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INTERNAL STRATEGIES AND MECHANISMS FOR COMBATING CORRUPTION DURING THE COVID-19 PANDEMIC IN ZAMBIA: A LINGUISTIC TURN

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Abstract

This article analyses internal strategies and mechanisms in Zambia that have triggered corruption challenges during the Covid-19 pandemic. In doing so, it focuses on a localised practice known as the *bineyi* phenomenon and adopts John Law's actor network theory (ANT) as an analytical prism. *Bineyi* is a colloquial word in Nyanja which refers to favours in exchange for funds from individuals and government officials. Simply, *Bineyi* entails a system of business social networking in which influential businesspeople seek to gain favours. These social systems are dimensions and units of actions of individuals, and their roles as plausible human activities. ANT, in turn, is a social science approach which assumes networks of social relations and structures that are dynamic. ANT is used in this article to draw attention to the intimate associations between interactants, as well as their attributes, capacities and activities, that weaken mechanisms to deter corruption during the Covid-19 pandemic. Methodologically, the article is based on qualitative research involving interviews, observation and documentary analysis. The article proposes a twofold approach to reducing corruption. The article suggests that information provided by those convicted of corruption and dismissed from the public service should be made available to the general public, and that the *bineyi* concept and practice during the Covid-19 pandemic should be redefined into local understanding. This would illustrate the broad complementary role that political, judicial and traditional leadership institutions have in the fight against corruption.

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1. INTRODUCTION

The prosecution, conviction and dismissal of corrupt senior government officials at the Ministry of Health and Education by the Government of the Republic of Zambia appears to be ineffective as an internal mechanism and strategy to combat corruption. This is because the government has ignored the locally held understanding of the colloquial *Nyanja* word *bineyi*, which refers to social support to gain business favours. In 2021, Transparency International's Corruption Perception Index for Zambia stood at 33 per cent per cent, compared to Zimbabwe at 25 per cent.¹ This suggests that, even when compared to other southern African countries, Zambia faces large challenges when it comes to corruption.

Nonetheless, there is no clear-cut global definition of the term *corruption*. Therefore, instead of looking at corruption globally, this article seeks to understand corruption by examining it through local lens known as the *bineyi* phenomenon, which is a significant part of Zambian traditional culture. The argument is that *bineyi* is related to corruption when examined through the actor-network theoretical lens. The article develops this argument by exploring four main issues identified in the literature review: gaps in anti-corruption strategies and mechanisms during the Covid-19 pandemic that have left fertile ground for corruption can flourish; how actors utilise *bineyi* and thus enable corruption to persist; the actors involved in *bineyi*; and the reasons why actor network theory (ANT) is well equipped to explain how the *bineyi* phenomenon facilitates the persistence of corruption in Zambia. In pursuit of answers to these questions, we begin by defining several key concepts.

The first concept is *bineyi*, a colloquial word in *Nyanja* which refers to business favours and social support. In this article, *bineyi* is an idea, that holds a few different but related meanings, particularly to misinform or cause questionable behaviour. In this article, *bineyi* is defined operationally as customary conduct in which actors gain business favours from their friends.² For example, during an interview with an informant about the theft of billions of dollars, he was asked what *bineyi* means locally. He contended that it is interpreted as an accepted phenomenon involving business favours rather than as corruption. The typical characteristics of *bineyi* are reciprocal gift-giving, social support and business favours. Since these characteristics enable corruption to persist, it would appear that convictions and job dismissals as a mechanism of retribution against senior civil servants will rarely eliminate corruption because they ignore the localised practice of *bineyi*. Criminal prosecutions and dismissals as punishment for civil

¹ See Transparency International's corruption index for 2020–2021.

² This statement is taken from interviews with informants who were asked to explain *bineyi* in a one simple sentence.

servants involved in corruption at the Ministry of Health and Education affect both those who are personally involved and the policy-makers, but the phenomenon of *bineyi* is glossed over.

The second concept is 'corruption'. As mentioned above, there is no clear-cut, global definition of corruption. A common definition of corruption, nevertheless, is that it involves the misuse of public office for private gain.³ This is where an official entrusted with carrying out a task engages in some sort of malfeasance for private enrichment. The essential aspects of corruption are, first, that the person who accepts the bribe is in a position of power due either to market imperfections or an institutional position that grants him or her discretionary authority, and, secondly, that there is an illegal or unauthorised transfer of money or an in-kind substitute.⁴

Unfortunately, this definition ignores the semiotic dimensions of corruption when using the *Nyanja* language. The English word 'corruption' is not restricted to the public sector, but also applies to the private sector. However, when the word *bineyi* is used to describe activities at the Ministry of Health and Education, for example, or payments to the manager of a financial institution in order to obtain a loan or secure more favourable terms on a transaction, it is acceptable to make use of *bineyi* to get a job done – something which is not considered corruption at all. *Bineyi* in the *Nyanja* language of Zambia is shrouded in secrecy. This is because its significant features are social codes and proverbs that make sense only to those involved in it. This explains its everyday misinterpretation by the businesspeople of Zambia as meaning corruption through bribery, nepotism and the use of personal connections to obtain business favours. For some businesspeople, *bineyi* is not linked to public power and cannot be corruption at all.⁵ *Bineyi* should be differentiated from corruption, as it is a reflection of social business ties without monetary expectations between interactants.

