ETHICAL INTELLIGENCE: ESPOUSING AFRICAN UBUNTU PHILOSOPHICAL BUSINESS APPROACH WITH JEWISH BUSINESS ETHICS SYSTEMS AS PANACEA FOR CORPORATE FAILURE IN AFRICA

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Abstract

The objective of this article is to espouse the indispensability of Jewish ethics system with African Ubuntu Philosophy as a panacea for reduction of corporate failure in Africa. This much has been demonstrated in the article with heavy reliance on descriptive phenomenology and secondary sources of data as methodology. The article found that in all the national codes of corporate governance in Africa the need for actively managing the ethical performance of companies is not emphasized but the codes are there in their books. The article again recommends an urgent need for enforcing the Jewish ethical system and the King III code together with the implementation of laws, enforcement of sanctions and strengthening of institutions of governance on a continuous basis.

Keywords: Ethical Intelligence, Ubuntu, Corporate Failure

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1 Introduction

In her 1991 autobiography, Deborah, Golda, argued that black-Jewish relationships rested on a common history of oppression. "Both blacks Africans and Jews have known Egypt," she wrote. "Jews have known it as certain death (the killing of the firstborn, then the ovens and gas chambers). Blacks have known it as death and terror by bondage." Paul Berman agreed. "It was the past that made the blacks and the Jews almost the same (Shapiro 1994, 2006 and 2012). It is a truism that in a variety of ways blacks ever since the time of slavery have modeled their lives on the Jewish experience and value system.

The popularity of "Zion religious cults, containing Jewish elements" in the names of black instituted churches in Africa show the extent to which the experience of the exodus resonated among blacks (Shapiro 1994, 2006 and 2012). Jewish newspapers early in the twentieth century compared the black movement against whites' supremacist regime to the exodus from Egypt and noted that both blacks and Jews share the same quandary (Shapiro 1994, 2006 and 2012). In his 1902 book "Old New Land", Theodore Herzl wrote: There is still one other question arising out of the disaster of the nations which remains unsolved to this day, and whose profound tragedy only a Jew can comprehend. This is the African question . . . . I am not ashamed to say, though I may expose myself to ridicule in saying so, that once I have witnessed the redemption of the Jews, my people, I wish also to assist in the redemption of the Africans (Shapiro 1994, 2006 and 2012).

Given the above assertion that Jews and black Africans have been allies, for time immemorial, the question is where do Africans lag behind on business ethical intelligence and yet their fellow Jews own one quarter of the world's wealth?. The 2013 Forbes Billionaire Jewish special Edition comments that, out of 1426 billionaires in the world 165 or 11% are Jewish (Sanandaji, 2014). As recently as January 2010, the World Economic Forum still presented Africa's economies as performing poorly since the 1970s with per capita incomes 10% lower than what they were in the 1980s (Taylor et al. 2003 and 2010).According to the same report GDP growth was shown to have been negative throughout the 1990s at regional levels, and only slightly improved in South Africa (Taylor et al., 2003 and 2010). Based on expert opinion, of the Corruption Perceptions index of 177 countries in 2013, the perceived levels of corruption in countries worldwide, scoring from 0 (highly corrupt) to 100 (very clean) paints a worrying picture. While a handful perform well according to the perception index, not one single country gets a perfect score. More than two-thirds scored less than 50.

Middle East and North Africa and sub-Saharan Africa score below 50, showing a highly corrupt state of affairs (Transparent International 2013).According to the 2013, survey by Transparent International, some of the African countries in the bottom 20 ranked as having the highest perceived levels of corruption were: Somalia, Sudan, Sudan South, Lybia, Zimbabwe, Eritrea, Chad and Equatorial Guinea. Although research has been done extensively in this area of ethics to the best of my knowledge, no research could be found that pertinently establish "Ethical Intelligence: Espousing African Ubuntu Philosophical business approach with Jewish Business Ethics Systems as panacea for corporate failure in Africa". In the native language of the researcher there is a proverb which says, "Kugara nhaka huona dzevamwe" (the right to deal/inherit the estate of a deceased relative (probate), one need the experience of others who have done it successfully before).

The main objective of this article is to unravel both the African Ubuntu philosophical business approach and the Jewish business ethics system, to compare and find where Africans lag behind and how best African business can espouse the Jewish business ethics system as a panacea for corporate failure in Africa.

The article will help corporates in managing ethics in the work place. Moreso, the article will help governments in these corrupt infested region of Africa to develop hard laws of ethics that interdict offenders and move away from this "King III, ethical code caricature", which has proved anachronistic, garrulous, hysterical and unproductive. Jewish people have done it wholesomely using their Halachic ways in the Torah which can criminalize offenders thereby reducing to a large extent the rate of unethical activity in Jewish commerce. In this article a descriptive phenomenology methodology will be used. The article is arranged as follows; first the methodology is going to be explained and why it was adopted. The second aspect is the literature review where the Jewish and Ubuntu African ethical system will be expounded. Some ten (10) African countries as shown in Table 1 will be used to demonstrate the ethics gap in Africa as they are given by Transparency International Corruption Perceptions Index 2013. The researcher will conclude with a summary of findings from the analysis and lastly the recommendation.

