through eye-to-eye relations with neighbours who utilize personal network systems to sustain *Nichekeleko* phenomenon at the WB.

In conclusion, this section has alluded to the lacking of effective institutional support, provided to the corruption informants, especially whistle-blowers, who report the crime not out of private but the corrupt suspects because of the protection, sometimes tragically expose public interests, to persecution from participants by the Zambia police officers. This equally contributes to the perpetuation of the practice in Zambia. Hood on corruption as being facilitated by institutions argued that, “prosecutions are not exclusively the responsibility of the police” (1974, pp.161). In Zambia, the function of prosecution falls under the jurisdiction of the DPP. This section has identified the deeper root cause of *Nichekeleko* phenomenon in anti-corruption institutions perpetuated by power relations reflected in the language semantics used. Nevertheless, the disciplined superior-subordinate relationship, which is originally designed to induce unconditional compliance and top-down control, guarantees the irrepressibility of the problem as it equally strengthens the ineffective implementation of strategies to reduce *Nichekeleko* in Zambia. Under this condition, *Nichekeleko* perpetrators can effectively deploy a much greater volume of human and institutional resources to fulfil their *Nichekeleko* objectives hence its persistence

Therefore, the “rank jurisdiction” stratifies the power of anti-corruption institutions at various levels as well as their related corrupt interests. In doing that, it preserves the current power structure and allows the powerful and resourceful to continue to conduct *Nichekeleko* of various forms with impunity. It also raises doubt on the sincerity of the anti-corruption measures, impairs its trustworthiness, weakens its deterrent effect and enhances the common

belief in power rather in law. It is not surprising that when high-rank politicians, such as Dr. Kashiwa Bulaya the former senior civil servant in the Ministry of health and the late President Chiluba for the Republic of Zambia fell out of power and was put under investigation for their corrupt activities, their first attempt was to seek for protection from “above”. They readily fell in a fraud set up by a few “*Nichekeleko actors*”, who claimed to have strong connections to the newly elected government of President Mwanawasa. It was alleged that Mwanawasa, set up a task force to fight corruption but paid the prosecutors (i.e., .Mutembo Nichito Brothers) over \$230 million dollars (Sakala, 2006) that I can affirm would known in *Chewa* as *Chiongoro Djanja* or meaning the “operating fee”. This “operating fee” is a clear manifestation of the *Nichekeleko* phenomenon which may not always be in monetary value but social support.

The native language I dissected to reflect specific events on this thesis helped me to stare every actor of *Nichekeleko* on the face. For example, upon receiving the “*Chiongoro djanja*” (operating fees) the brothers prosecuted Dr .Bulaya, but the amount involved in prosecuting the culprits is more than what has been recovered. Therefore, it is neither surprising that when a perpetrator is exposed and punished; the observers are more inclined to attribute the punishment to the perpetrator’s falling out of protection of power rather than his breach of law. Consequently, it encourages the potential perpetrator to invest more in power relations as a counter strategy rather than refraining themselves from abusing power. This investment in power relations is implied in concepts commonly used by police officers and WBOs. For example, *Ombuwa-Mbuwa* meaning already connected. The expression “ombuwa-mbuwa” in colloquial *Chewa* is a reflection for stronger ties between subordinated and supervisor. Therefore, the effects of the anti-corruption measures are greatly mitigated, rendering them irrelevant towards the effort to reduce the *Nichekeleko*.

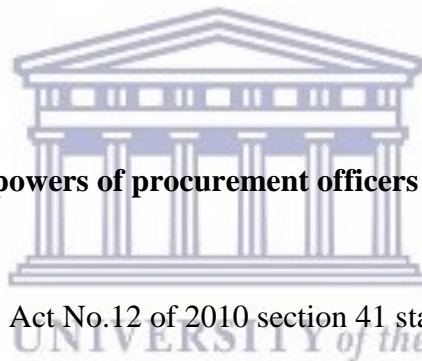
In general, the particular institutional design of anti-corruption institutions that governs the decision-making process creates the same environment as that of other public institutions, where *Nichekeleko* persists such as the WB. The cases introduced in this section only represent a small portion of *Nichekeleko phenomena* in today’s anti-corruption institutions. Nonetheless, it demonstrates that the occurrence of these activities is not only the result of moral decadence of individual perpetrators but also an outcome of the institutional defect in analysing the practice from a localized concept from which *Nichekeleko* gives entrance assisted by the discriminative practices of “rank jurisdiction”, based on what anti-corruption investigations are carried out.

7.5 *Nichekeleko* phenomenon at the Road Development Agency (RDA): The Procurement policy and system

This section intends to demonstrate and explain how *Nichekeleko* occurs at RDA by relating it to corruption in public procurement and the particular measures that procurement regulation utilises in order to combat the problem. The study gives an indication of how procurement-related anti-corruption measures overlap and influence each other at the WB too. Therefore, by showing how decisions are made on procurement helped us to demonstrate the deep-rooted *Nichekeleko* phenomenon at RDA's WBs. The task was to show similarities of corruption conducts at RDA HQ, with the embedded *Nichekeleko* practices pertaining at the WB. The objective of this section is to show flux of expressions; perhaps a picturesque to the conduct of *Nichekeleko* phenomenon at the WB.

According to Smith (2009), "most international anti-corruption conventions require the maintenance of transparent, competitive and efficient procurement systems as part of the measures to address corruption" (pp.12). This is because public procurement as a sphere of government activity is one of the areas in which bureaucratic corruption manifests. According to Hwange (1998), "public procurement is susceptible to corruption because of the large sums involved" (pp.21-23). From this analysis, it is believed that the large sums involved in procurement proceedings are non-commercial in nature of procuring entities. Therefore, "the nature of the relationship between the decision-maker and the public body, the measures of unsupervised discretion, bureaucratic rules and budgets that may not be tied to specified goals as well as non-performance related are said to offer an opportunity for actors to involve in corruption" (2009, pp.23-31). One would safely say, public procurement presents the opportunity for corruption because of the asymmetry of information between the public official and the government. For Hwange, "the public official holds more information about the procurement process and the procurement market, the official is able to use this knowledge to his advantage by manipulating the procurement process, should he choose to do so. This confirms how the concept of corruption at RDA has never been the best to explore its persistence. In steady, I suggest *Nichekeleko* is. Here is why and how. The essence of this section is to explain the variance in forms of corruption from two guidelines at RDA procurement process, similar to the one at the WB in order to confirm the reason for *Nichekeleko* is persistent in Zambia. In the first place, I have not left from the stipulation between minor and major types of corruption that is common in the road sector because it

allows us gain insights in the conduct of *Nichekeleko* phenomenon at the WB. Therefore, as already discussed above 80 % of petty corruption taking place in the procurement department is based on common ties of mutuality, gift giving, and relational conviction. Further, major corruption is mainly based on retrieved contract documents as well press reports about senior officers implicated in corruption scandals as large part of political scandals. As for *Nichekeleko*, procurement officers at RDA HQ equally sustain it through the broad utilization of gift giving in social relations where favours are allowed. According to data sourced through interviews with officials at RDA the bidding process is well known by officers in the procurement department who alert their friends. This study was particularly concerned with the whole procurement process is susceptible to *Nichekeleko* conducts similar to the one at the WB. According to sourced data through interviews at RDA headquarters there is a pertinent description of *Nichekeleko* practice in the procurement process similar to the one pertaining at the WB. To demonstrate how such is done this study has categorized it into specific situations.



Situation (1): Discretionary powers of procurement officers in the procurement process.

According to the procurement, Act No.12 of 2010 section 41 states that:

“All procurement requirements shall be documented prior to the commencement of any procurement proceedings, recording at least the goods, works or services required and the estimated value”. “Procurement shall only be initiated where, the availability of funding for the requirement has been confirmed; and approval to proceed has been given; by a controlling officer, chief executive officer or by an officer designated by the controlling officer or chief executive officer, as the case may be, to perform the function”.

At RDA, the purchasing officers are responsible for the initiation of procurement, while the supplier is mandated to oblige to the procurement process as specified in procurement law of the laws of Zambia. The procurement law empowers the procurement officer to exercise discretionary powers, as he is responsible for taking procurement decisions. However, this law does not provide for internal check for the abuse of power by the procurement officer. Kenneth Davis on discretionary powers states:

“Let us not oppose discretionary justice that is properly confined, structured, and checked, but let us oppose discretionary justice that is improperly unconfined, unstructured and unchecked” (1969, pp.140-146).

A preliminary enquiry into conduct of procurement officers at RDA confirmed that there is much wider decision making by procurement officers when it comes to applying the discretion power on who to invite to the bidding process in the awarding of tenders on road contracts. While it is genuine that discretion is essential to any lawful framework in which individualization has a critical effect, but the legislation has not eliminated the unnecessary discretionary powers in officers exercising it at RDA. It follows that improper exercise of decisions may also fall when the procurement officers decide to split larger contracts that fall below the legislative threshold. For instance, the case of the eight dismissed procurement officers (Engineers-Contracts) alleged to have what was called “confide discretion” that favoured their preferred suppliers who were their “friends”. At the procurement offices, the concept of friendship reminds us of the concept “a *Bwenzi*.” To cut the story short engineers were dismissed for discretionary powers because they favoured their friends in the awarding of tenders for road construction. Like already stated, above the social relations of friendship was regarded as providing the enabling environment for corruption to occur at RDA. Nevertheless, as for WBOs and Engineers this relationship is always considered normal. Using the prism of the *Chewa* concept, “a *Bwenzi*”, is considered normal relationship; with this fact inevitable with results are habitual practices of *Nichekeleko* anchored on friendship relations mistaken for illegal acts in the Anglo-Saxon culture. This implies *Nichekeleko* is perpetuated by friendship ties, a demonstration of affection, understanding and support at procurement department similar to the one at the WB.

The engineers took their case of dismissal to the industrial relations court for “unfair dismissal” and the court ordered reinstatement in their employment positions stating nothing irregular in the procurement decisions they made in the course of performing their duties as the basis for their dismissal. “Discretionary” powers given to them to inform their friends was stipulated” in the procurement law. However, what was missing is to account for the language and social contrasts of cultural practices for the phenomenon to flourish in Zambia. This shows that *Nichekeleko* has become an “informal practices” also, goes about as individuals' best general procedure to control or adventure formal principles by upholding casual standards and individual commitments in formal settings. At the WB, *Nichekeleko* is a socially perceived type of social exchange, seen as a solid example of conduct for

friendliness that characterizes ways how distinctive behaviour of actors can interact inside an inflexible plan of state control. What ought to be clear is that the actors of *Nichekeleko* practices are morally knowledgeable, in that they discover its birthplace in the conventional *Ubuntu* philosophy that helps them to safeguard social harmony and acts as people's best regular strategy to manipulate or exploit formal rules by enforcing informal norms and personal obligations in formal contexts.

Situation (2). Structure discretion.

Another way in which *Nichekeleko* occurs at RDA during the procurement process is facilitated by structure discretion⁷³. According to the procurement Act No.12 of 2010, institutions charged with procurement function are compelled to avoid unilateral decisions without consultations with sector concerned. The objective of this legislation was to avoid conflict of interest by actors involved in making procurement decisions. This law is mandatory in procurement. Nevertheless, the act equally gives the procurement authority in line with sector concerned disqualification powers of suppliers as an administrative measure in the procurement process. The disqualification of suppliers can be facilitated by several elements, but this is not a topic for this thesis. The issues being presented here is that structure discretion is also manipulated to suit actors involved in procurement. While it is true that procuring authorities are given the power to decide on all the substantive elements of the disqualification decision ,except, determining if the supplier is guilty of a criminal offence where disqualification is based on a conviction, but the procurement process according to the data obtained at RDA is subject to manipulation. This is because the Zambia public procurement Authority Act (ZPPA) does not give express powers of investigation and are limited to disclosures by a supplier as proof that an offence was not committed. The procurement law does not prevent actors in the procurement process be connected socially to manipulate the system for their own personal gain, as they use the ‘discretionary structure’ power to suit their needs. For example, data sourced from the court proceedings in Lusaka and Solwezi about the eight dismissed procurement officers revealed that they used the structure discretionary powers to award a contract to Chaile construction limited (a friendly company) to build a bridge in Chavuma district of Zambia that never existed because there was no river to build one. A number of vigorous attempts have been made to control the ‘structure discretionary’ powers through legislations such as appeal of Act No. 15 of 2004

⁷³ See Davis Kenneth (2011, pp.45-7) who distinguishes between confining and structure discretion a statutory requirement to keep discretionary powers within the boundaries of the law through administrative rules and other means.

and the re-naming from Zambia National Tender Board (ZNTB) to Zambia Public Procurement Authority (ZPPA) with varying degree of success. The shortcoming is inability to appreciate the strengths of connectedness, as indicated by which people are not single atomized creatures, but rather social creatures embedded in settled relations (from the family as far as possible up to the state). This is in line with the western philosophical tradition where individuals are not separated from crimes committed, or, as the Japanese say, “he does not have a social face (*hitomae*)” (Yin, 2009, p56). The point I am making here is to emphasize the procedural nature of exchange mechanisms that are common at RDA and other institutions responsible for corruption prevention, according to one informant. The issue is that both institutional and social norms and values matter for distinguishing reasons for endemic corruption at RDA, however a critical trust in social relations are also absent. The lack of integration of conceptual and empirical approach that could have helped to analyse social relations as influencers of *Nichekeleko* at RDA is missing in the procurement law. Therefore, *Nichekeleko* at RDA is an outcome of the procedural nature of the procurement function. Instead of accepting the Zambian values of networking through cultural specific concepts is missing in the procurement law as “accepted practices”, we have instead criminalized them. Failure to recognize social networking implied in local concepts in the procurement process that actors standardise and privileges them creating different types of networks that perpetuate *Nichekeleko* phenomenon at RDA too.

Additionally, through observation and interviews with 10 sampled engineers at RDA, I detected a number of practices similar to gift giving and favouritism at the WB. From this perspective, one WBO stated that “the morality of corruption at local level resides in it being accepted, according to some particular conditions of political institutional and market development, as a common social form of exchange taking place in power relations between actors concerned” (Staff, 2016). I have no evidence to prove that poor or politically unstable countries are more corrupt because they prefer informal or gift-like exchange relations that are embedded in society. This is because the nature of reciprocity and exchange at the WB makes it a universal phenomenon capable of emerging elsewhere in Zambia.

7.7 Conclusion

In conclusion, by analysing corruption in anti-corruption institutions and associating its occurrence with the institutional design of these institutions, this section addresses a more fundamental cause of the ineffectiveness of anti-corruption strategies and practices in Zambia

dispersedly observed and discussed in the previous studies. The chapter adds to our understanding of the complexity of the scene of *Nichekeleko* in which power consolidates private and public interests guiding the exercise of power. The findings of this chapter also suggest that “the tendency to exploit power” and “the desire to preserve power” seems two pivotal drives and original sources to which various forms of *Nichekeleko* conduct occurs, in this case, failure to control it can be traced back to interpersonal relationships reflected in particular vocabulary. How to contain these drives is a more fundamental issue that any governance program has to be confronted with. In addition, to solve this issue requires a change of perception of power, as well as recognition that language is the best reality of cultural habits. This means that social exchange theory of power relations that can convey the understanding of *Nichekeleko* is a more nuanced approach that examines issues from viewpoints as below. .

When *Nichekeleko* as a concept is inserted in the laws, it will provide a platform to explain behavioural of social exchange in which power relations provides an enabling aspect to influences the participant to engage in the phenomenon. This is an emphasis on what is social, unlike for instance barter, the socio-cultural conditions of the exchange determine the assessment of the value of the gift and hence its significance is wrong. Secondly, in Zambia the mechanisms of reciprocity are very attentively constructed as evidenced by common proverbs and sayings. This shows that social inequalities are high and *Nichekeleko* as sociologically known as the social act of exchange should be perceived as a way to reduce social inequality that is communicable impliedly or expressly and can be dealt with by the public. Thirdly, as Befu maintained: “in every reciprocal exchange mechanism there is a universally recognized norm that concerns the degree of help entailed in the practice” (1997, p.225). According to Appadurai (1988), he suggest a “reconsideration of paradigms such as that of the principal-agent, replacing them with other theoretical frameworks in which chains of gifts or trust-based reciprocity networks are built, and reconfigured to meet the demand for a more dynamic understanding of the practice that cuts cross cultures”(pp. 10). Therefore, it is clear in a chapter that linking of corruption between public institutions and the individual is also a matter of shade. The chapter has demonstrated the distinction between common crimes and the behaviour of actors involved in the practice. This confirms the relevance of the explanation that is unique to corruption. The factors that facilitate *Nichekeleko* are associated with the environment in which relations between individuals and the state take place.

CHAPTER 8: PREVENTION STRATEGIES OF THE *NICHEKELEKO* PHENOMENON.

8.1 The effectiveness of the Strategies against *Nichekeleko* phenomenon in Zambia.

As a gesture of acknowledgement, the resolve of the first President Kenneth Kaunda and later Mwanawasa to strengthen the rule of law in the fight against corruption by the enacting several laws as strategies to prevent the practice in Zambia is well understood. The next chapter is solute to look at some of the profiles of the Act (law) and strategies with a view to underscore potentialities and likely problems that have contributed to the proliferation of *Nichekeleko* phenomenon. The bulk of data in this chapter was sourced by analysing anti-corruption documents and regulations both locally and internationally. However, what is also true is that African countries have also established specialised anti-corruption institutions in an attempt to curb the problem of corruption. These have taken different forms such as the independent anti-corruption commissions, ombudsmen or some specialised anti-corruption agencies and strategies. According to Hwang (2010, pp.901-2), “African countries have established specialised anti-corruption institutions in an attempt to curb the problem of corruption”. “These have taken different forms such as the autonomous anti-corruption commissions, overseers or some specific anti-corruption organizations and plans”. However, none of these organizations on corruption were established to investigate the problem using the localized concepts such as *Nichekeleko* in Zambia based on relations of power reflected in their policies and laws. In short, the chapter focused on investigating the effectiveness of government strategies to reduce corruption without considering the localization of the practice in the context of power. This is core purpose of this chapter eight (8) in examining *Nichekeleko* in Zambia. Similarly, as in games have particular semantic words that involve phrasing that is particular to that specific game. To understand the implications of these terms, in that particular game, one would need to analyse the unique situation in which they apply. For example, in basketball, there are many words that are particular to it, only understood by actors who play the game (Marilyn, 2009). My argument is that *Nichekeleko* phenomenon has many derivative words that make sense only to those who indulge in it, which most anti-corruption agencies have ignored in most of their laws and regulations. The following strategies were identified as most important steps undertaken by government in the fight for and prevention of corruption but nothing as in the use of the word *Nichekeleko* accepted as normal practice in the lens of the WBOs and TDs.