Although *bineyi* is elusive to define, it is generally regarded as a bad thing by those outside Zambia who are sceptical of the practice. This is because they believe it is an influence for corruption as it undermines economic performance, weakens democratic institutions and the rule of law, disrupts social order, and destroys public trust. Yet, for those involved in it, it is not corruption at all, but respectable

³ See Johnston M (1996) 'the Search for Definitions: The Vitality of Politics and the Issue of Corruption' 149 *International Social Science Journal* 639 – 658. He defines corruption as a combination of illegal practices, such as bribery activities that occur between individuals or organisations and public officials in order to gain privileges.

⁴ See Treisman D (2000) 'The Causes of Corruption: A Cross-National Study' 76(3) *Journal of Public Economics* 399 – 457 on corruption due to illegality related to market forces.

⁵ This is the answer a research participant gave when asked why *bineyi* is not an act of corruption.

behaviour for enhancing one's business advantage. As Luo notes,⁶ *bineyi* is 'context-based' – that is, it means different things to different people in different ideological or cultural contexts.

2. SCHOOLS OF THOUGHT ON CORRUPTION

Generally, there are two schools of thought on the definition of corruption: the universalist and relativist schools.⁷ Universalists define corruption using common properties.⁸ The principle underlying the universalists' understanding of corruption makes certain behaviour corrupt in all societies. The relativists, however, contend that what is regarded as corruption in one society might not be seen in the same way in another.⁹ To the relativist, not all corruption is transactional in nature, and is therefore dynamic. In this article, 'corruption' is anchored on a relativist theoretical base, as a system of differentiated actions organised into a system of differentiated roles. Its internal differentiation is a fundamental property of all systems that are integrated into the corrupt phenomenon. It is a condition of the existence of the system that the differentiated roles must be coordinated either negatively, in the sense of the avoidance of disruptive interference with each other, or positively, in the sense of contributing to the realisation of certain shared collective goals through collaborative activity.¹⁰

This article has avoided the universalist definition of corruption because it tends to trace the causes of corruption to structural and institutional malfunctioning. For instance, the Zambia Financial Intelligence Centre reported on 19 July 2021¹¹ that USD 2.5 million (or 43.53 million Zambian Kwacha) had been stolen at the Ministry of Health alone during the Covid-19 pandemic – a fact that raises questions about the effectiveness of Zambia's anti-corruption laws, policies and institutions. The reason for ignoring the universalist approach towards interrogating corruption is due to its weakness in providing thorough details of the human actions embedded in the word *bineyi*. In agreement with this, the American Sociological Association (2010), in discussing human behaviour, states that 'understand[ing] human actions past and present ... requires a full sweep using their [human's] local language'.

Therefore, neglect of the word *bineyi* would show an imperfect understanding of the phenomenon – hence the resolve to utilise the relativist theoretical school's approach. What is absent from the universalist definition is a clear resolution to

⁶ See Luo, N (2002) Times of Zambia: V34, Issue 234. Lusaka, Zambia.

⁷ Xiaobo L (2000) *Cadres and Corruption* California: Stanford University Press.

⁸ Corbett B (2001) 'Why Worry about Corruption' *Economic Issues* (No. 6), International Monetary Fund.

⁹ Ibid.

¹⁰ Johnston M (1996).

¹¹ Zambia Financial Intelligence Centre (ZFIC) Report (2021)

use local concepts to understand corruption by examining the gaps in combating it. The argument of informants was that ‘corruption’ is an English word that fails to reflect local concepts in terms of the power, strategies and culture of Zambia that have created them, and thus ignores the world of those involved.

3. HISTORICAL BACKGROUND TO THE PROBLEM

Corruption in Zambia poses a major challenge, with the arrival of Covid-19 only making matters worse. For example, a total of USD 17.3 billion dollars meant to assist with the Covid-19 pandemic in Zambia was unaccounted for between June 2020 to February 2021.¹² This was the case in spite of an array of internal strategies and mechanisms, such as the enactment of the Anti-Corruption Act 12 of 2012 and the Procurement and Supplies Act 12 of 2010; the Civil Service Code of Conduct (a policy-driven mechanism to combat corruption); criminal trials of those involved in corruption; the dismissal of senior public officers for abrogating the Public Service Code of Ethics; the Terms and Conditions of Service (TMS); and the establishment of the Anti-Money Laundering Unit and the Drug Enforcement Commission (DEC) in terms of the Narcotic Drugs and Psychotropic Substances Act 37 of 1993. None of these strategies and mechanisms has proven effective at clamping down on corruption – because they completely ignore the word *binayi* and its practice.