2 Research methodology: descriptive phenomenology

In this article the researcher employed phenomenological methodology. Phenomenology is a science whose purpose is to describe particular phenomena, or the appearance of things, as lived experiences (Walker, 2007). However, phenomenological research methodology is difficult to explain because it has no clearly defined steps. This is due, in part, to the reluctance of phenomenologists to place major emphasis on time or sequence of events. Phenomenologists are of the opinion that the clear definition of methodology tends to limit researchers' creativity (Burns & Grove 1998:82). Thus, phenomenology is an attempt to describe lived experiences without making previous assumptions about the objective reality of those experiences (McCann, & Clark, 2004). According to Berri & Berrios, (2001), the term phenomenology refers to a set of philosophical doctrines loosely sharing; a) assumptions as to what the world is like (ontological) and how it can be known (epistemological) and b) strategies for the descriptive management of the mental entities relating to such a world. They all strive to capture experiential essences which are but higher forms of knowledge with which the phenomenologists expect to reconstruct reality on a firmer footing.

A more simplistic definition about phenomenology is offered by (Leech, & Onwuegbuzie, 2011) who states phenomenology as an approach to understand the hidden meanings and the essences of an experience together. Max van Manen (1990) another noted name who considers phenomenology as the appropriate most method to explore the phenomena of pedagogical significance elaborates phenomenology as a response to how one orients to lived experience and questions the way one experiences the world. Phenomenology is an inductive, descriptive research method. The task is to investigate and describe all phenomena including human experiences in the way these appear (Byrne, 2001).

2.1 Descriptive phenomenology

Spiegelberg (1975) defined descriptive phenomenology as "direct exploration, analysis, and description of particular phenomenon, as free as possible from unexamined presuppositions, aiming at maximum intuitive presentation" (Walker, 2007).Descriptive phenomenology stimulates people's perception of lived experiences while emphasizing the richness, breadth, and depth of those experiences (Walker, 2007).Descriptive phenomenology is a three-step process: (1) intuiting, (2) analyzing and (3) describing (Hobbs & Davies 1998).

Descriptive phenomenology involves the following four strategies: intuiting, bracketing, analyzing and describing.

2.1.1 Intuiting

"Intuition is a process of thinking through the data so that a true comprehensive or accurate interpretation of what is meant in a particular description is achieved" (Walker, 2007). In intuiting, researchers become absorbed in the phenomenon, looking at it afresh, without layering it with what they have bracketed out. Concentration is very important here because the involvement is intense (Hobbs & Davies 1998).Intuiting results in a common understanding about the phenomenon under investigation (Walker, 2007). Through the intuitive process the researcher acquired an understanding of the phenomenon of labour pain as described by the Mozambican women.

During the interviews the researcher encouraged knowledge generation by using facilitative techniques such as open-ended clarifying questions, and refrained from leading questions (Walker, 2007).

2.1.2 Bracketing

Bracketing refers to the process of holding assumptions and presuppositions in suspension to improve the rigor of the research (McCann & Clark 2004). This means that researchers explore their own assumptions and preconceptions in order to set them aside or keep them in suspension rather than conceal them so that they do not interfere with the information given by the participants (McCann & Clark 2004). The bracketing process is crucial throughout the research process, especially during data analysis. Bracketing requires the researcher to remain neutral with respect to belief or disbelief in the existence of the phenomenon (Walker, 2007).

2.1.3 Analyzing

Phenomenological analyzing involves identifying the essence of the phenomenon under investigation based on the data obtained through peer reviewed articles and documents and how data are presented. At this point the researcher listens, compares and contrasts descriptions of the phenomenon under study. This allows for identification of recurring themes and interrelationships (Hobbs & Davies 1998).

2.1.4 Describing

Describing is the final step and the aim is to communicate and describe (in writing) distinct, critical elements of the phenomenon thereby communicating to business what the researcher has found (Hobbs & Davies 1998).

The researcher must avoid attempting to describe a phenomenon prematurely. Premature description is a common methodological error associated with this type of research (WALKER, 2007). In this study, phenomenological describing involved classifying all critical elements or essences common to the lived experience of business ethics in both settings Jewish and African and describing these essences in detail.

2.1.4 Advantages of phenomenology

In addition to the general advantages of qualitative research, phenomenology has the following advantages:

- It is a highly appropriate approach to researching human experience especially on ethics (Wimpenny & Gass 2000:1486).
- It tries to uncover concealed meaning in the phenomenon embedded in the words of the narrative (Sorrell & Redmond 1995 cited in Maggs-Rapport 2000:221).
- As a research method, phenomenology is a rigorous, critical, systematic investigation of phenomena (Walker, 2007)

According to Walker (2007), qualitative phenomenology is employed for the purposes of

- clarifying the nature of being human
- expanding awareness about a certain phenomenon
- fostering human responsibility in the construction of realities
- tightening the bond between experiences and the concepts and theories used to explain those experiences