8.2 Prevention strategy 1: The Task force on Corruption.

It is believed that the more entrenched democracy and developed a country is the lesser the corrupt tendencies in such a country (Smith, 1989). Nevertheless, this argument opined is not true as in the relation to the phenomenon at the WB. There is no link between governance and the forms of social interactions at the WB. In fact, there is no comparison to investment and the phenomenon at all. Therefore, this western construction of corruption is narrow because it ignores cultural variance implied in the word through conduct of the WBOs.

There have been many distinct articles composed against ant-corruption tradition that is committed to reducing it, with measures aimed at coordinating it at both the public in general and private sectors. These included the models' of preventive approaches, for example, the creation of anti-corruption bodies and enhanced corruption transparent international organizations in the financing of corruption decisions and political groups. For example, in Zambia, the establishment of the Task Force on Corruption by the late President Mwanawasa was an effort to strengthen the existing law on corruption. Similar, the subsequent appointment of Mr Mark Chona to head the Task force Unit on corruption for the purposes of investigating the “plundering of national resources during the previous regime under former President Frederick Chiluba constitute an official acknowledgment, from the highest office in the land, on the high levels of corruption in the country” (pp. 67). However, “the level of convictions for corruption remains low”, only at 6% in 2007 (Catholic Centre for Justice and Peace CCJP, 2004, pp. 71). The question is why are the corruption convictions very low in the country? The answer according to my observations and interviews with 18 WBOs as well as the analysis of most law documents lies in lack of realization that corruption is social. Therefore, a clear realization to include embodying concepts (e.g. *Nichekeleko*) that reflects cultural artefacts of society that creates them would help to reduce the phenomena. The word “corruption” when used signifies that the moment it is spoken the speaker is not interested in the specific actor's ways of lifestyle. The actor is viewed exclusively as a law breaker that is inaccurate but for those involved in it is a normal phenomenon reflecting their lives and conduct to imply a habitual practice of support for one another.

8.3 Strategy 2: The Anti-Corruption laws.

Following up discussions written earlier in this thesis on the ACC Act, chapter No.91 of the laws of Zambia, firstly it is important to mention how the law is organized. The Act is divided into four mainly parts: (1) General provisions; (2) Definitions of specific crimes recovery and penalties (3) powers and functions of the commission and; (4) Evidence,

presumptions and other matters. The effort here was to exhaust the possibilities of useful generalizations about the use of the penal code as copied from the British tradition as well as including the Zambia ways of defining what constitutes a crime. It may be useful to note that some sections of this Act are in conflict with what is understood as common cultural practice in Zambia.

Yaqub (1998), in agreement with the Zambian law on corruption believes it is a criminal offense to equally use traditional words into law. However, what the law and him misses is the failure to explore it as a social act of exchange between those involved. Yaqub, (1998) and Onu, (1999) equally agree on this issue that the commission of corruption is social. Its extirpation should also be social. The problem with the Anti- Corruption Commission Act is that it has only put in place cumbersome process that produce incentives for the actors to engage in various forms of *Nichekeleko* namely; patronage, bribery and nepotism to flourish in Zambia. The objective of the law was to reduce or curb corruption in society, but the failure to capture the phrase in native language (*Nichekeleko*) literally meaning support creates an environment attractive to practice the phenomenon. These are general observations on why prevention strategies to fight corruption have failed. However, an analysis on why the strategies are rendered ineffective to reduce *Nichekeleko* is confirmed during observing of performance of WB duties in the weighing process of truckloads. The processual nature on how *Nichekeleko* is contracted is missing in the law. In short, the engagement of WBOs in *Nichekeleko* involving gifts, sociologically known as the social act of exchange, involves multiple interactions between them, is absent in the law. This shows why the participants of *Nichekeleko* engage in the act of gift giving between them because the phenomenon is a social action; meaning a form of combined action that happens often over time. The law fails to capture interpersonal relations that are too revealing in the phraseology during the weighting process of truckloads. For example, the word *Bwenzi* and *Munandi* in *Chewa* and *Bemba* refers to people who work together and are highly revealing patterns of interpersonal relationships at the WB. These are *Chewa* concepts and derivative implied in *Nichekeleko* phenomenon word commonly used at the WB. AFRONET (2002) on *Nichekeleko* states that “when the concept of *corruption* is used to explain phenomena, it has a narrow meaning because it is used in the context of soliciting gratification” (p46). Instead, if other terms such as ‘*Kuwosha*’ ‘*VAT*’ etc. are recognized in the ACC Act, they would reflect the life-world of actors involved in the phenomenon. Unfortunately, most part of the law, depends confusingly on the English word "Corruption" along these lines loses sight to the

fundamental *Chewa* linguistic evidence on the Zambian forms of interactive relations that perpetuate the phenomenon. The issue missed in the Ant-corruption law is rather the understanding of corruption from a “local concept” as the social reality (act) by those involved in it. The *Nichekeleko* concept is singular and when applied in speech it is another form of addressing an elderly person with respect which if captured in the law would help to isolate criminal from non-criminal actions by WBOs. Therefore, my focus discussions with informants at the WB revealed the socio-political context of corruption from the perspective of those who engage in it. Nevertheless, the diversity of definitions of corruption to include the categorization of human relations is missing in the anti-corruption law that gives an opportunity for its proliferation at the WBs in Zambia.

Other organizations, unfortunately, have also defined it ignoring the cultural diversity. For example, most Non-Governmental Organizations NGOs refers to corruption as involving public servants same as in ACC act No.12 of 2012. However, the NGOs are equally short of analysing it from *Chewa* derivative words such as “Bwenzi maningi.” See chapter four. Each such word reflects characteristics of the Zambian culture implied in *Nichekeleko* at the WB.

On the surface, there would be various accounts of petty corruption I encountered during interviews and observation of events at the WB and yet when I apply the concept of *Nichekeleko* to analyse it, implies to the masked morality quality of common ties of reciprocity in the gift giving and relational trust missing in the ACC Act. At the WB, I often observed gift giving and familiarity in the economic transaction. Actors perceive the practice as normal. They are well aware of the ACC laws but with no respect for them because, accordingly, they are all paired as friends, or acquaintances who mean well to one another. I paid particular attention to the relations between them. One WBO interviewed had this to say,

“the interaction between TDs, police, and WBO is fragile, though not always contributing to the mistrust of relations between the three classes of government employees housed at the WB”.

This led us to the next point on the law and the phenomenon at the WB.

8.4 Strategy 3: Weighbridge (WB) Regulations and order for TDs (Truck Drivers).

The regulation imposed to pay a WB fine of \$3000 US dollars by the RDA for violating the rule at the WB is more of a misdemeanour.⁷⁴ The law of arrest is such that a policeman hardly takes a significant action unless the offence is committed in his presence, but whatever the reason for non-reporting of action taken it is done so by the initiative of the WBO. Hood (2006) confirms such actions as rather being reactive than proactive. The regulation creates an inaccurate version of what happens at the WB. During interviews with 18 WBOs sampled at the three WBs on law and order, 61% said WB regulations require rationalization and standardization. The argument presented by the WBOs is that the WB regulations of payment of a fine are irrational because they are in conflict with the common WB practices and beliefs of WB operation, as the rules are difficult to apply and facilitate themselves to evasion of their purposes. This shows that the regulations require perceptions of the need for rationalization. Roger Hood on regulations confirms that, "it is quite possible that prohibited instructions will have different impacts on the average person than permitted ones" (1974, pp. 252). The present regulations require rationalization and standardization that is a powerful argument for change, though in the direction of SWBOs perspectives at RDA. There is no rational basis for its application in economic sense. Charging \$3000 US dollars is motivation enough to influence an environment for *Nichekeleko* such as bribery and gift giving to take place. Equally during interviews with WBOs, they challenged us hypothetically, by saying the following, "let us look at the culprit failure to obey or pay the fine, under the current regulation the police may conclude that he is guilty because he has failed to comply" but in economic sense, the regulation does not conform with economic dictates. Equally, the culprits have no access to solicitors if the TD is detained at the WB, which violates their human rights under the current human rights act. There is a wide discrepancy between the regulations and the practice breeding cynicism and disrespect for the legal rules, and one way to rationalize the law is to bring rule and practice into congruence of relations between the actors involved.

Further, one-way to remedy an apparently unacceptable gap between the rule and the practice is to free the WBOs to charge what they think is reasonable. Another way to remedy this kind of gap is to encourage better compliance of TDs with existence of education, more severe sanctions and closer surveillance of process of weighing truckloads, for example by recording conversations between TDs and WBOs as an explanation of meaning of the practices at the

⁷⁴ An offense or wrongdoing (British English) is any "lesser" criminal act in some customary law frameworks.

WB. Now, there is no semantic harmonizing sentence in one's own particular dialect to explain the phenomenon apart from the overused one "corruption" which makes no sense at all to those involved.

8.5 Strategy 4: The Ethic office.

During observations and interviews with our informants at the WB, I noted the lack of an ethics office. There is no law to prosecute cases where the officer possesses unexplained wealth. In short, the ethics office would have helped to define "wealthy" in the context of those involved. In fact, those who possess unexplained wealth amongst WBOs are commonly referred to as *Mbabe* meaning rich in colloquial *Chewa* and are revered. They are celebrated and regarded as clever, in *Chewa* "Wanzeru". The unlawful enrichment concept in *Chewa*, *Wanzeru* is absent in the law which ought to have built up the offense of the amassing of huge accumulation of resources by the government officer where that officer cannot clarify the increase of such assets in relation to the legitimate income. The question I asked was whether such an offence will not be a fundamental violation of the enjoyment of freedoms of human rights charged with such infringement. Additionally, for those that are convicted for conducting in *Nichekeleko* such as bribery for example, there is no section in the public ethics Act as a state remedy to sue them for compensation. Thus, the bribe taken by WBOs, the state has never sued officials under civil law for compensation and there is no equitable claim for compensation for "breaching such fiduciary duties". The individual who gives a gift is additionally responsible for the subsequent stealing from the government resources under criminal law.

It is desirable to place the issue beyond all questions by passing the law as a characteristic of the disincentive to actors if they know the consequences of their actions such as being sued by the state. They will have to pay an amount equivalent to the original practice. The argument here is that if the *Chewa* concept *Nichekeleko* is not missing and inserted in the Ethics law, there is no doubt that such an approach would help to provide a better understanding of *Nichekeleko* at the WB. To the best of my knowledge, there is not any genuine linguistic writing regarding the matter of corruption considering its persistence based on relations of power in Zambia.

8.6 Strategy 5: Abuse of authority, Conflict of interest and Cynicism.

In many nations where corruption is a major issue, it is encouraged by clashing circumstance in Nepotism and Cynicism. The opposing situation happens when the employees are

influenced by personal connections when carrying out their functions. In such cases, decisions are made for the wrong reasons. In the Zambian scenario, there is no law that takes care of conflict of interest inserted in the ACC Act chapter 91. The law could have accommodated a state officer not to act in his official limit in a matter where he has an individual financial interest that weakens his objectivity of judgment. According to the laws of Zambia, Chapter 91 of the Anti-Corruption Commissions Act, “the commission is empowered to prevent, investigate, prosecute, and penalize economic and financial crimes and is charged with the responsibility of enforcing the provisions of other laws and regulations relating to crimes”. Nevertheless, what is absent in the ACC Act is the “conflict of interest” section to deal with cases of those involved in *Nichekeleko* related to nepotism and cynicism. The conflict of interest law would have prevented WBO from obtaining favours for their personal benefits through social networking between them and TDs. It is no wonder WB functions turns as personal to holder. For example, the WB station commonly known as *Kholo* by WBOs and other people surrounding it plays an important function of personal to holder in their lives. From linguistic point of view, the word “*Kholo*” reflects the dominant out look of relations at the WB. The significance of the word constitutes an essential social fact of dependence and personal to holder in the lives of WBOs that unfortunately is missing in the anti-corruption regulations. The meaning of the word “*Kholo*” is an innate feeling for support to the lived experiences of WBOs and is implied in the literal meaning of word *Nichekeleko* for support and compassion.

Various nations regularly have a law explaining this practice and not for Zambia. This is because of ignoring the semantic importance of local concepts. Critics would argue that such an objective would prevent families working together. Nevertheless, I argue that if local concepts are inserted in anti-corruption laws, such a practice would prevent public officials from show favouritism towards their friends of allowing overloaded trucks to proceed.

In spite of the fact that some notable lawmakers and government officials have been indicted and imprisoned, without the “conflict of interest” section or Act, but *Nichekeleko* practice is still persistent in the country today. There is no reason for not legislating a law against the “conflict of interest” in Zambia relating to conflict of interest. From interviews and focus group discussion with our 18 WBOs, stated that lack of legislation against conflict of interest has caused conflict in loyalty at the WB, particularly where one of them is a relative to the SWBO at RDA. The WBOs feel uncomfortable with such a situation as it raises feelings of helplessness.

Coming to cynicism is the practice that requires legislation against it but not captured in the laws of Zambia. The law against cynicism has no words captured in local expressions. In Britain, the expression is captured as the “old school ties” (Stritgaard, 1996). The problem is that the RDA is not in possession of explained policies and procedures as well as written codes of conduct to deal with perceived conflicts of interest relating to *Nichekeleko*. There is no legal requirement imposed at the WB or RDA against doing this. One way would have been a law drafted clearly explaining the fundamental values of the public service. Further, the RDA would have drafted its own vision statement to reflect the values against *Nichekeleko* at the WB. This should be done by translating thoughts from *Chewa* into English, so that the meaning of *Nichekeleko* remains within the confines of its literal sense. Further, the ACC Act on corruption does not take care of the manifestation of interrelated human activities that are diverse at the WB.

Therefore, from an anthropological point of view; one could interpret *Nichekeleko* from many dimensions that are lacking in the ACC law as; an exchange of gifts, a social act of exchange, a social relationship, and a cultural routine are all compressed in the word *Nichekeleko*. This is all what is required to understand the phenomenon’s reasons for the persistence.

Most scholars have argued that the word law is a plural concept when translated into English. This means that any attitude that sees it as the only therapy for the reduction of *Nichekeleko* is inaccurate at the WB. Law creates a sphere of rejecting or accepting social phenomenon exploited by those in power. The only hope is to accept that corruption means different things to many people. Therefore, any piece of legislation must consider the broader view about how actors perceive it reflecting a cultural tradition using their own native language that is missing in the law. Our resolve to use a local concept in examining the phenomenon underpins the importance of language. This answers the question of what underpins *Nichekeleko* to simply “language”. Likewise, Pardo makes an opposite view on the idea of law (2004). For him, political and legal conceptualizations of corruption and its effects on state limit points are marked apart by inherent ambiguities. Different authors have concurred with his point in various settings, such as in; “Hsu and Smart (2007) for China, Corbin (2007) for Spain, Dalakoglou (2010) for Albania, Goldstein (2003) for Bolivia, Levine (2004) for South Korea, Hoagh (2010) for South Africa, Blundo (2006) for Senegal, and Scott (2010) for Taiwan” (pp. 34). Thus; the French anthropologist, De Sardan (2010) views are in line with the work of economists who show that, “laws and rules can be implemented to reduce corruption alone” (pp. 78). This means they are never the best means to reduce it. My views

are that localized concepts are better to understand people's views on the subject of corruption and failure to do so gives rise to the persistence of *Nichekeleko* in Zambia.

8.7 Strategy 6: Trial of those involved in Corruption.

Reflecting on the behavioural conduct observed during trial of one WBO namely Mr Charles Chaile accused of being involved in *Nichekeleko* conduct, this preceding section examined a range of difficulties that hinder facts finders to draw correct inferences from the evidence presented during trials of cases in courts. Our observation on the failure of convictions during trials of corruption cases was that of ignoring the meaning of the localized practice in literal sense by those in authority. I concede that much of the discussions here will be limited to human performances under contextualized circumstances in terms of power relations as follows:

Mr Charles Chaile, was accused of having obtained money from a transporter at Kafue WB. The argument here is that some authors have pointed out to certain "cultural" factors as influencing the indulgence of WBOs into corruption and not the law in the ACC Act. Agreeably, during cross-examinations as one of the primary justification for the right to confront witnesses and bottle out the truth on corruption, we observed that witnesses in an open court at Kafue magistrate offices, behaved the way they did influenced mainly by cultural facts, namely; common words and sayings, than the contained word "Corruption" in the anti-corruption law. During cross-examination in courts it was discovered that the concept "corruption" used in court was rather weak. In short, there is a limitation of its effect when it comes to those involved in *Nichekeleko* phenomenon at the WB. During the trial of Mr. Chaile, referred to as the "corruption trial" the witnesses had little to fear for being exposed of being involved in corruption. They refuted to be involved in bribery but gift giving. Instead, they consistently agreed with Mr. Chaile that what they received was not money but *Nichekeleko* for support "help" *thandizo* in *Chewa* in form of gifts for payment of a child's school fees. There was no reliable evidence that implicated Mr. Chaile to be corrupt (or to have been bribed) since he had received such monies before from the same transporter. In fact, it was revealed that the transporter was his childhood friend though not related by blood. The absence of a thorough investigation and their relation to *Nichekeleko* is not only because of the sensitiveness of the topic and the issues concerned but also because of the lack of a comprehensive understanding of what corruption means to them and how it is carried out in the social setting in Zambia.