Zambia has made tremendous progress in enacting anti-corruption laws in the last two decades. Legal and institutional frameworks combating corruption have been strengthened, and efforts made to reduce corruption, streamline bureaucratic procedures, as well as investigate and prosecute corruption cases, including those involving high-ranking officials. Nonetheless, corrupt activities remain prevalent. For example, a health-care corruption scandal at the Ministry of Health in 2009 was seen by many as confirmation of the weakening effort to combat corruption in Zambia.¹³ Yet, to the businessmen involved in the corruption scam, the situation is understood as simply breaking the *binayi* rules, codes and norms, rather than as corruption. *Binayi* can be considered a significant factor in the emergence of corruption in the health sector in Zambia.

4. THEORETICAL FRAMEWORK: ACTOR NETWORK THEORY

This article is informed by John Law’s actor network theory. For Law, the word ‘network’ means transport without deformation, an instantaneous, unmediated access to every piece of information.¹⁴ Latour argues that ANT is dedicated to

¹² UNDP (2021) *Tackling Corruption and Transforming Lives: Accessing Human Development in Asia and the Pacific* United Nations Development Programme.

¹³ NORAD (2011) *Corruption Mechanisms and Prosecution in Zambia* Lusaka: NORAD Reports.

¹⁴ Law, John (2000), 'Transitivities', *Society and Space*, 18, 133-148.

notions such as society, norms, values, culture, structure and social context.¹⁵ This means all terms that aim at designating what gives shape to micro-interaction. ANT also posits that the human actants, material, semiotics and artifacts interact in the actor-network as a whole. This implies that interactants under ANT are affected by particular connections and translations that assemble all of these objects, processes, concepts and institutions into presence. Actants follow the movements and politics of these objects as they assemble to order everyday practices and places in particular ways¹⁶.

Most ANT studies regard all things as effects continually produced in webs of relations. For this article, these web of relations are enmeshed in *bineyi*. However, since its introduction, ANT has undergone significant shifts and evolutions, and as a result is considered not as a single or coherent theoretical domain but as developing diversely in response to various challenges.¹⁷ In short, ANT is a theoretical approach and method in the social sciences that helps to analyse and trace social phenomenon taken to be natural, yet twinned in webs of networks through association and force, and how they persist, decline and mutate¹⁸. This approach provides insight into the dynamics of corruption enmeshed in *bineyi*.

Therefore, this theory has guided the author to concentrate on what is not directly visible in the nature of *bineyi* and which has made corruption what it is today. The theory was found useful owing to matters, questions, and issues arising out of it in relation to the actor-network and the various approaches it provides for thinking about the materiality, ordering, distribution and hierarchy with which the actor-network interacts. One of the most important matters arising from the theory has to do with interrogating the complexity of relationships in the corruption network. ANT has been productive in helping the author focus on corruption at the micro-level of face-to-face interactions. The theory thus helps to expose weakness in the local mechanisms and strategies that are necessary to eliminate corruption occurring through the localised practice of *bineyi*. ANT assisted the author's efforts to pay attention to and explore the conditions under which corruption has flourished during the Covid-19 pandemic in Zambia, because ANT helps to unmask actants' actions, subjectivity, intentionality and morality.¹⁹

¹⁵ Latour B (2005) *Reassembling the Social: Introduction to Actor Network Theory* Oxford University Press.

¹⁶ Richard and Fenwick.M (2012) *Network Typologies and Dynamics: Theory and applications to Network to economic and social systems*. Springer. Milano

¹⁷ Ibid.

¹⁸ Latour Bruno (2005) *Reassembling the social: an introduction to actor-network-theory*. Oxford New York: Oxford University Press. [ISBN 978-0-19-925604-4](https://doi.org/10.1017/9780199256044).

¹⁹ Latour B (2005).

5. LITERATURE REVIEW: THE *BINEYI* PHENOMENON AT THE MINISTRY OF HEALTH

Corruption is a pervasive social phenomenon which is universally practised regardless of the development stage of a country.²⁰ In Zambia, though, it is a particularly acute problem. The Covid-19 crisis of 2020 showed that corruption persisted due to weaknesses in response measures for combating the pandemic. In other words, the pandemic also exposed weaknesses in mechanisms and strategies for combating increasingly corrupt activities at the Ministry of Health.

Corruption occurs in every department of the public and private sector in Zambia²¹, but when the word 'corruption' is used to describe the *bineyi* at the Ministry of Health, it is simply dismissed as political rhetoric for public show. To workers and business people, *bineyi* means that the civil servants involved have broken the rules of *bineyi* and must be dragged out as villains, leaving those not caught to continue with the practice. This shows that, for all the sound and fury about corruption, it is dismissed with the *Nyanja* proverb, '*Kawalala nipakwanja*', implying that a corrupt official is one caught in the act. This proverb about *bineyi* shows that there is no emphasis on the illegal nature of the act; the punishment of individuals engaging in different kinds of corruption, such as bribery, nepotism and rent-seeking is overlooked. Similarly, it is also observed that there is no external monitoring of contracts awarded for Covid-19 kits at the Ministry of Health, and that firms involved with corrupt civil servants are never punished when they engage in the corruption inherent in *bineyi*.