3 Literature review

3.1 Intelligence

The concept of intelligence generally refers to the ability to think and learn, and has been predominately used to describe the learning and application of skills and facts (Clarke, 2010). People vary in their intelligence, which is generally attributed to a variable combination of innate, inherited and acquired characteristics. For many, intelligence is considered a general unified concept, largely related to cognitive ability (Clarke, 2010). In the other hand, intelligence is defined ―as a person‘s all-around effectiveness in activities directed by thought (Shorooei, Sharif-Alhoseini, Saadat, Sheikh-Mozaffari, & Rahimi-Movaghar, 2010). Psychologists regard intelligence as the ability to function effectively in the world. Intelligent people are those who have a store of knowledge and skills gained from experience that allow them to manage efficiently the tasks of daily life. A crucial aspect of intelligence, however, concerns the fact that the world is a dynamic and changing environment and skills and knowledge gained from past experience may not be sufficient to meet a new challenge (Shorooei, et al. 2010).

In addition of intelligence, moral concepts are embodied in and partially constitutive of forms of social life (Bonneh, Belmonte, Pei, Iversen, Kenet, Akshoomoff, & Merzenich, 2008). Morality is about the beliefs and values that guide people in their decisions (Francis & Armstrong, 2008). Being moral is a complex, difficult and lifelong process as is developing moral intelligence. They both require conscious knowledge, guided by positive affect that is carried out in virtuous action (Bonneh et al. 2008)

Morality is considered a strategic capital for any organizations. It is believed that morality is a main pillar to organizational reputation (Rollin, 2007). Certainly, morality is prerequisite of management and business success (Rollin, 2007) and managers should consider to the highest ethical standards within their organizations (Radicchi, Fortunato, & Castellano, 2008). Morality or ethics are principles which demonstrate right and wrong behaviors. There are three views about it:

- Utilitarian view: ethical decisions are based on results or outcomes;
- Rights view: it respects to individual's freedom and rights and supports it;
- Theory of justice view: managers impose on and execute the rules fairly (Burvill, 2008).

3.2 Ethical/moral intelligence

Moral Intelligence, developed to its fullest by Doug Lennick and Fred Kiel in their book of the same name, has more to do with values and behaviors than what we would think of as "intelligence", or some raw concept of mental acumen such as IQ (Osborn, 2011). The father of Ethical Intelligence, Weinstein, actually treats morality and ethics as synonymous (Weinstein, 2011) in a secular sense. The Ethical Intelligence tenets comprise five main principles: "do no harm; make thingsbetter; respect others; be fair and, be loving" (Weinstein, 2011). Emotionally intelligent people are aware of how they and others feel. Ethically intelligent people know how to use this awareness the right way. Being ethically intelligent doesn't just mean knowing what is right; it also means having the courage to do what is right. Ethical intelligence may be the most practical form of intelligence there is — and the most valuable. Moral intelligence is newer and less studied than the more established cognitive, emotional and social intelligences, but has great potential to improve our understanding of learning and behavior (Bonneh et al. 2008)

Moral intelligence is "the mental capacity to determine how universal human principles should be applied to our values, goals, and actions" (Martin, & Austin, 2010**)**.Hinton (2010) defines moral intelligence as the capacity to understand right from wrong, to have strong ethical convictions and to act on them to behave in the right and honorable way (Hinton, 2010). In the simplest terms, moral intelligence is the ability to differentiate right from wrong as defined by universal principles. Moral intelligence and emotional intelligence are two types of intelligence that are difficult for your competition to copy. Many corporate leaders ignore these differentiating competencies because they are soft skills that are difficult to measure (Goleman, Boyatzis, & McKee, 2002).The aim of moral intelligence is to make the interaction between the environment and the individual functional (Belohlavek, 2010).The construct of moral intelligence consists of integrity, responsibility, forgiveness and compassion (Pappas, 2006):

- Integrity: Integrity is creating harmony between what we believe and how we act, doing what we know is right (and this definitely includes telling the truth at all times) (Hebbani, 2008).That is, integrity are 1) acting consistently with principles, values, and beliefs, 2) telling the truth, 3) standing up for what is right, and 4) keeping promises(Verreault, Sabourin, Lussier, Normandin, & Clarkin, 2013)
- Responsibility: Responsibility's three competencies are 1) taking personal responsibility, 2) admitting mistakes and failures, and 3) embracing responsibility for serving others (Verreault, et al. 2013)
- Forgiveness: is a key principle because without a tolerance for mistakes and acknowledgement of human imperfection, we are likely to be rigid and inflexible, thereby reducing the common good (Pappas, 2006). Forgiveness involves 1) letting go of one's own mistakes and 2) letting go of others' mistakes (Pappas, 2006). Compassion: compassion is actively caring about others (Verreault, et al. 2013)

It is broadened to include caring about others, which then shows our respect for others. It also has a boomerang effect, because generally when a compassionate person is in trouble, we return compassion to them (Hebbani, 2008).In another model (Rahimi, 2011), discuss seven main traits exhibited by moral beings. The extent to which an individual exhibits these traits coincides with one's level of moral intelligence.