Therefore, the section of this chapter indicates that to a certain extent the legal mechanisms in the ACC Act No. 12 of 2012 put in place to reduce corruption has helped to prevent corruption, but under a wider range of circumstances they have mixed effects to curb it anywhere in Zambia. This is because of ignoring the realization of social relations in terms of semantics application. To the larger extent, criminal verdicts based on ACC Act and penal code is lost at investigation stage with trial serving primarily as a ritual that is more symbolic than the actual *Nichekeleko* practice. This demonstrates that the law is unenforceable in practice because the method is so obstructive to prosecutors. The laws are regarded as draconian because they do not represent the life experiences of those who engage in the phenomenon of *Nichekeleko*. It is regarded as bad law because under most instances, the prosecutors leak information to defendants because of long lasting relations, as intimates, sometimes, though independent of hereditary bonds. Finally, the ACC Act is considered an enforceable law in practice as it fails to bottle out the truth during trials regarding the *Nichekeleko* phenomenon.



8.8 Strategy 7: The Political don't "Kubeba" slogan.



Photo 13. Symbolize "Secrecy" or "Don't *Kubeba*". A political slogan as an embedded act implied in *Nichekeleko* phenomenon.

Source: Available on line.

The slogan of "Don't *Kubeba*" meaning "shut up" is a political slogan by the ruling (PF) Government with its symbol as on photograph 14. The slogan of *Don't Kubeba* is colloquial English and slang language. The slogan was coined before the run up to the tripartite general elections in 2011. In lexical area, the slogan is interpreted as a reflection of *Nichekeleko* conduct in social relations. From interviews, with WBOs and bankers, instead of the slogan helping to reduce corruption has helped to escalate it. According to them, this is because; their conduct is not corruption but *Nichekeleko* to mean social support.

Today, the WBOs and the bankers use this political symbol alike towards protecting their interest in banking services. In the Banks, it is commonly known as the "customer diligence protection service" (CDPS) and practiced by conduct. The slogan has become key and used in financial institutions alike. It is proportionate to the rule of "Know Your Customer" (KYC) in the banks and is one of the vital criteria that require the organizations to decide the

character of all clients. KYC in the banks is a typical practice for organizations to survive and develop. Regarding the management of money related risks, KYC has an extra function of preventing financial establishments from abuse by criminals to steal money for their own benefit. Further, the KYC plays an important role in the banks to utilize it as a principle of protection for both the bank and the customer's benefits. Nevertheless, in spite of this strategy corruption involving bankers and WBOs is persistent. Our analysis is that the KYC principle in the banks is remarkably similar to the *Nichekeleko* conduct at the WB, truncated in the *Don't Kubeba* slogan. The KYC principle in the banks and the *Don't Kubeba* slogan are all concepts implied in *Nichekeleko* phenomenon in the bank and at the WB in Zambia. They are embodying concepts that are cultural artefacts of actors at the WB and in the banks missing in the law. When this is not recognized the behaviour conduct of banks and WBOs tend to be criminalized. This confirms that the *Don't Kubeba* slogan is not only used in political circles but also between WBOs and Bankers. During observation of relations between WBOs and Bankers, the slogan has become a symbol used to defrauding government of its revenue. When WB fines are collected en route for banking and the symbol as in the photo above is flashed by WBOs at the bank it signifies complex relationships between them. Another scholar, Benjamin Franklin (1992) wisely observed, "there is no kind of dishonesty into which otherwise good people more easily and frequently fall, than that of defrauding the government"(p94). This is so to some extent in light of the fact that the line of ethical conduct is not openly and unmistakably drawn.

Therefore, this shows that legislation of the Financial and Banking Secrecy Act (FBSA) of Chapter 360 of the laws of Zambia and the political slogan of *don't kubeba* is weak in relation to *Nichekeleko* at the bank and at the WB. Briefly, my aim in this chapter was to demonstrate and make visible the social glue that raises opportunities for actors to engage in *Nichekeleko* phenomenon at the bank too. My argument is that, for the WBOs, anything meaningful, need to be analysed in more than expressed words. We also needed to analyse symbols signifying words put together, this is against the obvious limitations of misconstruing them, but they are quite useful in understanding the life world for WBOs and to some extent bankers. The slogan above intuitively exposed verifiable patterns of conduct in *Nichekeleko* phenomenon at the bank and WB answering the question of why the phenomenon persists.

Our observation is that not even the FBS Act has resolved the problem of reducing corruption. Our analysis on this piece of legislation is that it only has three sets of powers

namely; confiscation⁷⁵, forfeiture and criminalization. The valuation of people and things through cash is never just technical; likewise, it is social setting everybody symbolically in society according to different requests of reckoning. From interviews with our informants and observation at the WB, the principle of confiscation and forfeiture falls off in the real world for WBOs. Their argument is that criminalization of fraud in the banks obscures their social relations.

The argument is that there are inner rules at the WB and at the bank with external boundaries reshaped by monetary relations. The issue is that *Nichekeleko* phenomenon such a fraud, embezzlement and money laundering at the WB and in the banks is organized by local rules that forces actors to work in collaboration with each other. The Bankers at commercial banks where the WB fines are saved work in the bureaucratic world where they epitomize the tenets of the Bank and that of WB operations that they are mandated to follow even if they are contradicting the FBS Act. For example, WB fines are banked on a special form (accounts form 47) designed by government. It is here where the ‘*Don't Kubeba*’ slogan works very well to defraud government. The Bankers in collaboration with the WBO can decide to stamp the deposit slip (accounts 47) and yet the money is credited in their personal accounts.

The ‘*Don't Kubeba*’ slogan (rule) employed by the bankers and the WBO is often a departure from the best choice of banking exchange that supports their working culture. This is what shapes the economy of the WBOs and is their everyday experience at the WB. Unfortunately, this is not stated in the FBS Act 387 of the laws of Zambia. The FBS Act has criminalized such actions. From observation, not only money exchanges hands between WBOs and Bankers but also social relations. Money helps them socially connect to each other. Money brings stronger social links between WBOs and Bankers. The argument is that the FBS law is weak and cannot help to reducing corruption at the WB. However, the analysis of money and finance must base on multiple local practices, otherwise the power upon which fraud and money laundering is based on, is illusory. It ought to be founded on the implications that individuals give by demonstrating how plural the practice possibly is as opposed to lessening it to a singular narrative. Muarer (2002) on money states; “that it should be approached as a labile of social relations with rules that can change and increasingly interconnect the world and the lives of those involved” (p590). Unfortunately, this is absent

⁷⁵See Guy, Stessens (2000) who describes confiscation as depriving offenders of the illegal profits from crime, (p67). Blackwell. Oxford.

in financial and money laundering Acts which probably provides an enabling environment for *Nichekeleko* to flourish at the WB.

8.9 Strategy 8: Money laundering as *Nichekeleko*

In this section, the forms of the *Nichekeleko* situation concerning the laundering of money are also traceable at the WB. These activities though construed as money laundering in the legal legislation but as *Nichekeleko* by actors involved in it confirms the reasons for its proliferation in Zambia. Data for this section was collected through observation of major events and interviews with our informants during the four months attachment at the WBs in Zambia.

Accordingly, “the Anti-Money laundering Unit and the Drug Enforcement Commission (DEC) was established under two Acts, namely the Narcotic Drugs and Psychotropic Substances Act No.37 of 1993 and the Prohibition and Prevention of Money Laundering Act” No.14 of 2001. The DEC (1997) have stated the “aim for establishing it related to the control and prevent the illegal production of narcotics, combat abuse of narcotic drugs and psychotropic substances and money laundering” (p790). Further, from analysis, “DEC was meant to provide rehabilitation services to drug addicts in order to contribute to socio-economic development and the maintenance of internal security” (796).

However, the concern of this study on money laundering as an Act described in English is wrong, but is another failure to recognize the *Nichekeleko* phenomenon similar to the one in described persistent at the WB. In short, whatever that takes place at the WB, is similar to the money laundering phenomenon described in the English word as stipulated by the Anti-Money laundering Act. According to the data available by interviews and observation with informants at the WB, the problem is that the Anti-Money-laundering law has not engraved in it the concept of *Nichekeleko* that is probably the reasons why it provides an opportunity for actors to engage in it, increasing the chance of persistence. The government of the Republic of Zambia has issued a directive as a prevention strategy through the Bank of Zambia, to all banks and financial institutions to reduce the money laundering activities. The issue here is that despite this directive, money laundering, characteristically similar to how *Nichekeleko* is conducted at the WB has never been a subject of discussion and is still persistent at the WBs today in Zambia.

According to the Bank of Zambia (2007), "the directives required the following, among others from the regulated institutions, adapt the necessary detection and prevention of money

laundering strategies requiring individual customers to produce specified documents when opening an account". "Establishing business relations or conducting business transactions within regulated financial threshold". "The directives also provide a lengthy schedule on how to identify suspicious activities and contain information on suspicious customer behaviour, identification, cash and credit transaction activities, wire transfer transactions, safe deposit box activity, commercial account activity, trade financing transactions, investment activity, deposits, and miscellaneous suspicious customer and employee activities" (pp. 683). However, despite concerted efforts by government to reduce them, the practice has not reduced. Interviews with WBOs and Bankers, unfortunately, revealed the refusal to pay attention to words and their relation to power has made the *Nichekeleko* phenomenon for money laundering persist.

The DEC's operations efficiency is rated at above average by most observers, even though during interviews with WBOs at the WB, the efficiency of the operations of the DEC in Zambia was rated at above average. It was revealed that DEC has its own inefficiency because it is constrained by ignoring the practice from the prisms of the local concept *Nichekeleko*. They nevertheless, emphasised the need for improvement. This misunderstanding causes long delays in concluding the case of theft, embezzlement and bribery as well as the negative perception about its operations as most participants believed it is vindictive targeting WBOs and living the really culprits involved in the phenomenon.

8.10 The Weighbridge Operators (WBOs) lived experience relating to Money laundering.

The term money laundering emerged in the United states in the 1920s (Stessens, 2000). American cops with reference to the responsibility by mafia groups utilized the concept of money laundering. These groups demonstrated a dynamic enthusiasm for getting these launderettes, a significant number of which were possessed by criminal gangs as they gave a legitimate method for giving an honest answer to cash gotten from criminal exercises. These unlawful proceeds were pronounced benefits increased through launderettes and consequently were laundered. The money laundering was first utilized with a legitimate meaning in the America judgment of 1982 concerning the seizure of laundered medication proceeds. Therefore, this section examined lived experiences of WBOs accused of money laundering activities at the WB. The issue is while their conduct is perceived as money laundering as stipulated in the Anti-money laundering law but to the life-world of WBOs such a conduct is *Nichekeleko* phenomenon contextualized in relational power in Zambia.

The argument is that while the government has enacted pieces of legislations to curb money laundering but such laundering activities have never reduced because the concept is never considered as in the lexicon of participants at the WB. While; for the WBOs, it is an everyday experience in the course of performing their WB duties as a specific concept implied in the word *Nichekeleko*. This is notwithstanding the regularly complex ways in which it shows itself. In this way, *Nichekeleko* that includes money-laundering action is at its core at the WB as it appears as the conversion of assets gotten from measuring of truckloads into personal assets can be traced back to the hidden *Nichekeleko* phenomenon of gift giving in Zambia. This is the foundation that money laundering is traditionally isolated into three phases. According to Naylor (1998), money laundering is; "the placement of funds derived from the crime, the layering of those funds by passing them through multiple institutions and jurisdictions, and finally, their integration into an economy where they appear legitimate" (pp. 456). Nevertheless, the ways in which the three phases are executed are too numerous, keeps on evolving on the international financial systems generally, but not applicable at the WB. The three stages are all exploited through latest technological devices, which help them to convert the assets for their personal benefits

During observation of TDs and WBOs functions while weighting truckloads we noticed the following events categorized as money laundering as specified in the Anti-Money laundering Act, but not as such by the WBOs involved in it. To them it is "VAT" meaning value added tax a concept exclusively used by WBOs and TDs. The extent of occurrence of these is categorized into cases one and two repeatedly. Our observation does not confirm with media reports on money laundering activities at the WB. Our observation was that in all cases of money laundering, what is missing is the localized use of the word "VAT" expressed as an essential feature of *Nichekeleko* phenomenon taking place in the context of the realization of personal relations, hence its persistence. This is no wonder a specific concept "VAT" was coined to reflect how it is experienced and perfected by the actors at the WB. In order to confirm the misconstrued reports on the money laundering activities as experienced by WBOs this section has examined two of Zambia's cases on the subject. This is in relation to what Naylor (2003) calls it: "the typology for non-profit-driven crimes, selected from open resources such as the media, law reports, academic articles and any material" (pp. 701) that I could get access to. In this narrative, I mention that some culprits are not charged or convicted for money laundering but clearly have elements of money laundering activities

typically underlying the pattern of *Nichekeleko* phenomenon as in the literal meaning amongst the *Chewa* for support.

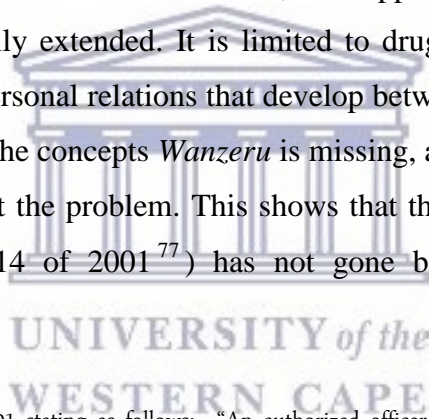
Case No. (1). *Nichekeleko* in money laundering against Mr

Charles Chaile and Thomson Mweetwa Sinangilire.

According to Tanzi (2002, pp. 67) “officers from RDA were accused to have stolen millions of dollars that was meant for road construction, maintenance and rehabilitation for rural and township roads in the Southern Region for a 4 years period between 1998 to the end of 2001.” “The loss totalled 3 million US dollars as reported in the Auditor General’s Report of 2009”. “Only about \$2 US million was accounted for and much of that appeared to have been lost in the cash for building their guesthouses and real estate in 1997”. In setting up their operation, Mr Mweetwa allegedly used a fraud common among Zambian companies to register it in their relatives’ names such as children and wives. In the Zambian common language, the setup is called *Gong’a* meaning “window, fake or bogus companies” that is if the fraud is discovered. However, when not, in local dialect bogus companies that engage in such rumour are regarded as local investments or initiative and locally known as *Wochenjela* or *Wakucha* meaning the clever ones or “VAT”. Funny enough even the guesthouses were named “Wakucha” Guesthouse enterprise limited. Some of these “window or bogus companies” are legal, but many were not. These entire companies have to contend with strict Zambian laws against money laundering. Money was stolen from the RDA account known as the highly indebted poor countries account (HIPC) and banked into their personal or relative’s accounts. Those who siphoned money in this way would pay their employers (who are their relatives) back if they made profit. Much of the money deposited was at Finance Bank a private financial institution. Chaile and his partners had credit and brokerage accounts at the branches of certain banks such as Zambia National Commercial Bank (ZANACO) a government financial Institution and certain broking securities. Mweetwa, who was the senior Engineer at RDA abused his powers and instructed one WBO to deposit revenue collected at the WB in his personal bank account at Finance Bank. The losses their guesthouses made were offset by the revenue from the WB. This practice continued until later when suspects were discovered including those in the banks. The two were arrested for money laundering and

later convicted. Their accounts frozen, assets confiscated and forfeited⁷⁶ to the state containing an unknown amount.

However, there are two lawful gadgets used to fight against money laundering thus; the seizure of the returns from wrongdoing and crimination of illegal tax avoidance. These are not firmly connected to social. These criminal law instruments separate themselves from the background and are only concerned with confiscation of proceeds from the criminals, but nothing on personal relations between the bankers, TDs and the WBOs. However, in spite of the criminal justice system in Zambia being more familiar with the most traditional means of confiscation known as forfeiture, nevertheless, in the criminal case of Mr Chaile, “the judge acknowledged the lack of competence to take away profits from the crime” (Lubinda, 2011). The Drug and Anti-Money laundering legislation provided for the confiscation of proceeds from the criminals, but the legislation has not provided for an effective deprivation of the profits from the crime. In most household laws, the application field of these lawful instruments have been radically extended. It is limited to drug organized crimes involving drug trafficking and not the personal relations that develop between the culprits. It is true that in the money laundering law, the concepts *Wanzeru* is missing, as an important social concept of power relation to help fight the problem. This shows that the legal legislation (see, Anti-Money Laundering Act No.14 of 2001⁷⁷) has not gone beyond a profound linguistic



⁷⁶See the Anti-Money laundering Act 2001 stating as follows: “An authorized officer shall seize property that has reasonable grounds to believe that the property is derived or acquired from money laundering”. “Where property is seized under this Act, the authorised officer who effected the seizure may, at any time before it is forfeited under this Act, order the release of the property to the person from whom the property was seized if the officer is satisfied that the property is not liable to forfeiture under this Act and is not otherwise required for the purpose of any investigations or proceedings under this Act or for the purpose of any prosecution under any other written law”.

⁷⁷Prohibition and Prevention of Money Laundering Act No. 14 of 2001. “Authority concerning the activities of the Unit as the Authority may determine. A person who, after the commencement of this Act, engages in money laundering, shall be guilty of an offence and shall be liable, upon conviction to a fine not exceeding one hundred and seventy thousand penalty units or to imprisonment for a term not exceeding ten years or to Both”. “Offences committed by body of persons”. “Where an offence under the provisions of this Act is committed by a body of person, whether corporate or unincorporated” (a) the body of persons shall be guilty of an offence and liable upon conviction to a fine not exceeding four hundred thousand penalty units; and (b) every person who, at the time of the offence, acted in an official capacity for or on behalf of such a body of persons, whether as a Director, Manager, Secretary or other similar capacity, or was purporting to act in such capacity and who was involved in the commission of that offence, shall be guilty of that offence; and shall be liable, upon conviction to a fine not exceeding one hundred and seventy thousand penalty units or to imprisonment for a term not exceeding ten years, or to both”. “Attempts aiding and abetting or conspire to commit offence. (1) Any person who attempts, aids, abets, counsels or procures the commission of the offence of money laundering shall be guilty of an offence and shall be liable, on conviction, to a fine not exceeding one hundred and thirty nine thousand penalty units or to imprisonment for a term, not exceeding five years, or to both”. (2) On “Falsification of documents”. “Any person who knows or suspects that an investigation into money laundering has been, is being or is about to be

revolution giving opportunities for actors to engage in *Nichekeleko* phenomenon making it to flourish at the WB; implied in the exclusive use of words such as *Wanzeru*, *VAT* or *Gong'a* by the bankers, TDs and WBOs. The legislation is oriented towards confiscation of proceeds but not financial profits, thereby, instead of recognizing the behavioural conduct of individuals (i.e., personal relations) it only deals with proceeds. It also deals with organized crimes without accounting for social relations of actors involved in the act, and that organized crimes have diversified into activities not limited to drugs. The charges at the WB are limited to money laundering meaning the legislators did not broaden the application field of criminalization to social activities common at the WB creating an opportunity for *Nichekeleko* to blossom. Clifford Geertz (1989) on legal issues states that, “realizing of legal facts being made and not born, through a socially constructed perspective” (pp23.), I would agree is a better method in which *Nichekeleko* can reduce in Zambia. This is because by everything from evidence, rules and tradition if recognized is the only possible method to *Nichekeleko*. Reducing *Nichekeleko* practice of all typologies would require the understanding of social relations through local knowledge on what constitute it as an everyday experience for WBOs.