Nevertheless, there have been several strategies and mechanisms for reducing corruption in Zambia. President Kenneth Kaunda, followed by President Mwanawasa, sought to strengthen the rule of law in the fight against corruption by enacting various laws to prevent corruption. The bulk of the data used to analyse corrupt activities at the Ministry of Health and Education during Covid-19 comes from anti-corruption documents, ministerial speeches, and briefings and regulations, both locally and internationally.

Briefly, the Act and strategies perceived to help in reducing the proliferation of corruption during the Covid-19 pandemic are as follows: the establishment of 265 vaccination sites; the global fund financing institution that recognised the importance of accountability for suppliers and transparency and predictability in its

²⁰ Rose-Ackerman S (1999) *Corruption and Government: Causes, Consequences and Reform* Cambridge University Press.

²¹ Ndulo Muna (1997). the 1996 Zambian constitution and the search for a durable democratic constitutional order in Africa: [African Yearbook of International Law Online / Annuaire Africain de droit international Online](#)

operations; and the suppliers' code of conduct established for the purposes of clamping down on corrupt practices during and after the Covid-19 pandemic. Furthermore, the Ministry of Health Integrity Committee (IC) was established to facilitate the prevention of corruption and related malpractices within the health sector in liaison with other line ministries such as Justice and Education. The Committee comprises nine members, is supported by a secretariat, and is represented by focal point persons in line ministries outside Lusaka province.

Be that as it may, no code of conduct is effective without agreement as to what is put in the code of ethics. There seems to be a disconnect between the public code of conduct in the strategies and the private code of conduct embedded in the *bineyi* practice, a disconnect which has led to corruption. For example, the protection of whistle-blowers as an essential mechanism to eliminate corruption is missing in the law against corruption. This might have been different if the description of corruption had acknowledged the localisation of the concept *bineyi* to assist the task of whistle-blowers in the fight against corruption during the Covid-19 pandemic. This is evidenced by the fact that the majority of whistle-blowers are not willing to speak out against *bineyi*, as it is considered a social norm and is ignored in the anti-corruption law.

6. METHODOLOGY: ETHICAL CLEARANCE AND GATHERING OF DATA

Approval to interrogate gaps in the fight against corruption during the Covid-19 pandemic was obtained from the authorities at the Ministry of Health and Education on 14 July 2020 in Lusaka. All participants signed a consent form stating their rights and obligations as stipulated in the Secrecy and Information Act. The consent form was read as subsidiary regulation together with chapter 28 subsection 14(d) of the laws of Zambia. The form allowed participants to refuse, to participate, or to record and protect information during and after the article. Nobody was coerced, bribed or intimidated into participating in the project. A lead investigator was obliged to interpret the consent form before it was signed by participants.

A first ethical issue relating to this research was the author's personal background as a civil servant who had served in government before being appointed as a lecturer at the University of Zambia. This means that there is potential for personal bias when examining the phenomenon. In order to reduce this bias, a mixed method of gathering data was used, one involving interviews, observation of events, and analysis of documents and actions.

Data used for this article was drawn from the Ministry of Health, Education and the Public Service Commission in Lusaka. Zambia has 10 provinces, with the Ministry of Health represented in all provinces and districts.

A qualitative-idiographic²² approach was taken in analysing the efficacy of mechanisms and strategies to combat corruption. Generally, this approach involved conducting documentary analysis of contract documents and media statements by the minister in charge of health and education. Interviews were also an important source of information. Non-structured interviews were held from February 2020 to June 2021 with 24 participants. These were the 10 heads of departments and another 10 staff members at the Ministry of Health and Education, which included those at the Public and Teaching Service Commissions responsible for recruitment and dismissal of all public service employees in Zambia. Additionally, interviews were held with two officers who represented private firms which had been awarded contracts to procure Covid-19 kits and drugs, namely HoneyBee Pharmacy Limited and the Zambia Medicines Regulatory Authority.

7. METHODOLOGY: DATA ANALYSIS AND INTERPRETATION OF *BINEYI*

This article used inductive content analysis as the basis for its data analysis. Patton notes that '[t]he 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'.²³ He suggests that these notions about information analysis start arising during the data gathering itself. Unlike in a quantitative study, where data analysis takes place only after data collection, in qualitative-idiographic studies such as this one, data collection and analysis work hand in hand to build a coherent interpretation.

A criminal-sociological approach²⁴ was taken in analysing the data. The criminal-sociological tradition treats text as an opening to delve into human practices and was found suitable in analysing data for this article. The texts are in the form of words or phrases generated by methods for systematic elicitation, such as narratives, discourses and responses to open-ended interviews. This implies that the criminal-sociological approach helped to elicit data through concept clarification, in this case; *bineyi*.

The qualitative-idiographic technique helped in assessing individual ability to practice corruption during the Covid-19 pandemic. The effort of assessing individual behaviour during involvement in bribery, for example, created a rich set

²² Bryman A (2012) *Social Research Methods* London: Oxford University Press describes 'idiography' as 'a style within social research that focuses on specific elements, individual events, entities and situations, documents and works of culture such as art, to concentrate on what is particular'.