These seven traits are:

- Inhibitory control,
- Empathy,
- Consistency,
- Fairness,
- Responsibility,
- Cooperation, and
- Logic

3.3 Historical background

According to Bello, (2012)"ethics are the inner guiding moral principles, values, and benefits that people use to analyze and interpret a situation and then decide what is right or the appropriate way to behave". Whenever the word ethics is found, it is correlated with the word ethical dilemma. Bello, (2012)manifest that "an ethical dilemma is the quandary people find themselves in when they have to decide if they should act in a way that might help another person or group even though doing so might go against their own self-interest "

Since the aforementioned dilemma is also found in the world of business, the term business ethics has been introduced. Business ethics (also known as Corporate Ethics) is a form of applied ethics that examines ethical principles and moral or ethical problems that arise in a business environment. It applies to all aspects of business conduct and is relevant to the conduct of individuals and business organizations as a whole. It is worth noting that applied ethics is a field of ethics that deals with ethical questions in many fields such as medical, technical, legal and business ethics (Hosmer, 1995). Solomon, who is a Neo-Aristotle thinker, believes that "business ethics is just the broad understanding and appreciation of business life" (Solomon, 1992). Whereas, Peter Drucker, the guru of management, sees that "Business Ethics" is rapidly becoming the "in" subject that is replacing yesterday's "Social Responsibility" (Vitell, Lumpkin, & Rawwas, 1991). There are many definitions for business ethics; they all stress the fact that managers must balance the ideal against the practical, the need to produce a reasonable profit for the company's shareholders with honesty in business.

3.4 Definition of business ethics business ethics

Ethics derives from the Greek word "ethikos" meaning custom. This Greek word has a Latin Synonym or equivalent known as "mors" which translates to custom or mores. The mores of a particular place or group of people are the customs and behaviour that are typically found in that place or group. As a field of inquiry, ethics developed as a branch of philosophy, and this explains why it is referred to as moral philosophy or taken as being synonymous with morality.

Newton and Ford (2002) define, "Ethics is a conversation about conduct, the doing of good and the avoiding of evil."This implies the conduct of behavior by an individual in the manner that upholds positive morality. Ghillyer (2010:28) posits, "Business Ethics The application of ethical standards to business behaviour." In light of this, the consideration of business ethics in Corporate Governance is a sure way of business taking some social responsibility as a component in addition to the basic economic function of business organizations. In the same vein, Newton and Ford (2002) posits that, "Business ethics is a conversation about right and wrong conduct in the business world." Ikeanyibe (2009) posited that ethics as a branch of philosophy deals with the analysis and evaluation of human conduct to determine the fundamental principle that makes it good or bad, right or wrong. He corroborated that early philosophers have taken this aspect of philosophy to handle questions on how humans ought to behave. Deriving from the above questions, ethics can be conceived as a science of morals (meta-ethics), and as a system of morals which defines or states the code or set of principles by which men live. As a science of morals, it investigates the nature, sources and fundamental principles that should guide human actions. Seen this way, it is a normative science that aims at stating the way human beings ought to behave, rather than empirical science which attempts to describe the way things are, (and) the way things behave (IBIETAN, & JOSHUA, 2012).

Lacey in Ezeani (2006:380) converges with (Ekennia 2003 and Eboh, 2005 cited in Ikeanyibe, 2009) in defining ethics "as an inquiry into how men ought to act in general, not as a means to a given end, but as an end in itself".

3.5 Three schools of ethics

3.5.1 Virtue ethics: defining what kind of person you want to be

In virtue ethics, the central concern is what makes a good person (Dobrin, 2009). It focuses upon the wellbeing of persons — what contributes to human flourishing — by assessing what is best for human beings. Virtue ethics emphasizes moral character, in other words, virtue theory focuses upon the actor (Dobrin, 2009). Aristotle according to Dobrin, (2012)is a good example of a philosopher who represents virtue ethics. He searches for the good life, something that is desirable in and of itself. Ethics is a matter of living your life properly and that means being a virtuous person. A moral person is not someone who does the right thing once in awhile but is a person who lives life within the framework of ethical virtues. A good person is a person of good character, a person living in internal harmony, finding the proper balance between the extremes of too much and too little, deficiency and excess (Dobrin, 2009).

3.5.2 Consequentialist ethics: desiring the greatest good for the greatest number

Philosophers like David Hume (1711-1776), Jeremy Bentham (1748-1832), and John Stuart Mill (1806-1873) are the proponents of consequentialist (Hammond, 1989). David Hume is the forerunner of consequentialist ethics. One subset of this school, and perhaps its most popular form, is utilitarianism. Jeremy Bentham is the principal founder of this ethic, although John Stuart Mill is perhaps better known. Consequentialist ethics is the name for the moral philosophy that aims at maximizing human welfare. It is oriented towards results. Actions aim at bringing about the greatest good for the greatest number of people (Hammond, 1989).