Case No.2 *Nichekeleko* in money laundering against the Chief Executive Officer Mr Watson Ng'ambi

One chief executive officer, a public employee at RDA was alleged to have money laundered amounting to US\$ 3 million meant for road projects as an over payment. The Drug Enforcement Commission for money laundering arrested the Chief Executive officer. The argument was that the accused was in collusion with his friends to siphon money from government meant for road projects. The National Road Fund charged with a responsibility for collecting fuel levy lodged a complaint at the Drug Enforcement Commission in 2005. This case, it was claimed that the government authorities, forged cooperation with private business entrepreneurs to commit corruption in the types of favouritism and kickbacks on government contracts. It included falsification of costs on road contracts in order to generate higher rate for their own benefits with proceeds to be deposited in private banks.

The allegations were that the actors who engaged in this practice did so with impunity as they reaped huge profits from the scum. They disguised this scum by paying tax and premiums on

conducted, falsifies, conceals, destroys or otherwise disposes of, causes or permits the falsification of material which is or is likely to be relevant to the investigation of the offence, shall be guilty of an offence and shall be liable, upon conviction, to a fine”.

time. They were given tax holidays by the government because they believed were re-investing back into the economy. This made the country lose triple billions of kwacha and caused poor quality of road construction due to out-dated equipment and materials that were procured in the process. It also meant that they were evading tax controls that made the country lose the much-needed revenue for development. Therefore, the allegations against the chief executive officer Mr.Ng'ambi, taken to court with two others were unfounded and the duo were acquitted from charges of money laundering involving road contracts. The domestic legislation of Anti-Money laundering Act (AMLA) is confusing, for in the first place does not define what constitutes "money?" Cohen (1998, 2004), Helleiner (2003) and Hart (2000), support this argument of money laundering by predicting as follows: "that the relationship between money and the state is coming under increasing threat from these new monetary forms" (pp. 114). Further, Helleiner (2003) contend that; "all the empirical richness that these recent contributions add to the understanding of money are complicated to what is already something of a conceptual muddle" (pp. 121). From my own analysis, this muddle always arise because there is no common view of what counts as "money" in a more general sense. Most scholars agree that a consensus on what is money needs to be inserted in most legal legislation. Unfortunately, there is dearth of literature on money what constitute to be money that has clouded the definition of money. Suffice to say the least, other scholars such as Hart in 2001 argued that, "there is never a practical meaning of money that can grasp the assorted qualities of financial structures available for use" (pp. 11). Further, he argues that; "it seems that the problem today is not that we cannot agree on a definition of money, but rather that no single definition of money will suffice" (Hart, 2001). For Hart, the concept of "Money", it would appear, is disintegrating" (2001, pp. 489). One lexical area in which the *Chewa* language excels concerns names of things and behavioural conducts of actors. For example, in *Chewa* money could include metal *Chitsulo* or hoe *Kambwili*. In Mr Ng'ambi's and others case, the state failed to define what was laundered, whether it was money or property. The prosecutors also failed to establish ulterior intent of Mr Ng'ambi's involvement in the case. Under criminal law, the exterior and interior objective must be established to secure criminal liability. During focus group discussions with WBOs and RDA officials recorded information revealed that the problem with the anti-money laundering law is that every aspect of it has been criminalized, reflecting a narrow character in it without due regard to the social relations of those involved in the conduct. This type of conduct that the law emphasizes is unclear to those involved. In relations to Mr Ngambi's scenario, it is this vague character they proposed should be invoked as it violets the legality and social relation

principles such as love sharing, compassion and care; a common phenomenon at the WB. Further, in the case of Mr Ng'ambi it is questionable whether the Anti-Money laundering legislation did not provide an effective ground for his arbitrary prosecution. The interviews with our informants revealed that the problem in the road sector is that every economic activity is analysed as transgressing the law, which in itself breaches the legality principle. Stessens on money laundering posit that "the clarity of an offense should not be confused with its narrowness" (1999, pp.129). The same can be said in respect with Ng'ambi and others that at least under this domestic legislation their conduct was perceived as criminal which considerably narrowed the field of application of the law without due consideration to relationships with other persons not seen in the conduct. The historically interconnectedness of actors in the case of Mr Ng'ambi and others was completely ignored. Therefore, the domestic legislation (AMLA) in Zambia provides an "escape route" as it is narrow since it does not take care of social relations in the conduct of actors indulging in the phenomenon. Equally, the legislation contravenes the legality principle most notably related to the issues of foreseeability of social relations giving an opportunity for *Nichekeleko* to flourish in Zambia.

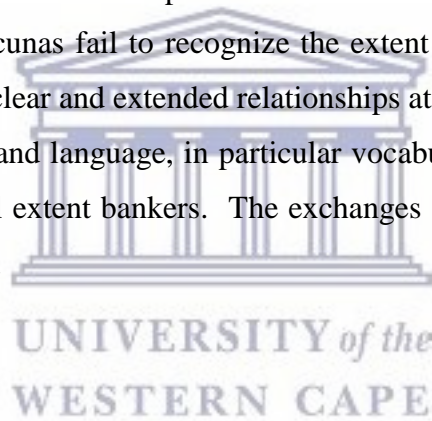
8.11 Conclusion

The cases investigated in this chapter recommend the reasons why officials suggest why lawmakers enact legislation to reduce criminal behaviour. However, our observation is that even if such has been done, it is without semantic and power relations emphasis. I am certain that if the localized concept in connection to relations of power are recognised and inserted in legislation they could expose innate behavioural conduct often precipitating *Nichekeleko* phenomenon. By ignoring them, it has created crisis and lacunas⁷⁸ in law legislation. I hope this would compel political leaders to undertake significant reforms that can work to reduce *Nichekeleko* in Zambia. Obviously, one of the definite advantages of a legal legislation is to protect whistle-blowers from criminal liability for reporting suspicious transaction. It is regrettable that despite efforts to reduce or curb *Nichekeleko* phenomenon with the enactment of legislations, in practice it has not provided satisfactory solution to the problem. One noticeable feature in the legislation effectiveness is the criminalization of the practice of *Nichekeleko*, without due regard to the social relations between actors. In short, *Nichekeleko* persistence is compounded by ignoring innate specific conceptual local rules of meaning implied in the phenomenon.

⁷⁸ A lacuna is something missing in the law, usually referred as empty space. In legal fraternity, they call such as to forbid or to stop a vote from passing. See Muno Ndulo 1994 on Zambia law reports

The cases exhibited in this chapter highlight the troubles of transferring legislative laws that work proficiently in one nation but lamentably fail in another. This disappointment is in the greater part due to the consequences of the way that political leaders and reformers are reacting at the same time to various supporters as opposed to the examples of social relationships. It is obvious in the chapter that officials do not frequently consider the perspectives of actors involved in *Nichekeleko* phenomenon who regularly contradict practical lawful changes and plan their own particular techniques for survival that is support in the *Chewa* literal sense.y

However, anti-corruption regulations are part of the preventive strategies adopted to reduce the venality of *Nichekeleko* phenomenon at the WB. What is also clear is that, not only are the absences of laws (i.e. lacunas) that are necessary for the success in reducing *Nichekeleko* but equally, the focus was on the reciprocal kinds of such transactions with their cultural symbolism and significance for the incorporation of those collectivities is missing in the legislation. The legislation lacunas fail to recognize the extent to which actors operate on a number of issues based on nuclear and extended relationships at the WB, which is reflected in the pattern of gift-exchanges and language, in particular vocabulary that occur between TDs and WBOs and to some small extent bankers. The exchanges also vary directly in the level of bondedness between actors.



CHAPTER 9 : THE EFFECTS OF *NICHEKELEKO* PHENOMENON AT THE WEIGHBRIDGE IN ZAMBIA

9.1 Introduction.

This thesis has established how TDs and WBOs are interlinked into dense webs of multiple relations at the WB. The systematic nature of this interlink is explained because of actors engage in *Nichekeleko* phenomenon at the WB taking into account power relations between them. Equally, Zambia's economic over reliance and dependence on imported crude oil from Arabia and other neighbouring countries, since the country is landlocked with no access to the sea means the phenomenon of *Nichekeleko* is always bound to happen triggered by this external factor. Economic over dependence on imported goods mean TDs and WBOs are in constant contact and this relationship is established by design. Along these lines, this chapter moves the discussion, from the various reasons that facilitate the *Nichekeleko* phenomenon in Zambia to consider the cultural and economic effects of *Nichekeleko* on the lives of those who indulge in it at the WB. Our resolve is that it is not enough to state the reasons that facilitate the actors to engage in *Nichekeleko*, without analysing its effect on their lives. In short, what is the economic and socio-cultural effect of *Nichekeleko* on the lives of those involved? Of course, even if other chapters have already answer these questions, that *Nichekeleko* enhances social ties and acts as social glue to the actors involved in it. Overall, the examination of corruption cannot be an end in itself but rather ought to be a field of inquiry to understand its effects on individuals who participate in it generally

Briefly, this chapter examines other social realities emanating from actors engaging in *Nichekeleko*. We noted that such a task is outside the mandate of this study, because it requires new aims and objectives all together. However, it was found imperative to outline a few effects of *Nichekeleko* on actors in order to confirm or refute the link to power relations as the reasons for the proliferation of the phenomenon. Chapter 9 gathered data mostly upon interviews, observation of major events and administering of a questionnaire as the most appropriate ways of generating information.

The social and economic development effects of corruption are not straightforward to quantify directly (Scott, 1998). For instance, Smith (1997) "on the effects of corruption claim that it has a tendency to be more successful inside powerless and insufficient institutions, consequently making it a troublesome undertaking to isolate out the effects of it from different factors" (pp. 910). This is because it is by all accounts both a circumstance and end

results of wastefulness and unaccountable institutions. Nevertheless, when considered alongside different types of institutional impediments, corruption has outright effects on financial and social improvement to the nation as a whole and to the individuals who take part in it. However, it is not the objective of this study to examine corruption using that route. Nevertheless, I briefly explored socio-economic effects of corruption on WBOs to understand the life experiences of those who indulge in it. However, my argument is that when the concept ‘‘corruption’’ (i.e. bribery, thefts and gratification) is used to analyse its effect on people’s lives I run into a serious problem of how to test theories of corruption. These theories of corruption while seeking public office or holding office are too complex to help us understand why *Nichekeleko* persist. But, briefly I explored the effects of corruption socially and economically on actors way of living at the WB in order to understand what it means to their wellbeing. This section is isolated into two sections with the end goal of examining the effects of *Nichekeleko* on the people who partake in it. The first section is dedicated to investigating the routes in which key partners see the effects of corruption, socially and economically and later use a localized concept *Nichekeleko* to examine its effects on families and public officials as shown by the University of Zambia (UNZA) (2004) and (2010) surveys. This survey conducted by the UNZA guide me in the analysis of the effects of corruption on WBOs. Thereafter, I explored its effects derived from the analysis of the research interviews using the concept *Nichekeleko* because of the absence of social relations in the UNZA survey. This was the core discussion portion of this section. Its information is drawn essentially from the observation and interviews of members. It offers a point-by-point analysis of the significant themes on the effect of *Nichekeleko* affected by relations of power trusting that once such is done, I would have clarified the "why" and the "how" effect that contribute to the phenomenon’s persistence.

Afterward, the section closes by exploring the effects of the findings on members, the plan and achievement of corruption prevention action techniques already talked about in chapter 8 utilizing a localized concept. However, as discussed in chapters 5, 6 and 7 insofar as I have argued, that corruption cannot be reduced to the violation of the laws or moral rule, but that there are multifarious connections between the law and its violation. This is only possible when a local concept is in use to analyse the phenomenon. In short, when the concept *Nichekeleko* is used to understand its effects on actors lives, one gets a reflection of how actors perceive it in positive sense to simply mean ‘‘support.’’ This also is the idea I have defended in this chapter to the very end of the thesis. This entails as supported by Gerhard

and Nuijten (2007) is a much neglected though essential dimension of corruption known as ‘the importance of engaging’ in the phenomenon is never the subject of analysis anywhere in the world. This is because, all studies on corruption analyse it from a macro perspective and never on the side of those involved. I have used a localized concept to interpret the benefits or limitations of the practice that helped me know why it persists. This is the significant part of this chapter focusing on the benefits and limitations of *Nichekeleko* to the actors and links it to relational power. The aim here is to address the effects of corruption on the actor’s lives though often popularised using a local concept that is missing in most studies. By using, a local concept to delve into the life-world of WBOs the idea is to understand the effects of *Nichekeleko* in relation to power, the meaning and the prevalence surrounding the practice. The following themes addressed my concerns.

9.1.1 Socio-economic effects of *Nichekeleko* at the WBs.

The Transparent International (TIZ) on corruption adds their voice to the difficultness of measuring corruption in Zambia in 2010. Similarly, proof from the 2001 World Bank study and the National Governance Baseline Survey (2004) unmistakably demonstrates extremely solid socio-economic perspectives about the effects of corruption in country. For instance, at families and organizations level, interviews with participants analyses corruption in public service as one of the real issues confronting Zambia. However, because of business activities, the table underneath presents information from the sample study indicating how households assessed the degree to which corruption affects their lives. A comparison of the concepts *Nichekeleko* and corruption effects on the life experiences of WBOs and TDs revealed different results. For *Nichekeleko*, the effects are considered as ‘support’ with a special *Chewa* term ‘*Thandizo*’ not similar to others public response on corruption. The responses ‘effect’ are highly negative from public officials when the concept ‘corruption’ is used than individuals in business enterprises when *Nichekeleko* is applied.

**Frequency of Corruption on gratification payments by households,
Individuals and Public officials in Zambia**

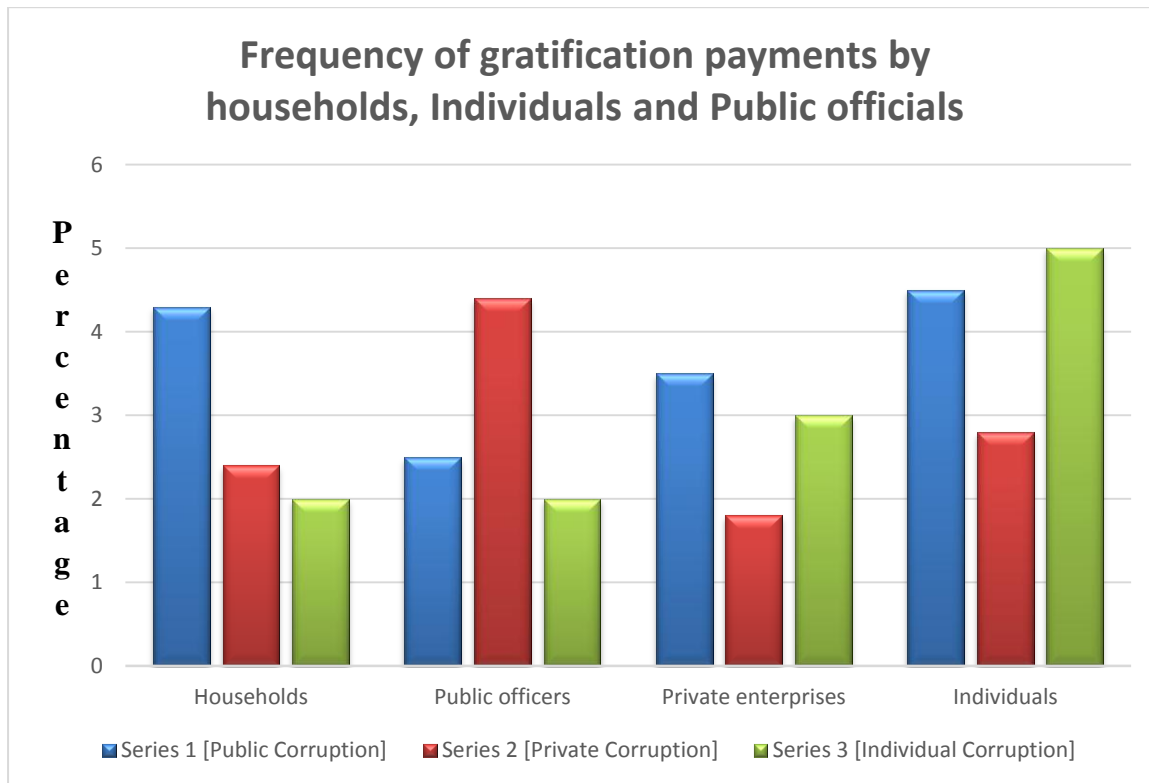


Figure 7

Source: The University of Zambia (2004-2010) *National Governance and Baseline Survey Report*.

The figure 7 above shows that corruption-involving WBOs (categorized as public officials) at WBs affects heavily on their economic status rated at 42.2%. This implies that respondents indicate corruption has very significant effects on their wellbeing. Private individuals paying of bribes to WBOs to avoid fines rated 42.4% in the blue colour closely follow the public effect. This means having significant effects on WBOs lives in a negative sense.