²³ Patton M (2002) *Qualitative Evaluation and Research Methods* Longman at 44.

²⁴ See Merton R (2003) *Sociological Theories of Crime* London: Oxford University Press for examples of these approaches, particularly the theory of differential association, which posits that all criminal behaviour is learned and that the learning process is influenced by the extent of the individual's contact with persons who commit crimes. The more an individual associates with such persons, the more likely it becomes that he or she will learn and adopt criminal values and behaviours.

of observable data on corrupt activities. Put simply, using narratives to explore the weaknesses of strategies for combating corruption during the pandemic was of essence. The idea here was to understand senior civil servants' experiences of the mechanisms and strategies for clamping down on corruption whilst being employees of the public service in Zambia. Basically, the aim was to analyse the weaknesses of the mechanisms and strategies that influence corruption in the health and education sector during the pandemic in Zambia.

8. DISCUSSION OF FINDINGS

The core reasons for the weaknesses in the strategies and mechanisms that fail to curb the corruption challenges in Zambia are presented thematically, through interviews, documentary analysis and isolation of events. The first theme is the contractual business language enmeshed in the *Nyanja* word *bineyi* and institutional responses reflected in behavioural patterns of actors in the network. The glaring examples of the internal mechanism's strategy failures in combating corruption are contextualised in the business language, localised as *bineyi*. This means that *bineyi* as a social dimension of business favours could somehow explain corrupt behaviour in Zambia, as well as the weaknesses of the strategies and mechanisms for combating it. For instance, *bineyi* involves no features of hard work but merely reciprocal exchange of business favours. In *bineyi*, reciprocal exchanges are probably the choice of individuals who engage in it within the social networks.

This article, as mentioned, is anchored on John Law's actor network theory. Law, a criminal sociologist, states that everything in the natural and social world exists in constantly shifting networks of relationships. At issue is that the network participants ideas, objects and processes are factors that allow the network and institutions to be formed. Similarly, Bruno Latour, referring to ANT, argued that all humans are bound by social interactions in a network.²⁵ One informant says that if corruption is traced through the use of the localised concept *bineyi*, it is possible to link it to network associations. This means social connections that are non-material and material between actors in the social network have triggered corruption too during the pandemic. Ignoring the social dimension is the explanation for the failures of the internal mechanisms and strategies to combat corruption at the Ministry of Health and Education during the Covid-19 pandemic in Zambia.

Secondly, by analysing Covid-19 contractual business documents, laws and face-to-face interviews with businessmen, one notes the missing local concept *bineyi* in the laws and documents. This allows corruption to flourish during the pandemic. The documents ignore the concept of *bineyi* and so the mechanisms for fighting corruption are rendered useless because *bineyi* is a powerful cause of corruption in

²⁵ Latour. B (2005).

Zambia. For example, the theme relating to the internal mechanisms and strategy weaknesses at the Ministry of Health and Education is reflected in the laws of Zambia. Section 41 of the Procurement Act 12 of 2010 states:

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.

The absence of *bineyi* in the procurement law seems to be a communication pathway allowing corruption to flourish in Zambia. This reflects the gaps in the strategies and mechanisms for combating corruption during the pandemic. This is because actors involved usually use *bineyi* as the means of communicating and sharing information.

Thirdly, interviews with informants at Ministry of Health and Education indicated common agreement about the ACC as the body mandated to fight corruption stipulated under the ACC Act No. 12 of 2012 as stated here:

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 Anti-corruption Commissions Act provide for nullification of corrupt transactions.²⁶

In reality, corruption can never be defeated when the law ignores the actor-network social relations embodied in *bineyi*. *Bineyi* takes place because actors live together civilly with each other, a situation which provides an enabling environment for corruption to continue. As Bentham observed, human beings will

²⁶ Anti-Corruption Act 12 of 2012.

always commit a crime with full knowledge of the law.²⁷ Put simply, corruption flourishes because the rewards outweigh the punishment. Herbert Packer,²⁸ on a similar issue, argued that, under the natural law of hedonism,²⁹ if prospective criminals fear future punishment more than they derive pleasure from present crime, they will not commit crime anymore.

What is missing in the Anti-Corruption Act and the procurement laws, then, is the acknowledgment of *bineyi* by those involved in the examination of social network relations and who are familiar with the nature of the social bonds that create an environment for corruption to exist between interactants during the pandemic. *Bineyi* is not itself a determinant of corruption but a factor leading to it. In fact, there are examples to show that not all *bineyi* conduct is corrupt behaviour but merely part of the social norm. This reflects the impediments to the internal strategies and mechanisms for combating corruption at the Ministry of Health and Education.