Consequentialism according to Hammond, (1989)does not consider motivation nor does it place a premium on consistency. While others may see this philosophy as a readiness to compromise moral values, consequentialists explain this as finding a workable compromise when there are legitimate competing interests. Unlike virtue ethics, which stresses individual character and integrity, consequentialist ethics direct people to act in a world that is full of ambiguity (Hammond, 1988b).

3.5.3 Deontological ethics: doing your duty

The word deontology derives from the Greek words for duty (deon) and science (or study) of (logos). In contemporary moral philosophy, deontology is one of those kinds of normative theories regarding which choices are morally required, forbidden, or permitted. In other words, deontology falls within the domain of moral theories that guide and assess our choices of what we ought to do (deontic theories), in contrast to (aretaic [virtue] theories) that — fundamentally, at least — guide and assess what kind of person (in terms of character traits) we are and should be(Alexander, 2000). Philosophers like John Locke (1632-1704) and Immanuel Kant (1724-1804) are the fathers of this theory (Alexander, 2000).

It is commonly referred to as duty based ethics. The term "principled ethics" is also sometimes used to describe this school. With duty-based ethics, the main concern is finding a rational basis for ethics. Once the duty is identified, it is to be strictly adhered to. Deontological ethics focuses neither upon the person's character nor upon what good the action will likely produce, but upon the rule, or, moral principle. The ethical thing is the right thing and the right thing is to do your duty in light of the principles that reason has established (Alexander, 2004). For those endorsing this school, deontology seems to be the only way of ensuring that morality is universal rather than relativistic. Deontological ethics functions much like the omniscient voice in classic literature. One strength of deontology is that it rules out favoritism and partiality since it demands that everything be considered objectively and without special consideration (Alexander, 2004).Duty based ethics claims the advantage of being objective and absolute, requiring that the duties be enacted irrespective of results, quite the opposite of consequentialism. Furthermore, deontology avoids the problems of nepotism and a cultural relativism that is prone to accept undesirable and corrupt places in various countries throughout the world (Brook, 2007). Ethics derived from religious laws are also deontological in the sense that one is following a set of rules, which one is obligated to follow. Right is defined as those actions that conform to religious and sacred law (Brook, 2007).

3.5.4 Religiosity and business ethics

Hejase, Hamdar, Raslan, & Beyruti, (2013) in their research to explore the relationship between religiosity and business ethics, contend that religion and morality are synonymous and religious beliefs should be an appropriate grounding for business ethics. Hejase, et al. (2013) posited that business ethics, ought to consider religion as a healthy ground; religions make valuable contributions to business ethics; and, religions' values, principles, and practices give sense of responsibility, and guidance to the people of the business world. Hejase, et al. (2013), believe that the impact of religion on one's social and economic life is an historical debate. Hejase, et al. (2013) contends that "Religion is defined as a belief system which includes God and/or supernatural.

The Baal Shem Tov, a Rabbi and founder of one stream of Jewish orthodoxy, indicated that every human being whether religious and non-religious faces the challenge of money: "The only man who does not have this yetzer hara (i.e., evil inclination) is a dead one" (Tamari 1995). Throughout the Bible, there are stories of how economic evils contribute to the destruction of society. According to the Talmud, the destruction of Sodom was the result of people refusing to share their wealth with others, while the Flood appeared to result from the sin of theft (Pava, 1997). On the basis of such a strong desire, many mitzvot (commandments) are required to keep this desire under control (Tamari 1995). Judaism looks at monetary dishonesty as a transgression against God's will. Such activities lead to Divine retribution (Schwartz, Mark, Tamari, and Schwab2007). Theft requires not only restitution, but repentance before God (teshuvah), and may result in an individual becoming ineligible as a witness (Schwartz, et al 2007). All of these consequences are seen from Jewish ethical system as necessary towards achieving a proper sense of justice or fairness.

If law is a rough guide to widely-held moral intuitions, the Code of Hammurabi (1700s B.C.) was civilization's early attempt to establish the moral boundaries of commercial activity, concerning prices and tariffs and laying down both rules of commerce and harsh penalties for noncompliance (Hooker, 2007). Aristotle's Politics (300s B.C.) explicitly addresses commercial relations in its discussion of household management. Judeo-Christian morality as expressed in the Talmud (200 A.D.) and in the Ten Commandments (Exodus 20:2-17; Deuteronomy 5:6-21) includes moral rules that are applicable to commercial conduct" (Pava, 1997).

Judaism rejects the utilitarian and contemporary cost/benefit approach which might suggest that dishonesty pays in certain situations. Even if society has accepted certain types of theft (for fun, simply to annoy, or of trivial articles), Judaism forbids it (Tamari 1995).From the time Enron Corporation collapsed in 2001, business ethics has seldom strayed from the front pages of the press. The list of corporations and business leaders that have been involved with legal and ethical wrongdoing is, sadly, incredibly long(Carroll, & Buchholtz, 2014). The survey done by Institute for Business, Technology and Ethics, posited that Enron, WorldCom, Tyco, Adelphia, Cendant, Rite Aid, Sunbeam, Waste Management, HealthSouth, Global Crossing, Arthur Andersen, Ernst & Young, Imclone, KPMG, JPMorgan, Merrill Lynch, Morgan Stanley, Citigroup Salomon Smith Barney, Marsh & McLennan, Credit Suisse First Boston, and even the New York Stock Exchange itself are amongst unethical culprits.