The survey also shows TDs (categorized as private businesses) feel the effect as they bribe WBOs to drop cases of overloading trucks directly affecting them at 43% on the graph with red colour. Private firms (as individuals) were rated at 35% as directly being affected by corruption thus by soliciting for bribery at police checkpoint near the WB and individuals owning private motor vehicles are rated the highest at 50%. Nevertheless, when the concept of *Nichekeleko* is used to assess its effect on WBO's lives the responses are completely different. The responses on why they give gifts range from a feeling of compassion, respect

solidarity, all implied in special *Chewa* words such as *Ulemu* meaning respect. See chapter 6 on an extensive elaboration on these concepts. Therefore, my overall impression from the responses on the topic of “effects” in the 2004 UNZA survey reports suggests that at the point when the survey was carried out, the householders surveyed were just worried about the different sorts of corruption and not with the utilization of local language commonly known as *Nichekeleko*. Interviews with participants on the effect of corruption revealed, “the detrimental socio-economic effects in producing of waste in public resources” (RDA staff, 2016). Nevertheless, from observation, this further reduces the capacity of government to provide basic services for the common good. However, none of the economists and other social scientist has debated the effect of corruption on the African economies from a linguistic prism based on relations of power. This debated of analysing corruption in the Anglo-Saxon lens has produced two schools of thought; one that says that “corruption enhances inefficiency” (Mbukum, 2007, pp. 560). This is misleading in the case for WBO’s experiences. For them corruption is associated with the failure to obey the law. In the Zambian scenario, this is definitely a broad held view by the public. Nevertheless, the situation is far from how the actors involved perceive it, when localized to suit their interpretation using the word *Nichekeleko*. Additionally, views of Tanzei whilst using the concept of “corruption” in analysing socio-economic effects in the transport sector had put it in the following way.

“In Zambia, specifically, it is common cause that the prevalence of corruption has been very high, particularly during the period 1991-2001, a point conceded by the government of Zambia in its 2009 National Anti-Corruption Policy. Even more disconcerting is the fact that previous legal, institutional, economic and social reforms have not achieved a significant reduction in the levels of corruption” (Tanzei, 2009).

Whilst this is true, but it is not closer to some responses that focused upon the effects of corruption were *Nichekeleko* concept is used on the levels and direction of open spending in the public sector. To them, *Nichekeleko* is not connected to the state failure to develop basic infrastructure or the feeble and erratic power supply commonly known as “load shedding”. As indicated by Hichilema Hakainde in 2015 the main opposition leader stated that; “the terrible condition of Zambia's roads, as often as possible are manned by paid off hungry policemen at road barriers and police checkpoints, making the transportation of merchandise and the provision of administrations services expensive even at a short distance”. Unfortunately, the opposition leader misses the point too. His failure to consider the

phenomenon by examining it from the lens of those involved and the patterns of relations makes his contribution weak on the subject of corruption. One standard approach to analysing the effects of corruption on WBO's lives is anchoring it on language based on social relations. Therefore, it shows up from the accessible data that, when there are few chances to make money and economic progress are inaccessible; individuals tend to depend on informal practices of *Nichekeleko* for survival. However, such an assessment is too general. From the above explanations; if nothing is stated from the life experience of those who indulge in the practice using natural language semantics, the problem shall never be resolved.

The second part of this thesis is analysing the cultural benefits of *Nichekeleko* phenomenon on the actors' life experiences at different levels. From observation, *Nichekeleko* takes place due to monopoly and discretion of powers over services that WBOs provide to the public. The argument is that *Nichekeleko* has socio-cultural benefits on WBOs at different levels of relations. For example at:

i. *Nichekeleko* effects at individual Household level for “Residences”

From observation, data sourced from informants revealed that *Nichekeleko* practice has created a total social phenomenon,⁷⁹ a structure of unanticipated form gradually taking place at the WB. The structures as it has turned out are generally twofold with specific inner operations working among the categories of the groups through common concept implied in *Nichekeleko* phenomenon. The *Nichekeleko* phenomenon of gifts has facilitated to replicate social structures and classes evident among categories of groups situated at the WB. The first category of groups is the blood and non-blood relatives. These include husband and wife, friends and their friends referred to as *residences*. I have to argue here that the aspect of gift giving which most studies have neglected and criminalize is instrumental in the reproduction of social structures at the WB. By unearthing this replicative structure under individual households, I move to the meaning they attach to *Nichekeleko* generally. Besides certain immediate benefits, families (*residences* as they are commonly referred to) situated at the WB make an investment for possible arrangement in the future. Families (*residences*) can be interested in establishing relationship with people who may be of help in future arrangements. These strategic alliances are often established between TDs, WBOs and friends of WBOs all

⁷⁹ Social phenomenon is the behaviour of actors influenced by activities of them. It includes the implied and expressed patterns of behaviour.

working together at the WB. Nevertheless, although TDs pay for services of weighing loaded trucks, they do not use the term ‘‘corruption’’ but ‘‘*Nichekeleko*’’ with specific *Chewa* or *Bemba* concepts such as *Thandizo* or *Ulemu* in *Chewa* and *Wafwilisho* (in Bemba) all implied in *Nichekeleko* concept when describing practices going on at the WB. They see them as normal transactions in which an exchange of services or favours takes place. Furthermore, residences do not mind hosting TDs considered ‘‘generous’’ when he is experiencing mechanical fault or truck breakdown and the vice-versa is also true that TDs do not mind paying for services as they feel they are treated very well and get what they want. Fish (1989) on such inner operations of power in social structures recognized the effect of intentions that they are natural; disengaging them from a sentence into actions of speakers. Therefore, these are on-going practices that cannot be formalized, because the conditions of their application vary with contextual circumstances. When the authors analyse African culture they may be correct to some extent that they are founded on communal life, which by its nature dictates care and equal distribution of wealth. These behaviours have their own source in culture, but also innate in participants as they are performed and produced under a common concept (Fish, 1989). This social act of exchange in *Chewa* is known as *Nichekeleko*. For example, when RDA employs someone, as the WBO he is placed at the WB and being posted at the WB is not by choice but institutional powers as stipulated in the Road traffic law. As soon as the new WBO arrives at his station, he is introduced to new common concept *Lupwa* meaning relative enmeshed into new cultural of communal life. Mosho (1985) agrees with my analysis that being a ‘‘Lupwa’’ a derivative of *Nichekeleko* has nothing to do with blood shared neither among members of the WB nor because of common reproductive ancestry in terms of kinship. The pulling factor for one to belong to a *lupwa* is the WB as well as understanding its rules of operations, patterns of practice, rituals of truths⁸⁰ and facts, commonly known between WBOs and TDs as *bola lapa lupwa* meaning the game played within the family of WBOs. The concept of *bola* is also one among many words contained in the phenomenon of *Nichekeleko* except that the derivative ‘‘*bola*’’ is exclusive to WBOs only, as it signifies appreciation of the conduct of the giver of the gift. The rules, rituals, truths and facts are principles that hold the true meaning of *Nichekeleko* all the time between TDs and WBOs. These are principles whose steps are faithfully and strictly followed and always yield desired results. This shows that the WB is the locus of WBOs social life.

⁸⁰ From our observation ‘‘Truth to have some manner of essential relation to human practices’’.

Equally, the language of the WB opposes those of other places. In short, the WB is the ‘‘inside’’ of social life for WBOs. Moving outside the WB is described as going ‘‘outside’’. Whatever happens ‘‘inside’’ is meant to be for the inside ‘‘dwellers’’ of the WB. The city or town is the outside social life of the WB operations and has its own rules and principles that is none of the concern for the WBOs.

From observation, I noted that personal relationships at the WB are not fixed or clear cut but are simply a process of negotiation and later shaped into *friendships* and *enemies*. For that reason, WBOs are always careful to establish friendly relationships with officials, as one never knows how things will work in the future. Patience, politeness and knowing how to treat people well are important ingredients to keep you relevant in the practice of *Nichekeleko* by all *residences* at the WB. As residences pay more attention to the operational sides of *Nichekeleko*, it is clear that *Nichekeleko* forms part of a culture of power relations that goes beyond the working of bureaucracy that cannot be changed by the introduction of new laws of the bureaucracy. This explains the contrasting attitude of TDs towards *Nichekeleko*. As already alluded to above, they do not mind paying large sums of money as long as they get what they want. According to one informant, what frustrates them is that they sometimes do not succeed in negotiations because of the volumes of traffic at Kapiri-Mposhi WB. When they complain and use the term ‘‘corruption’’ it’s not so much voicing their exclusion from WB services but rather expressing their frustration on the volume of traffic at the WB.

Other TDs complaints are because of the lack of cultural capital⁸¹ and not on corruption. For example, Bourdieu, ‘‘on cultural capital says it acts as a social relation within a system of exchange’’ (1984, pp.87). Additionally, he ‘‘claims that the term cultural capital is extended to all the goods, material and symbolic, without distinction that present themselves as rare and worthy of being sought after in a particular social formation’’ (pp. 89). For Harker (1990), ‘‘cultural capital acts as a social relation within a system of exchange that includes the accumulated cultural knowledge that confers power and status’’ (pp. 111). Therefore, the absence of cultural capital by others or outsiders at the WB is the embodied one. Most TDs are Tanzanians and Congolese who may not communicate fluently in *Chewa* or *Kiswahili*⁸² and struggle to understand what takes place at the WB. Nevertheless, they get along with

⁸¹ The idea cultural capital is the non-money related resource that advances social developments beyond financial means. Cultural capital incorporates training and style of speech and sometimes the absence of understanding a specific dialect

⁸² Swahili is a Bantu language for the people of the Congo, Tanzania and Kenya. It is a lingua Franca, meaning it has several loan words that are similar to Bemba and Chewa.

everyone else anyway. The absence of linguistic capital understood as a form of embodied behaviour represents a means of communication and self-presentation acquired from one's surrounding culture (Bourdieu, 1984). This shows how cultural capital is insufficient in TDs, consequently are forced to negotiate deftly for WB services. From observation, they skilfully negotiate their way out in symbols and songs. These behaviours are innate in WBOs, performed and expressed in a dialect exclusive to them but implied in the concept-*Nichekeleko* to mean support.

Therefore, one can safely say that the proceeds of the WB permeate across people living surrounding the WB. During observation and interviews with "residences" I was able to trace the interplay between cultural formation and the rules of the WB. These are the rules of maintaining *secrecy of the inside*, the inside of residences. The structural homologies between the WBOs and their blood and non-blood relatives are because of social relations. The evidence is noted by both blood and non-blood relationships. This is explicitly related to one in terms of culture. The *residences* interviewed during this study said they have strong feelings of personal care for others doing favours and their enjoyment and pleasure of being placed at the WB is clear. WBOs personal connection with elites such as mayors, politicians and other civil servants privileges them as "residences" a sign of protection against a RDA that does not protect them in an institutional sense.

From observation, the other issue on the effect of *Nichekeleko* is connected to its dark side. With our informants, it was agreed unanimously that *Nichekeleko* has the potential damage effect at *residence* level. Encouraging *Nichekeleko* practice and networks at the WB demand that actors return the favours of exchange. The potential negative effects of *Nichekeleko* are personal indebtedness of residences. Vankonecks (2004), Uzzy (1997) and (Reno, 1995) urged that embedded practices lead to collective blindness. In reality at residence level *Nichekeleko* is far more complicated as relationships are always elastic and situational, which gives the parties involved discretion to define or interpret their *Nichekeleko* phenomenon over time. Uncertainty and character are the very expressions of *Nichekeleko* practices. I observed that participation in *Nichekeleko* between actors is never the same over a period. This is because, residences engaging in *Nichekeleko* share more than one relationship between them. To a few residences that engage in *Nichekeleko* with various people, they are dealt with differently as far as significance, recurrence, and power, and all these may change after some time. Actors, depending on their social standing at a particular moment are upgraded or downgraded. This shows the dark side of *Nichekeleko* phenomenon, generally.

***Nichekeleko* effect on Kin, Clans and TDs at the WB.**

From observation and interviews with our informant, Clans and *Kins* exist at the WB which are not different in how they are socially organized⁸³ from *Residences*. The difference is that Kinships and clan component is chiefly because of the difference in the execution of duties by the WBOs at the WB. Kin and Clan social structure classification is traced from the indigenous language each member speaks. These kinship and clans have an obligation to help relatives in need as per *Chewa* customs cast in iron, *Myambo* meaning “customs.” One is expected to be part of *myambo* to do anything possible, even to the extent of putting yourself in critical debts or to have your job terminated once employed as WBO. You are also expected to pay for your mother’s hospital expenses or the death of your brother and should never abscond from such responsibilities without proper reasons. Data sourced from observation here revealed that when WBOs retire from public service each kin or clan envisions their sons and daughters marrying within the WBOs family because of assurances that the kin and clan will be taken care of by the members of the WB family. In anthropological jargon, one would say that this idealized system of marriage formalizes an interclan affinal relationship as affirmed by Mosko (1985). This evidence of social structure formation of kinship and clan at the WB testifies the fundamental significance of blood relationship in maintaining the secrecy of WB rules and principles. This explains the lived realities of WBOs with “Clans” Kinship and TDs hence the proliferation of *Nichekeleko* phenomenon at the WB. The following story is an example of how WBOs affinal relationships with clans, Kin and TDs are a consequence of their duties.

Narrative one. (Mulenga’s Story)

Mulenga was a WBO, an official who kept the books of accounts, for example, receipt books and lived roughly 6 kilometres far from the WB. He lived in a little, standard house somewhere down in Kapiri-Mposhi town. It was a two bedroomed house with a kitchen inside it. He had made the kitchen his office for customers to visit him during weekdays. The kitchen is the place he was generally found as he respected his guests. He arranged seats where guests could sit. It was here that Mulenga sat and turned it into TD's grievances room

⁸³ It is the arrangement of connections amongst people for common commitments inside society and the wide institutional interrelationships. See Msoko M. (1998

throughout the weekend. Mulenga kept the receipt book that he uses to record everyday exchanges in the modest kitchen room.

I visited Mulenga at the end of the week and observed that every one of those with grievances was permitted in the workplace implied as a kitchen. Whenever there were generally a few unique groups inspired by various exchanges were all collected in the little room. Mulenga chatted with every one of them in the meantime, frequently changing starting with one recipient then onto the next amidst a single sentence. Everybody present participated in the exchange of issues relating to others. Mulenga regularly punctuated his announcements by swinging to the others and logically asking, "Have I said anything incorrectly?" or, "Is the thing that I said genuine or not?" Most of the transactions done in this "office" were straightforward however; these things 'cost money

Mulenga is not paid for working during the end of the week as one method for executing his obligations. Similarly, Mulenga realizes that most TDs going by him had personal relations with those whose houses are situated at the WB. These personal connections represented kinship relations. At the point when everyone is asked by the TDs who they are visiting the regular answers in *Chewa* is "Malume" translated into English as an uncle. Nevertheless, not just cash was requested for Mulenga to execute his obligations, but compassion and neighbourliness since he viewed them as individuals from a similar WB tribe or family

From interviews with TDs, when different neighbours complained about the corruption of state officials they were not essentially complaining about how they were paying rewards, but about lack of competence required in order to be successful in their dealings with state. To put it plainly, they were complaining about Mulenga's run down house and its separation from the WB. This shows as Gupta and Ferguson, (1997, pp. 392) stated that "the discourse of corruption varies a great deal from one country to another, dependent as it is on particular historical trajectories, social organizations and the specific grammars of public culture". In other words Gupta meant that "social boundaries marking acceptable behaviour is not the same in all contexts, but rather culturally specific and socially produced". Equally, Arild Engelsen Ruud (1998) who states that, "there is a difference between corruption from the Anglo Saxon point of view and that of specific culture". Information sourced here uncovered that because of Mulenga's customers and the villagers encompassing the WB they likewise have an alternate term for corruption shrouded in ordinary vocabulary essentially alluded to as "*Thandizo*" which means support in *Chewa*. As indicated by Ruud, "corruption seems to

have an exceptional importance and significance, which is negative" (Ruud, 1998, pp. 13). However, corruption may appear without a negative meaning, if personal conceptual perspectives are recognized influenced by native language. My argument is that English words are inadequate to expose and unmask behavioural conduct the way *Nichekeleko* as a concept and its cognate⁸⁴ would do giving an opportunity for its persistence in Zambia

iii. Nichekeleko effects on WBOs and Villagers

Two kinds of places compose the entire world for villagers surrounding the WB. The village and the WB station itself. The village is of course a human place, where if not for human labour for clearing it out of the bush there would be no village at all. These villagers, even if they live at the village their social wellbeing is dependent on trade between them and WBOs. The WB is a source of their wellbeing specifically in *Chewa* as “Kholo” for parent. The word “kholo” is one of the cognate in the *Nichekeleko* concept. Therefore, it is not uncommon to see villagers patronizing the WB aimlessly, because doing so is simply visiting their parent “kholo”. Others wake up in the early hours of the morning looking for work, commonly known as “Ganyu” meaning “part-time work” from their *Kholo*. They are assured to find it at the WB. Cognitively, they are sure that when they patronize the WB, are likely to be offered a part-time job by the WBOs as cleaners or security guards, guarding the loaded trucks when impounded. However, the village is also not limited to humans.⁸⁵ Other things are also village beings or creatures such as domesticated animals (i.e. Pigs, chickens doves) and various plants such as; coconuts, groundnuts, sugarcanes etc. These also find their way to the WB by villagers. The village and its inhabitants are far from self-sufficient. Thus, various categories of food and other materials are transported between the village and the WB. The WBOs, TDs and villagers are socially connected categorized as another social group. The duality relationship between them means, that villagers are also members of the ‘inside’ life world for the WBOs. A special relationship between villagers and TDs who need something and WBOs has the ability to give something. This shows how the WB helps to connect the villagers, TDs and WBOs. Jacobs (2009) would interpret it as particularistic ties and friendship, while Pye (1982) would say it results in reciprocal exchange. All these

⁸⁴ The study of languages has attributed cognates to be words that have a typical etymological origin. In historical underpinnings, the cognate classification excludes doublets and advance words. See Ruud (1998)

⁸⁵ See Mark Mosko (1985) on quadripartite structures classifications of relations and homologies in Bush Mekeo. Mosko gives a detailed examination about the structure arrangement and classes of Mekeo society.

experiences between villagers, TDs and WBOs are useful as they reflect *Nichekeleko* facilitated by a special kind of personal relationship.

Let us now look at another example to demonstrate the socio-cultural effect of *Nichekeleko* phenomenon to participants influenced by social relations.

Narrative two. Katongo's Story.