Fourth, interviews with informants revealed that the weakness in strategies to combat corruption lies in cadre³⁰ influence. Cadres are embedded in *bineyi*, and act as a conduit and vehicle for corruption to flourish in Zambia. During interviews at the Ministry of Health and Education, a cadre argued that the concept *bineyi* is a loaded one in *Nyanja*. For example, the word *mukwasu*, meaning a relative, is embedded in the concept of *bineyi*. Actors of cadre-ism embedded in *bineyi* are not accountable to anyone. But the full cost of every connection between cadres is payable. If a cadre wants to influence another cadre, for corruption to exist, he has to levy the means in the form of favours. In short, *bineyi* in Zambia exists in context where the bribee and the briber have both paid their levies within the network of corruption.

So, cadre-ism has been a production site and a vehicle for the perpetuation of corruption in the health sector during Covid-19 in Zambia. There are insiders and outsiders allowing corruption to flourish influenced by cadres embedded in *bineyi*. The mode of operating between cadres has a finite number of procedures. For example, cadres are introduced to the application of codes that imply the logic of operation of actors related to the type of situation. This indicates that there are no visible mechanisms or strategies in place to deter cadre-ism. Thus, it is clear that corruption flourishes because it is influenced by cadres embedded in *bineyi*. What is also clear is that *bineyi* refers to a relationship between a person with needs and

²⁷ Bentham J (1962) 'Principles of Penal Law' in Bowring J (ed) *The Works of Jeremy Bentham*, Vol. 1 Russell & Russell at 23.

²⁸ Packer H (1968) *the Limits of Criminal Sanction* Palo Alto: California Stanford University Press.

²⁹ The law accounting for what is good or bad according to Locke's moral philosophy.

³⁰ Cadres are responsible for activities that influence government in the governing process.

another person who has the ability to satisfy those needs – hence the existence of corruption during the pandemic in Zambia.

Fifth, data acquired during interviews with two former staff at the Ministry of Education and Health offices, one serving and one dismissed, confirmed the same levels of normlessness³¹ that cause teachers to engage in corruption. Normlessness is a notion embedded in *bineyi*. In *Nyanja*, the metaphorical statement '*Aunjika zapatsogolo*', meaning to gather for the future, is an example of the feeling of normlessness. For example, three senior officers and a Minister of Health were dismissed in 2020 by termination of contracts after being accused of procuring expired drugs and extortion of public funds during the Covid-19 pandemic. This too is reflective of normlessness.

One such type of anomie by the minister was corrupt conduct arising from the normlessness embedded in *bineyi*, when setting up pharmacies and drug stores near the largest health provider, the University Teaching Hospital (UTH) in Zambia. This feeling of normlessness arose due to insecurity and uncertainty about their career prospects, associated with the lack of adequate social security benefits for permanent secretaries and government ministers. Unfortunately, there is no clear mechanism or strategy to fight normlessness among senior government officers, which shows the challenge of combating corruption in Zambia. Equally, during interviews, one informant, when asked the meaning of *bineyi*, simply responded with '*Nyanja Makwebo*', meaning 'business favours'. Analysis shows that there is no common view on what *Makwebo* means in *Nyanja*. This means that there is no single definition of *bineyi*. The word *bineyi* hence reflects a broad perspective which includes social relations and so increases the chances for corruption to flourish. The broader perspective of the word *bineyi* provides an opportunity for corruption to persist in the education and health sector.

Sixth, through observation of 'material things',³² secondary data revealed that the visible mechanisms such as the Civil Service Code of Ethics and the Terms and Conditions of Service of 1996 (TCS) are inadequate to reduce corruption at the Ministry of Education. From observation, chalk and textbooks, tests and databases, student portfolios, playground equipment, desks, school uniforms, bulletin board displays and maths equipment in education can be described as a set of material things or artefacts that are continually distributed, managed, employed and

³¹ Cultural values and norms that lost meaning to those who consume them in society. A feeling of lost and discarded society values beliefs and norms in the everyday of one's life.

³² See Latour, Bruno (1996: viii), who describes material things such as chalk, textbooks, desks, and curricula, but do not provide a meaningful contribution to the mechanism of fighting corruption.

bought³³. These things are themselves assembled or, in Molotch's term, 'lashed up', to numerous elements. For Molotch, material things are assembled and distributed, one needs to learn how they are purchased and how they fit into larger teacher social sentiments³⁴. Therefore, each material element is just one interdependent fragment of a larger whole. From observation, pedagogy is centred around and mediated by material things, usually at an exaggerated cost. The exaggerated cost of material things at the Ministry of Education is embedded in the *bineyi* practice, consequently triggering corruption in the teaching profession. This is because of the inability of the law to deter *bineyi* in the pedagogical process. *Bineyi* draws teachers together through a distinct network of materials and conversations that reaffirm the particular practices and values that are organised specifically by the teaching profession in the form of materials and information.

Antoni and Zenou say of social networks that 'they have a multiplier effect, because of social interaction; individual decisions feed each other and have a capacity of the observed aggregate outcome'.³⁵ In criminal literature, the influence of friends on behaviour has been acknowledged for a long time. In economics, the empirical evidence collected so far has suggested that peer effects have much influence on criminal decisions. Social networking among teachers and those in senior positions also provides an enabling environment for corruption to flourish. This suggests that *bineyi* is embedded in teaching positions and enables corruption to exist during the pandemic. Equally, the code of ethics and TCS lack a deliberate 'clause' to rehabilitate teachers engaged in corruption. In interviewing teachers involved in corruption at the Ministry of Education, the author learned of other networks being mobilised that are hidden in the security, classroom displays, resource control, and so on.