Beyond these well-known scandals, consumer boycotts based on allegations of unethical conduct have targeted such well-known firms as Nike, McDonald's, Home Depot, Gap, Shell Oil, Levi-Strauss, Donna Karen, Kmart, and Wal-Mart. The financial meltdown has caused, so far, the loss of 30 to 50 million jobs worldwide and trillions of dollars in assets (Goodspeed, 2013). Scholars from both the

Orthodox and Conservative branches of Judaism have noted that the global financial crisis would not have occurred had the business ethics principles discussed in the Talmud and the Torah been observed; Jewish law was violated at every step of the way to the current financial disaster (Schwartz, et al 2007). Had the bankers, auditors, rating agencies, politicians, regulators, and mortgage brokers followed the principles of business ethics described in Jewish law, the financial meltdown – really, more of a values meltdown – would not have occurred (Schwartz, et al 2007). A 2005 study by researchers at the University of Maastricht and RSM Erasmus University in Rotterdam in Holland found that of the 60 major European businesses that failed, 63% collapsed due to reasons “related to economic problems and the risks of entrepreneurship,” while 37% failed because of “fraudulent or unethical behavior by company managers and employees (Goodspeed, 2013).

3.5.5 Torah forms the bed rock of Jewish Ethical Principles

Rabbi Blumenthal quotes the Talmudic sage Rava who claims that when we stand in judgment in the world to come, the first question that we will be asked will be, "Did you conduct your business affairs faithfully? (Tamari et al. 1995). In Jewish religion, to conduct one's business affairs with faith means with integrity and also implies with a sense of faith in a God who is the ultimate judge of one's actions? Jewish business ethics has been described as differing from a contemporary or secular approach in three specific respects: “Jewish business ethics … (1) recognizes God as the ultimate source of value, (2) acknowledges the centrality of the community, and (3) holds out the promise that men and women (living in a community) can transform themselves (Aaron2000). In Jewish religion business ethics define not only the individual but the nature of society as well (Tamari et al. 1995).

For example from the Jewish Torah (First five books of the Bible), Leviticus 19:11-14, 36 you shall not steal; you shall not deal deceitfully or falsely with one another. You shall not swear falsely by my name, profaning the name of your God; I am the Lord. You shall not defraud your fellow. You shall not commit robbery. The wages of a laborer shall not remain with you until morning. You shall not insult the deaf or place a stumbling block before the blind; you shall fear your God; I am the Lord…You shall not falsify measure of length, weight or capacity. You shall have honest balance, honest weights, an honest ephah and an honest hin(Tamari et al. 1995). Leviticus 25:14 when you sell property to your neighbor or buy anything from your neighbor, you shall not defraud (al tonu, using the verb related to ona’ah) one another.

The Hebrew Bible, particularly the Pentateuch (Torah), is replete with precepts that deal with business ethics (Aaron 2000). Just as the Hebrew Bible is the written law, the Talmud, a compilation of Jewish oral law, expounds on the Hebrew Bible and consists of the Mishna and Gemara. The Mishna, originally an ancient oral tradition, was compiled and edited in written form about 1800 years ago by Rabbi Judah the Nasi (President of the Sanhedrin). The Gemara, completed about 1500 years ago, consists mainly of commentaries on the Mishna. The Talmud (Tamari et al. 1992) is mainly concerned with halacha (Jewish law) but also provides a detailed record of the beliefs of the Jewish people, their philosophy, traditions, culture, and folklore for example, the aggadah (homiletics)(Tamari et al. 1995).

3.5.6 Important Halachic/law Jewish Principles

According to Pavaand Levine (1999) the most important Halachic principles are as follows; misleading with bad advice; deception and fraud; bribery, both outright and subtle; honest weights and measures; conflicts of interest; and, finally, transparency.

3.5.6.0 Misleading with bad advice

The principle of lifnei iver (literally, “before the blind”) prohibits one from giving bad advice to another person (PavaandLevine1999). It is based on the verse in the Hebrew Bible (Leviticus 19:14): "You shall not curse the deaf nor place a stumbling block before the blind; you shall fear your God - I am your Lord." The term “blind” is interpreted metaphorically as meaning someone who is unsuspecting, naïve, ignorant, or even morally blind (Tamari et al. 1995). Thus, one who purposely gives bad advice to another has violated this law. In fact, one who conceals his true motives for giving the advice (e.g., there is a conflict of interest and the advisor stands to make a hidden profit or get a kickback from his advice) has violated the principle. For example, providing an individual with a prohibited food would be a violation(Tamari et al. 1995).