In order to secure a steady income, Katongo applied for a job as a WBO at the RDA offices. There were thirty vacant positions with a few hundred candidates. Katongo had sensibly great qualifications, however so had numerous others. As one who was not exceptionally qualified, he knew that only informal sources of influence would help in form of contacts or pressure from the top. Throughout the month or so that passed by from the formal meetings to the affirmation of the outcomes. Katongo made incessant trips from his hometown 4 kilometres away to the WB looking for data on contacts that would help him regarding his work application. He had at first two promising contacts, a companion of his from secondary school days in Mkushi who was saving as WBO based at Kafulafuta, somewhere in the range of 35 kilometres away from Kapiri-Mposhi WB. Katongo believed in his friend who he knew has a relationship with one of those responsible for the selection process in the job. Luckily, Kabongo's cousin whose neighbour was an exceptionally placed person to help in the process was also contacted. With his friend, he went to the one responsible for the selection process, and with his cousin, he went to the records clerk too. With the accounts-clerk, part of the deal was pretty open and straightforward. As a good work mate, he would do his bit to help. He asked for money that he would need to pay off certain well-placed people. Katongo expected him to envision a reasonable cut for himself as well. He requested cash that he would need to pay off certain very much important individuals. Katongo's cousin's in-laws ended up being best friends of one of the executives at RDA in Lusaka. One of the chief executives clarified that his own position was not one of incredible influence in the matter. This meant he was not particularly interested in the matter but promised to write a letter to the rightful person recommending Katongo. Briefly, to all meant that he would not apply his influence in this matter but that equally he would not jeopardise his relationship with his friends, whose in-laws brought this person. Lastly was that he begged his brother by marriage, Daka, to provide to him with some timely help. Daka declined to do it. He declined to help his sister's family, and endangered his association with her and they are not on talking terms any longer.

Katongo's numerous different trips failed and he did not get the position. Katongo had many people on his side who wanted to help him secure the job, but mostly they failed to do so.

According to Ruud in such a situation, he writes, "it is not easy to draw the distinguishing lines between corruption and remunerating some distant contact in the bureaucracy for a job done in your favour" (Ruud, 1989, pp. 17). Ruud concludes, "what is corruption and what is not is a matter of shade" (1989, pp. 23). In this case, if Katonga had been employed would have not considered it as corruption but "support" in Chewa *Thandizo*. Thandizo is also one of the cognate words of *Nichekeleko* expressing relational power. According to Foucault (1982) "relational power is relations in which influence is exercised in innumerable points"(pp. 93). In Katongo's case, his friends had to potential to influence his fate. This is because; while using one contact can give the same results and evaluations of the two acts, corruption and *Nichekeleko* are rarely the same for the people concerned.

9.1.2 Socio- Cultural effects of *Nichekeleko* at the WB.

Through interviews, data sourced from the surrounding WBs regarding the matter of corruption uncovered that in many developing countries, holders of public office infer their administrative legality by having been trained presently in Europe, yet their social legitimacy is viewed as important when they conform to the diverse socio-cultural practices common to the people in the area. Ethnographic cases of the diverse socio-social logics of gift giving and solidarity networking between TDs and WBOs is displayed to clarify the embedded habits and practices involving the everyday phenomenon at the WB. The cases show how differences in social experience and cultural values obstruct a thought of corruption as a challenged phenomenon. An examination of how the actors (TDs and WBOs) themselves evaluate their actions can give an understanding of the legitimacy of various activities. At the WB, the notion of sharing is the core of social life experiences by actors, which is long standing and enduring. What evokes the action of reciprocity at the WB is the belief in gift giving both materially and non-materially. Indeed, *Nichekeleko* action is affirmed at the time when TDs and WBOs exchange things between themselves with each one obliged to reciprocate or respond in the appropriate manner. In *Chewa*, this action is translated as, *Mzako akati konzu, naiwe ukuti konzu* meaning reciprocating in an appropriate manner. There are no rules in the exchange of gifts or in the exchange of favours, because the value of what is exchanged does not necessarily mean has to be commensurate with perceived value of the service. Sometimes actors reciprocate by merely promising to give a gift later in the

future. There are agreements in this practice, except that it is based on the exchange of value to take place. The agreement is also not always in express terms but by implication. There are times actors fail to agree in the value of the exchange. The disagreement is usually due to confusion between the actors where the value of the service has been inflated too high. Nevertheless, the practice of gift giving or favouritism still goes on because the response maybe in kind which is subsequently judged as commensurate and equal. I noted that this condition of equality does not risk future *Nichekeleko* phenomenon between these particular actors because their involvement in it is an expected social cultural behaviour. According to Blau (1994), “reciprocity confirms that no exchange relation can survive over the long term in a situation of strong imbalance relationships” (pp.689). Nevertheless, for WBOs and TDs, such relationships does survive because being at the WB is regarded not being at a place of work but an environment for current and future survival. Gourder (1998) also observed that, “it is not that the resource exchange has to be equal on every occasion but a perpetual state of equality cannot be sustained between the actors” (pp.45). When such happens, there are social sanctions that defaulters face such as alienation by being labelled as fake in *Chewa* to mean *Gong'a*.

Data sourced during observation, while attached at the WB I noticed a distinctive rhythm of movement by actors symbolizing a sense of closeness amongst actors. They share tobacco, food, and converse about various subjects, humorous and serious. During conversations, many concepts are expressed when engaging in *Nichekeleko* phenomenon. This is linked to broader idiom of common origin. The broadest principle of social organization is the cognate descent group called ‘*lupwa*’ (relative), of which there are about ten among the WBOs living there. Through this principle, many people consider themselves related at the WB even though they are unable to trace actual ties of descent and may live in different settlements. The sense of closeness that I found during evening gatherings is magnified in occasional feasts (i.e., Christmas holidays) that draw together people from several different settlements such as nearby government schools, villages and churches to the WB. Such events are remembered with pleasure, as I found when I sought to collect oral narratives from Lenje⁸⁶chiefs to help me understand the meaning of *Nichekeleko*. One man told me a story about a particularly impressive drum dance known as “*Kalela*” and goat killing. After he finished, he added, "Now you can go back and tell your people that the *Lenje* people near the

⁸⁶Lenje is a Bantu language for the people of central province living near the lukanga swamp. It is a dialect mostly associated with the Twa the lala and people in Serenje and Mkushi districts of Zambia.

WB really know how to live." The social reality created by evening gatherings, and even more by festive events, has a number of dimensions. These include the concentration of people, unobstructed physical proximity, kinship connections, and the sharing of food and conversation with WBOs during festivals. The common theme is a heightening of participating in exchange activities commonly known as *Nichekeleko* by the actors involved. Before considering this further, it is important to provide some background on exchange among the WBOs. Exchange, covered by a single term *Nichekeleko* (to give and take), falls into a number of separate categories, cognate words and phrases in *Chewa* language. The first is the sharing of materials goods in form of food, money and gifts. This takes place during and after working hours between WBOs, their friends and families. While people are concerned that there ought to be an overall reciprocity in sharing, they do not keep exact track of the transactions. The second form of involvement in *Nichekeleko* conduct involves none-valuable things such as expressions of emotions or moral support. The surrounding members of the community of the WB closely link this kind of conduct to nonmaterial services (help). People provide WBOs with their physical labour (in cleaning the offices and the surrounding) in exchange with free transport for their school going children as well as those with transport challenges. They expect such favours to be reciprocated, and they are more likely to provide them to those with whom they also exchange material and nonmaterial things. Men are more involved than women in the exchange of both objects and services. Another kind of *Nichekeleko* conduct occurs when someone is born, marries and moves permanently, or dies near the surrounding villages of the WB. The most elaborate of these are marriage transactions in which the groom, with the help of his kin, is expected to make a large presentation of valued objects to his bride's kin, who later reciprocate with gifts. These are all expected to be done by the WBOs. They exchange serves to recognize the fact that the WBOs are the superiors at the WB meaning they occupy an upper social class in the community. No marriage ceremony can take place at the WB without the participation of the WBOs and to some extent frequent TDs. Therefore, *Nichekeleko* refers to an exchange, to the circulation or the giving, receiving and replacing of things. The phenomenon acts as both an instant and delayed gift effect of exchange between WBOs and TDs and members of the surrounding community of the WB

I observed that one of the effects of *Nichekeleko* phenomenon on WBOs, TDs and Villagers at the WB is that it defines 'property relationships. This infers it defines relationships between actors in terms of conventions, rights to property and control of the resources they

acquire during the phenomenon. One informant said that, “the practical effect of the motivation and the internal logic of engaging in *Nichekeleko* by the actors is the loss of trust in the public service to remunerate them a living wage” (WB Staff, 2016). Therefore, they end up devising a surviving economic strategy that benefits them in most times which probably explains the seasons for its persistence in Zambia.

9.2 Conclusion

My conclusion on this chapter is based on a given a short synopsis of literature I have uncovered on the effect of *Nichekeleko* phenomenon on actors at the WB in Zambia. It was not my intention to provide an exhaustive and thorough examination of the extent of literature on effects, but to emphasize that the phenomenon has actually beneficial effects, socially and economically. Therefore, to begin with this chapter is discussed into two parts; with part one starting with the responses from ordinary people that were captured by the 2004 Zambia National Governance Baseline and World Bank survey. The survey alluded to showed that each of the groups considered corruption of public officers in avoiding tax regulations as the most serious effects of corruption on their lives.

The results of this survey are related to my later examining the effects of *Nichekeleko* that revealed the phenomenon is irreversible because of public officials' involvement in it perceived not as a criminal offense but support for one another. Therefore, the second part of this argument in this chapter highlighted a complementary conceptual trend, that of localisation of the phenomenon of corruption. Just like Wierzbick (1992) in his observation, “tried to show that the Russian words *sud'ba* (roughly fate) play a particular important role in revealing the Russian culture and offer invaluable insights into cultural actions”(pp. 89). The word *Nichekeleko* was also significant to help me gain insights into social structures created and influenced by *Nichekeleko* reflecting the life experiences of actors at the WB. However, this is with the knowledge that current trends in the study of corruption express the global nature of the practice and ignoring local perceptions about the phenomenon. Yet this phenomenon has persisted without the hindrance of empirical evidence. Therefore, the purpose of this chapter was to highlight the effects of *Nichekeleko* as evidence that perpetuate the phenomenon with the usage of the local concept. For example, informants revealed that *Nichekeleko* phenomenon replicates class structures evident among categories of groups at the WB. The purpose of these structures is to gain control creating a series of power relations

and life experiences exclusive to actors. It is this life experience innate in WBOs producing all kinds of relations equated to a series of power relations transformed into real life experiences.

With the end goal of this study, nonetheless, consideration was then focused on examining the different explanations and interpretations of partners (WBOs and TDs) on the effects of *Nichekeleko* on their lives surrounded by socio-cultural and economic complexities. What I noted at the WB are different kinds of power relations that are real. As stated by Marilyn, in any situation that involves contacts between two people with varying interest have different kinds of power, referring to the ability and capacity to control. Therefore, the deep analysis in chapter nine is that the presence of power relations and the replication of class structures among the actors have significantly contributed to the irreversibility of the *Nichekeleko* phenomenon that most studies have ignored.



CHAPTER 10: CONCLUSION AND RECOMMENDATIONS.

10.1 Introduction

This chapter pulls together the major findings of this thesis and explains the contribution of this study to the understanding of *Nichekeleko* phenomenon at the WBs by delving into the complex power relations involved between actors facilitating the persistence of the phenomenon in Zambia. For the purposes of clarity, to filter the essential elements of the contribution of this study, the subsequent discussions are structured thematically around the thesis research aims and objectives which were initially articulated in chapter one. These aims and objectives were expressed in the following way:

1. The first aim was to analyze institutional policy framework of RDA, thus by looking at ways in which policies and practices affect WBOs. The thesis paid particular attention to the power relations between WBOs, TDs, SWBOs and superior officials at RDA.
2. Secondly, the aim was to examine the patterns of behavioural conduct that are employed by some to indulge in *Nichekeleko* at the Weighbridge in Zambia. Complementary to the discourse about them, patterns of behaviour are interpreted as adaptive strategies of responses to the RDA demands. They provide an insight into the *Nichekeleko* phenomenon that is part of the cultural understanding exclusive to actors stationed at the WB.
3. Thirdly, the aim was to examine what actors and networks are involved in the problem at the WB. The ambition for this was to provide insights into *Nichekeleko* patterns by identifying the actors and networks- the interplay between them. Networks are acknowledged to provide means of both vertical and horizontal integration and facilitate the acquisition of social and financial capital due to multiple links among WBOs, TDs, SWBOs, police officers and t that mix socially some extent Bankers.
4. The fourth aim explored the extent at which the persistence of the problem affects actors and networks economically and culturally. In this sense, our research traced the contours of *Nichekeleko* phenomenon questioning its meaning, analyses its continuity, and changes culturally. This has led our research to examine the class structures that mushroom at the WB and how social relations play a significant contribution to the *persistence of Nichekeleko*.

However, before discussing the thrust of this chapter, I would like to reflect briefly, upon what I consider perhaps the most essential contribution of this thesis to the broader debate over the perennial nature of *Nichekeleko* phenomenon in Zambia. To the best of my knowledge, this thesis represents one of very few studies of corruption in Africa using localized concept *Nichekeleko* (on the basis of extensive and detailed analyses of a variety of views, life stories of the actors that are involved in the phenomenon) has attempted to assess the complex interplay between power relations and *Nichekeleko*. The examining of corruption with a localized concept *Nichekeleko* in this thesis has hopefully provided a unique contribution to our understanding of the critical questions surrounding the persistence of *Nichekeleko* phenomenon in Zambia. One of the major themes to emerge from the thesis, at least within the Zambian context, is the importance of understanding the inter-relationships between power relations and external influences within the evolution of attitudes towards *Nichekeleko*, as well as how it could be understood and reduced.

Chapter 1 of this thesis has revealed that it is possible to avoid the dead end of the definition of corruption by concentrating on the processes of qualification of behaviours termed deviant or transgressive from the localized concept- *Nichekeleko*. In this perspective, the discourses and representation of corruption refers more to a negotiated classification of behaviour rather than a transgressive quality of behaviour (Chibnall and Sounders, 1997). The assumption here is that given this scenario actors at the WB adopt a situated morality that coincides with their aims and the criteria of *Nichekeleko* according to the *Chewa* literal meaning and interpretation for “support”. Most often, the public recognizes *Nichekeleko* as illegal or immoral character of such actions but not for the actors involved in it. From my observation, *Nichekeleko*, is simply ignored or underestimated as a common informal cultural practice in relation to an exchange of favours and gifts taking place outside and during working hours at the WB. Nevertheless, for the actors, it has become acceptable behaviour even though unacceptable when subjected to an examination in a courtroom. This means that although by definition it is very difficult to precisely state what *Nichekeleko* is, but the practice should not be dismissed as immoral and illegal but considered as social support as in the lens of those who engage in it.

Further, chapter 3 builds the theoretical and historical foundation of the research, while drawing on the power relations theory from Michael Foucault and Bourdieu’s practice and fields. Building on the already explained theory, I formulated an institutional model for analysing power relations which reflects the dual way of decision-making process of an actor

or agent, in two different institutional settings: structured and un-structured. The thesis analyses the existing body of knowledge on the factors facilitating corruption causes. It starts with evaluating the neo-liberal policies of privatization; bureaucracy to capitalism regarding the issue of corruption in Zambia, and out rightly rejects the possibility of any such outcome as causing the persistence of *Nichekeleko* phenomenon. Therefore, generally, this study has revealed that the irreversibility of *Nichekeleko* phenomenon is also found in the popular *Chewa* expressions when the semantic field of words are examined to designate the practice. The familiar words examined are too numerous signifying to support, help, share and give secretly as is used to indicate a bribe and favour. This infers that *Nichekeleko* does evoke having properties of secret sharing. This is similar to Taussig (1992) who inferred to informal practice as having the properties of ‘public secrecy’ were the stake “knows what not to know.” Therefore, this practice is a phenomenon that actors have used to manipulate the life-world around them and everyone at the WB considers it as normal.

Chapter 2 has detailed and bulk data gathered through mixed method, with more reliance on participant observation means within the framework of Road Development Agency (RDA) at the WBs set up for the purposes of this research. This unusual research route was fraught with difficulties, raised numerous ethical dilemmas and that confronted us with unanticipated risks, as discussed in the methodology chapter. Despite the fact that the textbooks are not always on moral high ground as the ideal type of sources to collect data from, but tried and firmly believed in them in order to maintain a reasonable balance between academic recommendations and field imperatives. While I do not claim full immersion in the consultancy culture, my mixed approach endeavours provided the opportunity to experience directly the contractual nature in the conduct of *Nichekeleko* phenomenon at the WB, thus allowing me to speak more confidently about it. My study revealed that the contractual nature of actors engaging in *Nichekeleko* puts in a relationship with three generic actors namely WBOs, TDs and to some extent Bankers. Each one of these has an important role to play in the way in which *Nichekeleko* is conducted and interpreted.

Equally, chapter 4 has championed a converse view of *Nichekeleko*, by tracing its characteristics from the *Ubuntu* ideology. Although there are, many diverse African cultures but there are commonalities found among them in such areas such as values, beliefs and practices. Through *Ubuntu*, the thesis reflected a local concept *Nichekeleko*, which in *Chewa* literally sense means support. Just as in *Ubuntu*'s ideology of moral support, *Nichekeleko* continues to be a set of institutionalized ideals that guide and direct patterns of life

experiences of actors at the WB. It is a notion descriptive of desired goals which the actors entertain and towards which their activities are directed. It is important to understand that just as in *Ubuntu* the effects and the literal meaning of *Nichekeleko* are still persistent today. *Nichekeleko* norms are innate and are transferred orally from one actor to another. It is therefore, a way of life by those who indulge in it. Its meaning is the expression and action by the actors involved in the phenomenon. As an abstract concept, *Nichekeleko* is supported and made real by certain components that are identified in specific *Chewa* proverbs and sayings. One basic tenet of *Nichekeleko* is the notion or expression of sharing. This feature distinguishes it from behavioural conduct construed as transgression.