However, these issues are shaped differently through the specific material things and the behaviours they produce. They create other material enforcements and social relations, spatial boundaries and written policy keypad codes, only acknowledged by actors involved as *bineyi*, and not as corruption networks. The problem is that there is a distant relationship between *bineyi* and the mechanisms

³³ Lawn and Grosvenor (2002:7): who describes material things as interest in the materiality of schooling? It is focused on objects in schooling, which, taken individually and together, constitute the sites of schooling. It does not assume a fixed dichotomy between objects and people, in other words, that there is a life of imagination and action, and there are collections of inanimate objects

³⁴ Molotch (2006:34) to show how objects and physical artifacts are joint result of various types of actors, most particularly product designers operating within frameworks of technology, regulation, mass tastes, and corporate profit.

³⁵ Antonia A, Adesina G & Zenou L (2001:111) 'Do Corrupt Governments Receive Less Foreign Aid?' 92(4) *American Economic Review* 1126 – 1137.

to fight it and the punishment of the teachers involved. The punishment is based on the present and not on preventing *bineyi* from recurring.

Further, by dissecting the language embedded in *bineyi* to examine those involved in it at the Ministry of Education and Health during the Covid-19 pandemic, it was seen that corruption takes place through such processes. It works through complex human–non-human relations in a social world of experts such as policy-makers and curriculum developers. By examining how language processes in *Nyanja* enact conceptual categories and reconfigure relationships, we can see how corruption is enshrined in this process; in other words, commonly known material things embedded the *bineyi* practice. This complex process, for example, involves receiving the *Chiongoro djanja*, meaning operating fees. This ‘operating fee’ is a clear manifestation of corruption embedded in *bineyi* practices. This may not always be financial, but includes social support, such as getting a child a place at a secondary boarding school.

Therefore, it is not surprising to note that when a perpetrator involved in corrupt conduct such as receiving money (commonly known as an operating fee) is exposed and punished, observers attribute the punishment to the perpetrator’s loss of the protection of power rather than to adherence to the codes and norms of *bineyi*. Hwang and Staley³⁶ argue that networks are factors that result in widespread bureaucratic corruption in institutions. Similarly, from observing individual government officials at the Ministry of Education and Health, it is apparent that there is a tendency to charge ‘operating fees’ through *bineyi* networks and that this results in widespread corruption flourishing in Zambia.

Seventh, according to data sourced during interviews at the headquarters of the Health and Education Ministry during the Covid-19 pandemic, there was a pertinent description of corruption influenced by the ‘discretionary powers’ of procurement officers expressly stated in the procurement laws. Section 42 of the Procurement Act states:

Procurement shall be at the initiation and discretion of procurement officers 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.

This statement implies that the purchasing officers are responsible for the initiation and discretion of procurement, while the suppliers are mandated to abide by the

³⁶ Hwang, D., & Staley, A. (2005:223). An Analysis of Recent Accounting and Auditing Failures in the United States on U.S. Accounting and Auditing in China. *Managerial Auditing Journal*, 20(3).

procurement process as specified in procurement law. The procurement law empowers the procurement officer to exercise discretionary powers, as he or she is responsible for taking procurement decisions. However, it does not provide for internal checks against the abuse of power by the procurement officer, making it difficult to deter corruption at the Education and Health Ministry. While it is true that discretion is essential to any lawful framework in which individualisation has a critical effect, the legislation has not eliminated the unnecessary discretionary powers of officers exercising it in the Education and Health departments. The procurement laws fail to detect the actor-network relationships that are so revealing, in *Nyanja* terminology, and words such as *wa udindo*, meaning that discretionary powers. These words are embedded in the *Nyanja* language that are missing in the procurement law of Zambia.

Most internal mechanisms and strategies ignore the interpersonal and actor-network relations of those involved in corruption. Data analysis revealed that the word 'corruption', when used in government institutions, suggests that at the moment of speech the speaker is guilty of not reflecting a particular actor's way of life. Put simply, this projects actors exclusively as law-breakers, which is inaccurate. However, when the word *bineyi* is used in a normal situation to describe corruption, it reflects people's actions as exploring normal legal business dealings anchored on the contract law principles of offer³⁷ and acceptance³⁸ which only makes sense to those who understand its rules, codes and norms.

Fenwick and Edwards, on localised concepts, state that what shapes people's interactions are various materials linked together as interconnected systems that shape the nature of the participants' engagements with one another through language.³⁹ Therefore, when various material things are glossed over in local language, this weakens the mechanisms and strategies that can combat corruption in government departments. In reality, weaknesses in mechanisms and strategies for controlling corruption are perpetuated by ties of friendship and acquaintanceship⁴⁰ embedded in *bineyi*. This is a demonstration of affection,

³⁷ An offer is an expression of willingness to contract on specified terms, made with the intention that it is to be binding once accepted by the person to whom it is addressed. There must be an objective manifestation of intent by the offeror to be bound by the offer if accepted by the other party. See *Stover v Manchester City Council* [1974] 1 WLR 1403.