3.5.6.1 Deception and fraud

Maimonides wrote one of the major codes of Jewish law, Mishneh Torah, in which he akes it clear that it is absolutely prohibited to deceive any person when buying or selling. Indeed, the seller is obligated to reveal to the prospective buyer any defects in the product under consideration. Maimonides emphasizes that geneivat da’at is prohibited (Resnicoff, 2000). Geneivat da’at (literally, theft of thought) is the term used in Jewish law to indicate deception, cheating, creating a false impression, or acquiring undeserved goodwill, theft of one's mind, thoughts, wisdom, and knowledge (Resnicoff, 2000).Any words or actions that cause others to form incorrect conclusions about one's motives may be considered a violation of this prohibition (Resnicoff, 2000) and one does not have the right to diminish the ability of another person to make a fair and honest evaluation, whether in business or interpersonal relations.

Jewish laws dealing with fraud are based on the verse in Leviticus (25:14): “When you sell anything to your neighbor, or buy from your neighbor, you shall not wrong one another.” Ona’ah (literally, oppression) is the term used by the Talmud to describe price fraud (Tamari et al. 1995). Both overcharging and underpaying for a product is prohibited by Jewish law. In essence, the party with the upper hand (usually the seller, but sometimes the buyer) is not permitted to take advantage of the weaker party. The principle of caveat emptor (let the buyer beware) is not accepted by Jewish law. Full disclosure is always required by Jewish law and any type of deception or dishonesty falls under the Biblical prohibition (Leviticus 19: 1-13) against stealing, denying falsely, or lying (Goodspeed, 2013).

Providing investors with bad advice and urging them to buy substandard securities violates both geneivat da’at and lifnei iver. Selling securities that are of dubious quality and pretending that they are investment grade is very similar to the case of the person who paints used merchandise to make it appear as new. This is not only forbidden but Jewish law would require the seller to refund the money.

Countries and banks all over the world are in crisis mode today as a result of those financial shenanigans (Goodspeed, 2013).

3.5.6.2 Bribery

The Torah is very strict about taking bribes (Jung, 1987). It states (Exodus 23: 8; Deuteronomy 16:19): “Do not accept a bribe” (shochad, in Hebrew) and (Deuteronomy 16:19): “Do not pervert judgment.” The Torah prohibits even a judge from taking money even in order to acquit the innocent or to declare the guilty liable (Jung, 1987). To elaborate onthis point, the Talmud (Babylonian Talmud, Kethuboth 105b) tells the story of Rabbi Yishmael son of Rabbi Yosi whose sharecropper brought him a basket of a fruit (from Rabbi Yishmael’s own orchard) every Friday afternoon. One day he brought the basket on Thursday. When Rabbi Yishmael asked him why he brought the fruit early, he was informed that the sharecropper wanted to use him as a judge on a case. Rabbi Yishmael recused himself and found others to try the case(Tamari et al. 1995).It is obvious that Jewish law insists that justice must be completely unprejudiced and objective. Thus, a bias that arises from a past favor would very likely be a bribe. In fact, judges who are accustomed to borrow from the people living in their town and who do not have enough possessions to reciprocate should recuse themselves from judging people in their neighborhood (Fogel, & Friedman, 2008). Individuals that have a need to borrow utensils and/or animals to maintain their own household become beholden to others and therefore lose their objectivity.

3.5.6.3 Dishonest weights and measures

The Hebrew Bible is very concerned with honest weights and measures. Scripture states (Leviticus 19: 35-36): “You shall not commit unrighteousness in justice, in measures of length, weight, or volume. One is not permitted to own an inaccurate weight or measure (Deuteronomy 25: 13-15): “you shall not have in your pouch a stone-weight and a stone-weight – a large one and a small one [used as a counterbalance on a scale]. You shall not have in your house a measure and a measure – a large one and a small one.

The prophet Jeremiah (22:13) excoriated those who did not care about honesty and justice; in his words: “Woe to him who builds his house with unrighteousness and his upper stories with injustice.” The cause for this is (Jeremiah 22:17): “But your eyes and your heart are only on your dishonest gain.” (Fogel, & Friedman, 2008)

3.5.6.4 Conflict of interest

The biggest conflict of interest may have been a result of how Wall Street compensated executives. Another problem with conflicts of interest in Jewish law is that they are conceptually close to the idea of taking a bribe (Henning, Raucher, & Zoloth, 2009)as described in the section on bribery. Also, they cause others to be suspicious of one’s motives, implying a lack of transparency or oversight. Conflicts of interest, of course, cause people to be suspicious of one’s actions and this is not permitted. It is almost impossible to be objective when one receives financial remuneration. Bebchuk, Cohen, & Spamann, (2010) sees “Wall Street’s bloated and ineffective compensation system” as a key cause of the financial meltdown.

3.5.6.5 Transparency

The Bible states (Numbers 32:22): “and you shall be innocent before God and Israel.” This verse is used by the Talmud to derive the principle that one is obligated to behave in such a manner that s/he does not give rise to suspicions on the part of others (Wagschall, 1991). Demonstrating the importance of keeping honest records, Scripture (Exodus 38:21-31) enumerates the amount of gold, silver, and copper used in the construction of the Tabernacle (Wagschall, 1991). The Talmud (Wagschall, 1991) states that the overseers in charge of the soup kitchen were not allowed purchasing surplus food when there were no poor people for whom to distribute it. Surpluses were only allowed to be sold to others so as not to arouse suspicion that the charity overseers were profiting from public funds (Wagschall,1991).