10.2 Conclusion: An overview of *Nichekeleko* phenomenon because of relations of power.

One of the central arguments of the thesis is that the problem of the persistence of *Nichekeleko* phenomenon in the midst of fabulous copper wealth in Zambia is intimately connected to power relations between the WBOs and the TDs. Over the years, public service workers conditions of service have remained poor to tackle poverty in Zambia. Nevertheless, as argued in the preceding chapters, decades of poor labour policies have meant that successive corruption strategies, new initiatives and changes in direction have proved unsuccessful. The thesis has traced how actors adopt strategies (i.e., gift giving, *laperreque* and trust among others) to counter their poor working life situation. Therefore, ignoring the localized phenomenon based on power relations have led to the irreversibility and misinterpretation of the phenomenon according to those involved in it at the WB. Clearly, along with other factors such as the charging bogus WB fines and the engagement in *Nichekeleko* culture in Zambia have constituted a major source of the disconnection between copper wealth and high levels of poverty. This thesis has provided a unique and detailed analysis of corruption using a localised understanding for reasons of its persistence.

Chapter 5 moved the debate on to consider in more detail the various stages, the intensity of *Nichekeleko* and how it is carried out. The thesis started from exploring how a *Nichekeleko* phenomenon is conducted at WBs and based on the results, generalized it to the entire public service where the problem is persistent. Without this important step, however, that is usually missing in the analyses of current studies, an accurate diagnosis and deeper understanding of this cultural embedded phenomenon cannot be obtained. In doing that, this thesis adopts a new analytical framework, inductively developed from systematic observation of the

phenomenon. This was motivated partly from the inspiration of established theories on corruption, in particular, new institutional economics of corruption. This analytical framework helped us to analyse the how *Nichekeleko* is conducted as a contracting process, which includes four stages namely : (1) initiator of *Nichekeleko* (2) negotiator of *Nichekeleko*; 3) Agreement and (4) enforcement and sanction of the contract in case of non-performance. Further, this framework illustrates the sociological significance of contractual obligations in the weighing process of truckloads. The sociological argument is that there are power relations for this contractual process to be executed.

Using the empirical data introduced in Chapter 5, the thesis has demonstrated certain features and patterns of *Nichekeleko* conduct in each of the four phases, which are then used to identify the reasons that have facilitated the contracting process of the *Nichekeleko* phenomenon such as bribery, favouritism, gift exchange and money laundering under investigation. The thesis concludes that the high persistence of *Nichekeleko* activities found reflects a high degree of efficiency in the language use implied in *Chewa* words and popular sayings during the weighing process of truckloads at the WBs. Through investigations of each phase of the contracting process, the thesis found a number of reasons that have given rise to opportunities for actors to engage in *Nichekeleko* phenomenon. Some of these reasons are closely associated with the environment where *Nichekeleko* takes place. Briefly, some of the reasons perpetuating the practice are, the lack of rational economic basis for charging bogus WB fines, unstandardized transport policy on the Gross Vehicle Mass weight (GVMw) among the SADC member states while some others are embedded in the conduct and the nature of the gift exchanged regardless of its social, political and cultural backgrounds.

In examining how exactly *Nichekeleko* is conducted, this thesis has shown that as long as WBO's power, as a form of public power, is delegated and exercised by individual WBOs or SWB officials, the incentive to indulge in the *Nichekeleko* activities will always exist. This is due to the externality of the *Nichekeleko* conduct, which allows participants to enter into a deal, in which both are better off with an external cost transferred to the public or individual victims. They contend that they are better off to engage in *Nichekeleko* than wait for insufficient government salaries. This also explains why *Nichekeleko* has flourished. Therefore, the thesis highlights the complexity of *Nichekeleko* control as an institutionalized phenomenon in a parasitic manner. In this circumstance, *Nichekeleko* has grown into a "hidden norm" with its own rules and codes of conduct, which guide the choices of both the

providers and applicants of the public services. The thesis has revealed that *Nichekeleko* has developed from an occasional deviant behaviour at the WB into a social norm. Consequently, it is able to not only capture the law enforcement agencies such as the anti-corruption institutions, but also resist reformative measures by subverting formal rules with the hidden norm.

Chapter 6 contends that the causality link between behavioural patterns of *Nichekeleko* phenomenon and power relations is not the inverse of the view held by many. It is not that the participants of *Nichekeleko* are compelled to conduct the practice but because of the existence of an enabling environment that compel them to engage in a certain reciprocal relationship in the practice. The other attributive factor related to the environment is where *Nichekeleko* takes place is related to the particular class structure and features of social responsibilities in the communities. Further, chapter 6 finds that this particular decision-making feature concerning social responsibility such as wedding ceremonies or funeral responsibilities placed on the shoulders of WBOs has played an enabling role in the proliferation of *Nichekeleko* and has greatly facilitated the delivery of *Nichekeleko* services in the agreement phase. This manner of decision-making in social functions is primarily an outcome of the Zambian customs concerning funerals and other social functions. Its instrumental view of customs as well as the societal subscription to authority is that one who is in a higher social class must bear the burden to grace social functions at a cost incurred by the WBOs. Hence, this thesis casts doubts on the effectiveness of fundamentally controlling weighbridge *Nichekeleko* by launching incremental axle load reforms without carrying out the necessary public service reform to subject the WB operations to law and to replace the supremacy of traditions with policy framework on Weighbridge operations.

Further, chapter 7 demonstrated that the same factors that have facilitated *Nichekeleko* at the WBs in Zambia have also contributed to the proliferation of the phenomenon in Anti-corruption institutions, which are similarly incorporated to the ranking system and governed by similar rules and practices of decision-making. These chapters, employs a number of cases ranked as “phenomenon” (1), (2) and (3) to illustrate how anti-corruption strategies, in these cases, had been abused to serve private interests of perpetrators of the practice. These activities have inevitably diverted valuable investigative resources to the cases that are driven by private interests of anti-corruption agents. The most damaging effect of *Nichekeleko* phenomenon in anti-corruption institutions is that it raises doubt on the sincerity of the anti-corruption policies, strategies and laws. For example, when an offender is exposed and

punished, the offender and the observers are more inclined to attribute the punishment to the offender's falling out of either favour or protection of power rather than his breach of law. In short, they attribute the punishment to failure to "grease" the system, or be part of the actors of *Nichekeleko* phenomenon. Others attribute the punishment to failure by the offender to maintain and observe secret codes that govern the *Nichekeleko* members. This understanding consequently encourages the potential *Nichekeleko* participants involved in gift giving, bribery and patronage for instance, to invest more in power relations or to exchange favours and gifts with the law-enforcement officers as a counter strategy rather than refraining themselves from abusing power.

Chapter 8 moved the debate on to consider in more detail the variety of prevention strategies used to reduce the phenomenon, but without success. This was particularly useful in reflecting upon the issues first raised in chapter five. The discussion began by briefly turning to the results of the 2004 of the Zambia National governance baseline and World Bank survey report, the taskforce on corruption and other strategies. The 2004 governance baseline study revealed that patronage of public office and the engaging in *Nichekeleko* by public officials to avoid tax regulations were perceived by households, individuals and businesspersons in the survey as the most prevalent acts that had the most effects upon their lives. The singling-out of extortion of revenue by WBOs and police officers as one of the most important effects of *Nichekeleko* in the survey was also reflected in the interview data, where it was suggested by some interviewees that Zambia public officials often tend to favour people from their own ethnic backgrounds when they are in position of power. Therefore, state officers who engage employees related to them as discussed in chapter four connect this *Nichekeleko* conduct to patronage or cronyism. Further, chapter eight sheds more light on the prevention strategies of *Nichekeleko*; thus, interviewees from a wide range of sectors indicated a variety of ways in which they believed that *Nichekeleko* reflects many of the social relations that is missing in most government policies. In anthropological epistemology, a social reality is understood when the observer gives voice to the observed using words, symbols and practices of the observed (Douglas, 1970). Therefore, various accounts of exchanges between actors namely, gifts, interpersonal trust are never a subject of discussion in the strategies instituted by government. No particular attention is considered to relations between actors, as socially powerful people that manipulate the system for their own gain, hence the difficulties to reduce the phenomenon.

Chapter 9 explored the effects of *Nichekeleko* phenomenon from the actors' life experiences at the WB in different levels. The argument here was that *Nichekeleko* takes place due to monopoly and discretion of power over services that WBOs provide to the public. Further, chapter 9 highlighted the effects of *Nichekeleko* on the actors though has been neglected but it is instrumental in the replication of social structures at the WB. Therefore, chapter nine helped to appreciate the occurrence of the *Nichekeleko* phenomenon from the perspective of the participants whose occurrence was seen by using multiple sites of observation and a combined casual observation with more systematic programmes. The thesis considered more chatter and informal discussions through which gossip, stories and rumour is exchanged to appreciate the magnitude of the phenomenon. Through nastiness and gossip of the members of the social structures replicated, people talked about the *Nichekeleko* of others, thus they described or marked their action and pronounced judgements. This is even though the literature on such a topic rejects rumour as a source of judgement in favour of facts, truths and proof. Nevertheless, the analysis of the contextualized corpus of rumour in the second part of chapter nine gave access to a set of discourses and representations on the effects of *Nichekeleko* to participants. It became possible to analyse the terms and expression used that *Nichekeleko* at the WB exist. In simple terms, the thesis in chapter nine reconstituted the channels of transmission of accusations of *Nichekeleko* from those that are justified and tolerated to those that are criminated. In other words, the thesis in chapter nine included in the inquiry perspectives that offer an inventory of different social uses of rumour that underlie the phenomenon-*Nichekeleko* or convey a criticism of power relations

10.3 Recommendations: The Cleaning up *Nichekeleko* Phenomenon.

This last chapter 10 has addressed the fundamental findings of the study and highlighted its core contribution to debates surrounding the complex relationship between *Nichekeleko* and power relations. Surely, controlling *Nichekeleko* in Zambia is not an easy battle. Without a doubt, controlling *Nichekeleko* in Zambia is not a simple fight. A comprehensive therapeutic prescription warrants another systematic research, which goes beyond the objective and aims of this thesis. However, the findings of this thesis have identified a few critical reasons actors engage in *Nichekeleko* phenomenon hence its proliferation; without addressing them, the battle will unlikely succeed. These reasons concern the three most widely applied anti-corruption measures, namely, institutional power, law reform and the localizations of the phenomenon taking the perspective of those involved in the practice. Firstly, the localization of the phenomenon: an analysis also confirmed by Gluckman and Bohannan who argued

about the use of local terms in accounts of other society's practices. Descriptions of local practices should, Bohannan argued, be sensitive to indigenous concepts. According to Bohannan (1997), it is important to fit these practices and concepts 'into the larger conceptual system of the people who use them'' (p. 406). By contrast, Gluckman argued that many of these concepts can 'without distortion after careful and perhaps lengthy descriptions and discussions, be given English equivalents' (1955, pp. 380-381). The literal meaning of words is often a better guide to their actual meaning than looser but better-established etic equivalents. My argument is that if the literal meaning of the word *Nichekeleko* for support in *Chewa* were used in descriptions of official positions of the practice at the WB, it would make the phenomenon more accurate to understand and ease to deal with than the negative way we know it on electronic and print media. By contrast and faintly echoing Gluckman, I argue that the *Nichekeleko* concept is sufficiently technical to be useful for generalized core meanings as it has been proved in chapter one of thesis that a little departure from its local meaning is noted and interpreted differently by those who indulge in the practice. However, and in accordance with Stephen, "applying western terms to local titles and practices runs the risk of completely pre-empting any understanding of local life- worlds" (Saraswati, 2001). This is because in modern days understanding at the WB the exchange of gifts and favours between TDs and WBOs during the weighting process of truckloads is not taken as corruption but *Nichekeleko* meaning support. To the uninitiated, into WB functions, WBO's actions are corrupt activities but to them, a gift exchange has a symbolic meaning for respect and help implied in the word *Nichekeleko*.

In terms of institutional power and law reform, it will require changing the way that transport policies are made essential which must incorporate the views of those involved. Such reforms shall firstly increase transparency and accountability concerning the process of the formulation of WB fines. My argument here is that *Nichekeleko* phenomenon is also a manifestation of rational economic calculation by WBOs with power and discretion. For example, it is irrational to fine \$3000 US dollars per over weighted truck when the average salary for WBOs is \$500 US dollars. In short this phenomenon can be addressed by applying suitable incentive schemes which should revolve around basics of "carrot" and "stick" policy of rewarding the honest WBOs and punish those perceived mischievous. Therefore, the WB regulations should allow WBOs charge what they consider reasonable.

Equally, one major issue that kept appearing in this study is that *Nichekeleko* phenomenon involves overlapping relationship, between TDs, WBOs, villagers and businessmen

representing firms all viewed as principal client relations. The nature of these relations varies depending on the context. This relationship is characterised by tension and willingness to exchange gifts and other favours. The policy response needed to control *Nichekeleko* conduct is to identify the main drivers of the practice, and based on the results actively engage civil society organizations in helping to disseminate information on the value of WB structures to the economy. This is because, public data about the activities of government on WBs is still shrouded in secrecy and this makes it difficult for the *Zambian* media and other civil society organisations to monitor the performances of government and its agencies on how WBs operate in terms of budget allocation. Although the freedom of information bill has just been signed into law by the current administration of President Chagwa Lungu, it is yet to become operational. There is a need for anti-corruption strategies in *Zambia* to develop more effective awareness and enlightenment campaigns of WBs in order for citizens to know about WBs socio-economic and development benefits to the country.

Succinctly, it is important to note that to win the battle against *Nichekeleko* phenomenon in *Zambia*, it is not sufficient to reform the institutions that deal with corruption alone without dealing with the social institution where *Nichekeleko* is conducted. However, while I took note that it is more challenging to reduce these practices because they stem from more discursive factors, such as the societal tolerance of venality, the cultural indulgence of duplicity and relative morality, power relations as well as the popular neglect of the value of integrity, honesty and universal trust. Obviously, it is possible to change such an environment in which *Nichekeleko* phenomenon operates demanding much more patience, persistence, wisdom and strategic design put in place by policy makers. In challenging this social institution, it is critical to have a broad and inclusive definition of *Nichekeleko* practices in their manuals and policies to accommodate the rather mingled debates on the subject of corruption. Such a definition should recognize the involvement of entrusted power in those who indulge in the practice as a key element in distinguish *Nichekeleko* (see chapter one: i.e., the conventional one which signifies greedy or bribery) from the general social interaction one between any related individuals. It is also important to be able to discern the popular *Chewa* words such as proverbs, popular sayings and songs, which unnecessarily places one's none commitment to law and to sentimental relations in a fallacious dichotomy.

As to the other controlling measures, namely, anti-corruption enforcement, it is important to modify the current friendly policies and related legal measures, which have unwittingly helped *Nichekeleko* perpetrators in stabilizing their frustrated contractual relations due to the

need for concealment and the lack of protection from formal legal institutions. Confronting both the actors in which case, the TDs and the WBOs with similar sanctions will disturb the balance of the contractual relationship between them.

Lastly, it is equally important to effectively reduce *Nichekeleko* by addressing reformative measures, not limited to the ones mentioned above, but implement them in a concerted manner in order to produce the optimal effects. This is because *Nichekeleko* is a systemic corruption that takes place because of involvement by individual's deviant conduct into informal normative behaviour, as an institutionalized practice, which has a high capability of self-rehabilitation and self-reproduction. Isolated or ill-coordinated measures will not be able to produce the sufficient level of impact, which is necessary in order to change the belief system of the wide population from a belief in the supremacy of relations of power to the supremacy of law. To align various political, economic, legal, social and cultural forces to carry out such a grand group action, a committed political leadership with high coordinative capacity is indispensable. It also demands concerted societal efforts to nurture rational legal thinking, recognition of linguistic semantics as an important ingredient that shapes the behavioural conduct as well as to reward honesty, promote integrity, to encourage defences for public interests and human rights. Most importantly, to supplant the faith in the supremacy of power relations with the confidence in the amazingness of law at the WBs, hopefully such an action will definitely reduce *Nichekeleko* in Zambia generally.

10.4 Recommended areas for further research.

As the literature review has shown, there are 18 Weighbridges (WBs) in Zambia and this study only covered 4 main ones. Therefore, the first area for further research should be the inclusion of the remaining WBs in order to generalize the findings for the persistence of *Nichekeleko* phenomenon in Zambia. The second should be followed by a comparative study of investigating whether the *Nichekeleko* among SADC member states is facilitated by power relations for actors to engage in it with findings that could assist in harmonizing the transport policy that now seems to be in shambles. Such a study should aim at establishing the economic benefits if the practice interpreted from the lens of those involved in the three countries namely; Tanzania, Zambia and the Democratic Republic of the Congo and how this can attract donor support. The third area identified for further research is whether *Nichekeleko* phenomenon is the best practice that could be of use to establish a revolving fund, which should be accessible to members of the public. In short, creation of a “gift

exchange office” and after a period of time gifts are auctioned with proceeds re-invested back into the economy.

The fourth area recommended for further research should be on the role surrounding communities and civic organizations could play on reducing *Nichekeleko* phenomenon to strengthen anti-corruption policies and laws in Zambia. This study is necessary because of the dearth of literature on reason for *Nichekeleko*'s persistence. This research should also investigate whether the structures and some logic of *Chewa* words in terms of proverbs have been affected by language development with time and space.

Finally, charges of bogus WB fines need further research so that penalties are harmonized to suit the current rate as observed by Tanzai *et al.*, (2009).



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Appendices

Appendix 1. Questionnaire.



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QUESTIONNAIRE ON THE TOPIC TITLED: The Social Act of Exchange in Power Relations: The Study of the Phenomenon of *Nichekeleko* at the Weighbridges in Zambia.

RESEARCHER: CHIDONGO PHIRI

STUDENT NUMBER: 3420601

The study has been described to me in the language I understand and have freely and voluntarily agree to participate. My questions about the study have been answered. I understand that my identity will not be disclosed and that I may withdraw from the study without giving reasons at any time and this will not negatively affect me in any way.

Participant's name.....

Signature.....

Date.....

Should you have any questions regarding this study or wish to report any problem you have experienced related to the study, please contact this coordinator.

Study Supervisor's Name: Professor OlaJide Oloyede

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This questionnaire is for the following people/officials: Weighbridge Operators, Truck drivers, Police Officers, Anti-Corruption Officers, former Weighbridge personnel, Technical Assistants from NORAD, IMF, WORLD BANK, Road Development Agency (RDA) Senior Officials, buses passengers, Transporters traditional leaders and academicians in the languages department at the University of Zambia, as the way to obtain information on *Nichekeleko* at the Weighbridges. It will also serve as an interview guide for staff in the transport industry with information collected as a background to the research problem.