³⁸ An acceptance is a final and unqualified expression of assent to the terms of an offer. See *Partridge v Crittenden* [1968] 1 WLR 1204.

³⁹ Fenwick V & Edwards B (1999) 'Taxes and Bribery: The Role of Wage Incentives' 103(416) *Economic Journal* 119 – 141.

⁴⁰ An acquaintance is a person known to one but usually not a close friend. Acquaintanceship is the state of being acquainted or casually familiar with someone or something.

understanding and legal business support at procurement departments, mostly disguised as a mechanism for combating corruption during the pandemic.

Eighth, there are gaps in mechanisms and strategies for combating corruption. The weaknesses lie in actors being involved in interlinked dense webs of multiple network relations through material and non-material things. The systematic nature of this interlink is explained by John Law's actor network theory, as emphasised in this article, as well as by Parson's social systems theory. The social systems theory, in Parson's (1954) view, provides an account of rationalistic social order and epistemology. This implies that actors keep a formal agreement in an epistemological sense

For example, Klavadija *et al.* contend that 'positions in social networks play a predominant role for business outcomes⁴¹'. The higher the position the better the person's ability to tap the social capital embodied in his or her social networks. In confirmation of this, interviews from informants at the Ministry of Education revealed that corruption is difficult to reduce because the mechanisms in place depend on the importance of positions that the system over relies on. For example, staff who occupy a central position are considered better to deal with, which promotes their *bineyi* value. This is due to the fact that these are beneficial positions for the actors involved in the practice of *bineyi*.

9. IMPLICATIONS AND SOLUTIONS

Deterring corruption in the Zambia's government departments will not be an easy battle. This is due to several gaps in the relevant strategies and mechanisms. Without a doubt, controlling corruption in Zambia requires a comprehensive response. The widely applied anti-corruption measures, such as the procurement and anti-corruption law, TCS, civil service code of ethics, the cadre's feelings of normlessness and the localisations of the corruption phenomenon from the perspective of those involved in corruption should fit into the local concept gaps that have provided a fertile ground for *bineyi* to flourish during the Covid-19 pandemic. The localisation of the phenomenon should thus be considered, an analysis as confirmed by Gluckman⁴² and Bohannan⁴³, who have argued that the use of local terms in accounts of other societies' practices is of the essence to understand its meaning.

⁴¹ Klavadija *et al* (2020) The Affect Theory of Social Exchange. *American Journal of Sociology*, 107(2), 321–354.

⁴² Bohannan, P. (1997). Ethnography and comparison in legal anthropology. In *Law in culture and society*, edited by L. Nader, 401-18. Berkeley: University of California Press

⁴³ Gluckman, Max. (1962). *Essays on the ritual of social relations*. Manchester University Press

Descriptions of local practices should, Bohannan⁴⁴ has argued, be sensitive to indigenous concepts. According to Bohannan⁴⁵, 'it is important to fit these practices and concepts into the larger conceptual system of the people who use them'. The colloquial meaning of the *bineyi* practice would be a useful guide to be included in the mechanisms and strategies for fighting corruption in Zambia. It would be better to avoid the oversimplified approach of inflicting pain on offenders and rather limit punishment to include treatment and behaviour collection, such as blacklisting or demotion for those involved in it. Finally, when reducing and deterring corruption, information provided by those in the public service who are guilty of it should be made available to the general public.

10. CONCLUSION

This article has analysed gaps in strategies and mechanisms in Zambia by examining the complex social systems and networks relations underlying positions held by teachers, nurses and senior government officials involved in corruption. It has outlined the gaps and the factors that have weakened the strategies and mechanisms to deter corruption in Zambia during the Covid-19 pandemic. Specifically, the article has paid attention to the local actions and uncertainties of how to deter corruption, and also the measures used by the government to control corruption by exploring heterogeneous material and non-material things assembled into diverse cross-cutting networks of relations among actants during the pandemic. One of the main themes to emerge concerns the importance of understanding corruption from a local viewpoint, specifically by taking cognisance of *bineyi* – as system of social networks which facilitate business and other dealings perpetuating corruption during COVID 19.

The argument is that if the word *bineyi* for business favours and social support in *Nyanja* had been used in descriptions of the official positions on corruption by the Ministry of Education and Health during the Covid-19 pandemic, it would have made corruption easier to understand and deal with by giving *bineyi* legal definition. Another argument is that the *bineyi* concept, structure and practice is so linguistically complex as to be ignored, in contrast to the generalised meanings of the word 'corruption'. It has been shown in this article that ignoring the colloquial meaning of the *bineyi* practice weakens the strategies and mechanisms necessary to combat corruption in Zambia during the Covid-19 pandemic.

⁴⁴ Ibidi (1997)

⁴⁵ Ibidi (1997:76)