Goal of questionnaire:

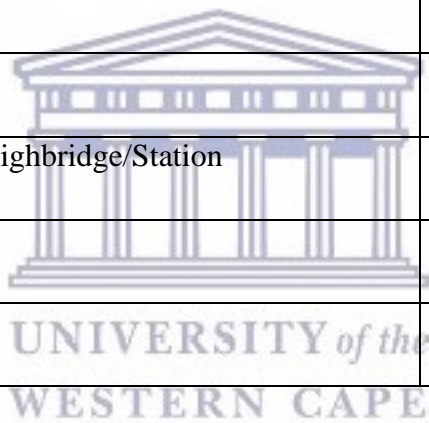
The aim of the research is to examine the reasons for the persistence of the phenomenon of *Nichekeleko* at the Weighbridge in Zambia. In order to achieve this aim, the study will be guided by the following questions below: Is the persistence in the phenomenon of *Nichekeleko* in Zambia facilitated by many factors other than power relations between actors? Does the persistence of *Nichekeleko* phenomenon at the WB lie in what underpins it? Can the theoretical framing tools of Pierre Bourdieu (practice and field) and Michael Foucault (power relations) provide a guiding light in explain the persistence of *Nichekeleko* at the WB in Zambia? The focus is on *Nichekeleko* which means support in *Chewa* implying that it manifest in many ways such as through the gift exchange and is embodied and passed on from one generation to another. Therefore, does this explain the reasons why actors who engage in the practice see it as less corruption and hence its persistence in Zambia? The research objectives are as follows: To establish the reasons for the persistence of *Nichekeleko* in Zambia especially at the WB's despite several intervention strategies taken by the government to reduce it. To establish whether the persistence of *Nichekeleko* in Zambia,

especially at the WB takes place in the context of power relations by those who engage in it. To investigate the gap created in revenue and whether such affects its persistence in Zambia. The questionnaire contains a number question on the forms of Corruption (*Nichekeleko*): From the National legal policy perspective and in the *Chewa* culture perspective. There is no right or wrong answers. Please answer each question to the best of your ability by writing the response that best reflects your opinion.

PART ONE

i	General information
----------	----------------------------

	Province	
	District	
	Name/ Location of the Weighbridge/Station	
	Name of interviewee	
	Date of interview	



ii	Demographic Data
-----------	-------------------------

Residential area		
Date of birth/Age		
Sex	Male..... Female.....	<input style="width: 50px; height: 30px;" type="text"/>

1. Employment Status	Truck Driver W/B Operator Former WB Operator Bus Passengers Others	<input type="checkbox"/>
2. Employment status	Technical Assistants Accountants Revenue Collector Computer Operator Office Manager/Cleaner Others	<input type="checkbox"/>
Employing organisation	RDA Zambia Police Anti-Corruption Commission Africa Transport Truck Drivers Association Other.....	<input type="checkbox"/>
Highest level of Education	None..... University/College..... Secondary.....	<input type="checkbox"/>

	Primary school.....	
	Others/ please specify.....	

These set of questions will be directed to Weighbridge Operators, truck drivers, former Weighbridge officials, commuters that board various buses and law enforcement officials at the Weighbridge who providing a background to the study.

iii NATIONAL POLICY ON CORRUPTION (NICHEKELEKO)

1. Has Zambia adopted or signed an international or regional agreement against corruption?

Yes:	No	I don't Know:
------	----	---------------

2. Is there corruption in Zambia?

Yes	No	I don't Know
-----	----	--------------

3. If yes, where do you think corruption is most rampant?

(a).....

(b) I don't know.

4. Has Zambia adopted a comprehensive strategy to reduce Corruption in addition to the regional protocol agreement and international conventions you are aware of?

Yes :	No:	I don't Know:
-------	-----	---------------

5. Are there or has there been any legal, constitutional or other impediments you are aware of to reduce corruption (*Nichekeleko*) in Zambia

yes	no	I don't know
-----	----	--------------

6. To whom do you report? (a) The Minister of Works and Supply. (b) The Director of Commercial Services at RDA, (c) The Senior Engineer at RDA

(iv) FUNCTIONS OF RDA/WEIGHBRIDGES

7. Why were Weighbridges established?

(a) To.....
.....
.....
..... I don't Know

8. What are the expected out comes?

(a) To.....
.....
.....
.....



(b) I don't know.

9. What kind of skills and knowledge are required for Weighbridge personnel?

(a)
.....
.....
.....

(b) I don't know.

10. If, you don't know has the organization taken an effort to upgrade them?

(a) Yes (b) No.

11. Do you have the necessary and adequate equipment for weighbridge operations?

(a) Yes (b) No

12. What is the exactly nature of your powers (specific) given to you to conduct your work at the Weighbridge?

(a)To.....
.....
.....

(b) I don't know.

12. Are these powers necessary? (a) Yes (b) No

13.If. yes!

Why?.....

14. What is the source of your powers at the weighbridge?.....

15. Have there been amendments to your statute to reduce or increase your powers?

Yes	No	I don't know
-----	----	--------------

16. Is there corruption at the weighbridge?

Yes	No	I don't know
-----	----	--------------

17. Is the way you exercise your powers subject to external control and review? (a)yes (b)No

18. Are there limits to the way you exercise your powers? (a)Yes (b) No.

19. Do you think WB's enjoy Public support? (a) yes (b) No

20. What can be done to boost public support about WB?.....

21. With which organization do you as WB operators liaise closely with when it comes to your work?.....

22. Are there anywhere were relations are difficult with your organization? (a) Yes (b) No.

23. If yes, why do you think so?.....,

24. Are there strategies you have used personally to combat gift giving or any underhand methods in performing your duties? (a) Yes (b) No

(v). CORRUPTION/NICHEKELEKO CATEGORIZATION

25. Do the Zambian laws categorize and punish as an offence any officer, soliciting or accepting directly or indirectly money or any other benefits such as gifts, favours promise for any act or omission in the performance of Weighbridge functions

yes	no	I don't know
-----	----	--------------

26. How does the statute define corruption?.....

27. Do you think this is a useful definition (a) Yes (b) No

28. Is it an adequate definition? (a)Yes (b) No

29. Are there provisions under the Zambian law requiring persons who perform Weighbridge functions to disclose their gifts, assets and liabilities received from friends and relatives earned as a worker at the Weighbridge?

yes	no	I don't know
-----	----	--------------

30. What is the range of penalties offenders get when found in such activities?.....

31. Are the penalties adequate? (a) yes (b) No

32. Do they act as deterrents? (a) Yes (b) No

(vi) ON GOVERNMENT REVENUE COLLECTION AND CONTROL SYSTEM

33. What is the budget limit of the Weighbridges? (a) K50m, (b) K100m (c) above a and b

34. What proportion of the budget is allocated for different functions? (a) Equipment (b) Management and others

35. Is this enough? (a) Yes (b) No

36. If no, how much do you really need?.....

37. Are there situation when you exceed the revenue estimate by government?

Yes	No	I don't know
-----	----	--------------

38. Do you feel WB's functions are adequately funded? (a) Yes (b) No

39. Are you subject to the Auditor Generals annual audits? (a) Yes (b) No

40. Is there a law on revenue collection and control system that can help to deter or reduce Corruption/*Nichekeleko* in the transport sector in Zambia?

Yes	No	I don't know
-----	----	--------------

41. Are there any limits in terms of the value of the acceptance of gifts fees or benefits that can be accepted by WB operators exercising their functions and if these gifts exceed limits is there a provision to return them to the government of Zambia?

Yes	No	I don't know
-----	----	--------------

(vii) TRANSNATIONAL OR INTERREGIONAL CORRUPTION/NICHEKELEKO AT THE BORDERS WITH ZAMBIA

42. Do the Zambian laws categorize and punish the offering or granting of promise or advantage to its nationals to an official or person of another country in exchange for gifts or money in the performance of Weighbridge functions?

yes	no	I don't know
-----	----	--------------

43. If yes, is this adequate? (a) Yes (b) No

44. Have there been attempts to intimidate your officials whilst on duty by politicians?
(a) Yes (b) No

45. If yes, what action did you take as an operator?.....

46. If no, why?.....

47. Does the Zambian Anti-Corruption and Anti-money laundering act categorize the fraudulent use and concealment of property derived from any acts of corruption/*Nichekeleko*?

yes	no	I don't know
-----	----	--------------

48. Have you had success in limiting Corruption/*Nichekeleko* at the WB? (a) Yes (b) No

49. If yes, what makes you think so?.....

50. If no, what could be the reason for the failure?.....

51. Have you ever reported your colleague when involved in Corruption/*Nichekeleko*?
(a) Yes (b) No

52. If yes, what percentage lead to convictions?.....

(vii) ON ILLICIT EXCHANGE

53. Does the Zambian law state as an offence in case of assets of public officials that are not reasonably explained in relation to his salary or personal emoluments during the performance of his functions

yes	no	I don't know
-----	----	--------------

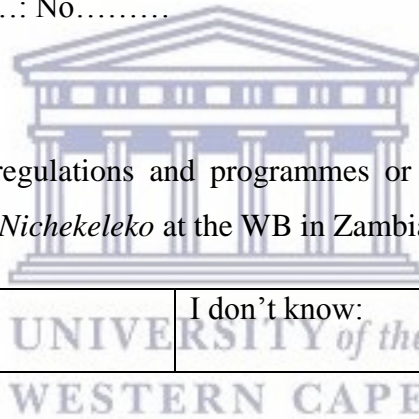
54. Are there provisions under domestic laws and regulations protecting bank secrecy for public officials especially those at the Weighbridge?

yes	no	I don't know
-----	----	--------------

(ix) FACILITIES OF REVENUE COLLECTION AS CONTROL SYSTEM TO REDUCE CORRUPTION/NICHEKELEKO AT WB'S IN ZAMBIA

55. Are the following types of facilities available and inspected to check compliance with financial regulations and inspections

- a. GRZ receipts books: Yes..... / No.....
- b. Banking facilities: Yes..... / No.....
- c. Computers: yes / No.....
- d. Axle load: Yes / No.....
- e. Whistle: yes...../No.....
- f. Measuring tapes: Yes...../ No.....
- g. Offloading shades/ Warehouses: Yes.....:/ No
- h. Cash safes: Yes.....: No.....



56. Are there any local regulations and programmes or procedures for detecting and combating corruption/*Nichekeleko* at the WB in Zambia?

Yes :	No:	I don't know:
-------	-----	---------------

57. What sources of information are used to detect and deter corruption/*Nichekeleko* at the Weighbridge and the country at large?

- a. Reports from national authorities:
- b. Reports from complainants
- c. Reports from civil societies / NGOs
- d. None of the above.

PART TWO.

This part of the questionnaire is to solicit information from truck drivers and other commuters on the effectiveness of Anti-Corruption Agencies in Zambia. Please note that all information

will be treated in confidence. This information will be used in aggregate terms and not for individual cases. You are therefore assured completely of confidentiality.

- 58. What position do you hold and with which organization?.....
- 59. What is your organization charged to do?.....
- 60. Have you ever carried an official at the WB with a gift? (a) Yes (b) No
- 61. If yes, how was the officials reaction?.....

PART THREE

This part of the questionnaire is to solicit information on the role played by the DONOR SUPPORT and the Anti-Corruption Commission on strengthening strategies to Reduce Corruption/*Nichekeleko* at WB's in Zambia

- 62. Does Zambia have a central authority for the purpose of channelling international assistance and cooperation on road network?

yes	no	I don't know
-----	----	--------------

- 63. If no, why?.....
- 64. Who scrutinizes what you do in the Road sector?.....
- 65. Is your organization transparent on the fight to reduce corruption? (a) yes (b) No
- 66. What percentage of the cases you have done at the WB lead to convictions?.....
- 67. Are there cases you have investigated outside your limit? (a)Yes (b) No
- 68. What programs are in place to monitor corruption/*Nichekeleko* at WB's?.....

PART FOUR

This section is to be answered by the agency/department responsible for the procurement of the axle load/ weighbridge scales on the increase and persistence of Corruption/*Nichekeleko* at WB's in Zambia

- 69. Is there a centralized procurement for the purchase of axle or Weighbridge Scales in Zambia?

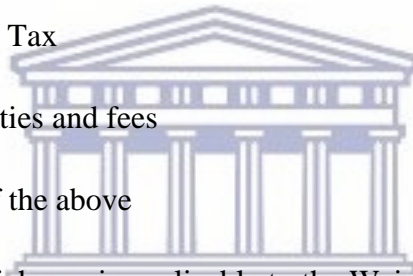
Yes:	No:	I don't know:
------	-----	---------------

70. Who is responsible for the public Weighbridge operations in Zambia?

- a. Ministry of Works and Supply
- b. Road Development Agency

71. How many tax categories are you aware of that exists in Zambia?

- a. Income Tax
- b. Property Tax
- c. Consumption Tax
- d. Trade Tax
- e. Loyalties and fees
- f. All of the above



72. If all of the above, which one is applicable to the Weighbridge situation and what are the tax rates for it

- a. 600 kwacha per annum
- b. 7200 kwacha per annum
- c. 1 million kwacha per annum

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73. Are you disciplined for revenue shortages?

Yes	No	I don't Know
-----	----	--------------

74. What type of tender process is used for public procurement of Weighbridge Scales and what is the percentage of the total cost for each:

- a. National competitive tender
- b. International competitive tender.....
- c. Negotiation/Single Sourcing.....

75. Is there tender board/committee overseeing public sector procurement?

Yes:	No:	I don't know:
------	-----	---------------

76. If yes, are the key functions of the procurement office and those of the tender committee clearly separated?

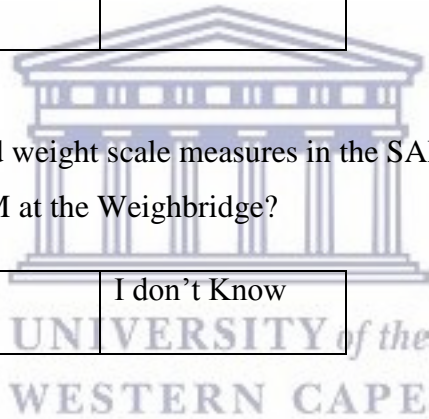
Yes:	No:	I don't know:
------	-----	---------------

77. Are members of the tender board/ committee staff/officials of the government procurement agency

Yes:	No:	I don't know:
------	-----	---------------

78. Are there any standard weight scale measures in the SADC region for the Weight and measuring of the GVM at the Weighbridge?

Yes	No	I don't Know
-----	----	--------------



79. Are there guidelines on vehicle overload control in Eastern and Southern Africa?

Yes	No	I don't know
-----	----	--------------

80. How many types of Weighbridges and methods of weighing do you know?

- a. Fixed
- b. Mobile
- c. Static Methods
- d. Dynamic

e. None of the above

81. Which method is easier to use?

None	
------	--

Or.....

82. Are there any benefits to you or a country in having a Weighbridge?

Yes	No	I don't know
-----	----	--------------

83. If yes, what are the benefits?

- a. Economic
- b. Social
- c. Political
- d. None of the above.



PART FIVE

This part of the questionnaire will be answered by Traditional leaders and members of higher learning institutions especially those in the language department on the persistence and increase in Corruption/ Nichekeleko in Zambia

84. Do you have an idea where the word *Nichekeleko* came from?

yes	no	I don't know
-----	----	--------------

85. If yes, in what category of grammar does it fall under?

- a. Verb

- b. Noun
- c. Adjective
- d. None of the above

86. Can you specifically state the period the word become so commonly used?

- a. Before independence
- b. after the privatization program
- c. None of the above

87. What word was used by the people of Zambia before privatization to describe corruption?

None	
------	--

Or.....

88. What word has been used by the Zambian people after privatization to describe corruption?

None	
------	--

Or.....

89. Do you have any comments on the meaning of *Nichekeleko* as a *Chewa* word?

None	
------	--

Or

90. Do you think *Nichekeleko* as a word has implications among the Chew people when they relate to each other?

- a. Spiritual Implications
- b. Moral Implications
- c. Material Implications

d. None of the above

91. Are there any obligations in *Chewa* associated with the word *Nichekeleko* when people are relating to each other?

Yes:	No:	I don't know:
------	-----	---------------

92. If yes, can we link the literal meaning of *Nichekeleko* to the modern activities at the Weighbridge in Zambia today?

Yes	No	I don't know
-----	----	--------------

PART SIX

This part will be answered by senior civil servants, newspaper editors and reporters to solicit information on the increase and persistence of Corruption/*Nichekeleko* at the WB's in Zambia

93. Why were WB's established in Zambia?.....
94. Do you think they are doing a commendable job? (a) Yes (b) No
95. Do you think they are responsible for Corruption/*Nichekeleko* increase and persistence at the WB's in Zambia? (A)yes (b) No
96. If yes what makes you think so?.....
97. Do you notice or see it? (a) Yes (b) No
98. Do you have trust in WB's staff? (a)Yes (b) No.
99. Do you think WB's have adequate expertise? (a)Yes (b) No
100. Do you think exposing corruption/*Nichekeleko* would reduce or increase it? (a) Yes (b) No

APPENDIX. 2 WEIGHBRIDGE CERTIFICATE.

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Statutory Instruments

13th April, 2007



Weighbridge Certificate

FORM 2

Date: Time: Weighing site: Operator:
 Vehicle Registration Number: Axle Configurations:
 Name and Address of Owner:
 Drivers Name:
 Drivers address: Nationality:
 Cargo: Origin: Destination:

Axle/ group of axles	Mobile scale readings		Sum →	Load of axles/axle combinations	Legal load of axle/axle combinations	Legal load plus allowance	Overload for charging purposes
	Left	Right					
1			→				
Sum			→				
2							
Sum			→				
3							
Sum			→				
4							
Sum			→				
5							
Sum			→				

This is to certify that the vehicle described above has this day been weighed with the results noted in the table.

Operators signature

Drivers signature

Number	Weighbridge Name	Officer on duty	Signature	Number	Weighbridge Name	Officer on duty	Signature
1				4			
2				5			
				6			