4 African socio-cultural framework and Ubuntu philosophy in business

There are 53 countries on the African continent that can be divided roughly into three main zones based on their official languages. These three groups are the Arab-speaking countries in North Africa (the Maghreb zone), the French-speaking countries of central and western Africa (the Franc or Francophone zone), and the English-speaking countries of southern, eastern, and western Africa (the commonwealth states or Anglophone zone) (Armstrong, Canales, & Bruce, 2004). Economic activity on the continent is dominated by four countries with Algeria, Nigeria Egypt, and South Africa contributing 60% of Africa's GDP, and the other 50 countries sharing the remaining 40% (Armstrong, 2003, p. 6). Most private sector companies in Africa are non-listed small-to-medium enterprises (SMEs)(Armstrong, et al, 2004).

Like the Jewish ethics system the ubuntu ancient African philosophy or worldview has its roots deeply anchored in traditional African life. Ubuntu is an African management concept formulated by the South-African called Mbigi (Beets, & Grange, 2005). Mbigi, (2000) the 'founder' of the Ubuntu philosophy as management practice advances five key social values of Ubuntu, what is known as the collective finger's theory. A thumb, although it is strong, cannot kill aphids on its own. It would require the collective cooperation of the other fingers, according to (Beets, & Grange, 2005). Fingers must be seen as individuals, who interact in a collective way in order to achieve a certain objective. It is defined as the "art of being a human being" (Mbigi, 2000), an ancient African worldview based on the primary values of intense humanness, caring, sharing, respect, compassion and associated values, ensuring a happy and qualitative human community life in the spirit of family (Ncube, 2014). These primary values are not abstract, and since they form the foundations of the Ubuntu life coping skills, the values will manifest in their practical applications during the exposition of the Ubuntu personality. Ubuntu is present in all the languages of Africa for example Zulu Ubuntu, Sesotho (Botho), Zimbabwe (Umntu-ndebele and munhu-Shona), Nunhu Swahili (Kenya), Utu Kiswahili (Tanzania) Ujamaa and Ugandan (Abantu) (Metz, &Gaie, 2010).

4.1 Ethics in African business

As recently as January 2004, the World Economic Forum still presented Africa's economies as performing poorly since the 1970s with per capita incomes 10% lower than what they were in the 1980s. Its GDP growth was shown to have been negative throughout the 1990s at regional levels, and only slightly improved in South Africa (Taylor, 2006). Africa is materially poor and it continues to experience many difficulties: sometimes severe droughts and other times floods; political upheavals and conflicts in countries such as the Sudan and Somalia; the genocides in Rwanda and Burundi; endemic diseases such as Malaria and now AIDS; and massive unemployment. According to Hood, & Logsdon (2002) a substantial number of such national codes of corporate governance have already been produced, mostly in the Anglophone countries in Africa to eradicate corruption.

It is in these codes that business ethics is explicitly addressed but because they lack enforcement they don't work. Among the countries that already produced and published national codes of corporate governance counts Ghana (Manual on Corporate Governance in Ghana, 2000), Kenya (Private Sector Corporate Governance Trust [PSCGT], 1999), Malawi (Corporate Governance Task Force, 2001), Mauritius (Report on Corporate Governance for Mauritius, 2003), Nigeria (Code of Corporate Governance in Nigeria, 2003), South Africa (IoD of South Africa, 1994, 2002), Tanzania (Steering Committee on Corporate Governance in Tanzania, 2000), Uganda (Manual on Corporate Governance and Codes of Conduct, n.d.), Zimbabwe (Principles for Corporate Governance in Zimbabwe, n.d.), and Zambia (IoD of Zambia, 2000).

The national codes all emphasize the ethical nature of good corporate governance. Special emphasis is placed on the fact that good governance is based on a number of cardinal ethical values. Topping the list of the values that should be adhered to in good governance are the values of transparency, accountability, responsibility, and probity. These values should permeate all aspects of governance and be displayed in all actions and decisions of the board. The various aspects of governance, such as board compilation and functioning, reporting, disclosure, and risk management, are seen as instrumental in realizing these cardinal values of good governance.

4.2 BEN-Africa network

The Business Ethics Network of Africa (BEN-Africa) was founded in 1999 by a group of individuals who shared an interest in business ethics and wanted to expand business ethics on the African continent (Uys, & Smit, 2011). According to Uys, & Smit, (2011), BEN-Africa currently has members in 25 African countries. BEN-Africa's three main goals are:

1. To facilitate interaction between academics and practitioners who share an interest in business ethics.
2. To gather and disseminate information on business ethics in Africa.
3. To strengthen the commitment and competence of members to improve the business ethics record of Africa.

BEN-Africa accomplishes these goals through a number of initiatives. BEN-Africa presents a conference annually, has developed a book series, and has launched the African Journal of Business Ethics.

Table 4. Ten (10) African countries showing the level of corruption in each and their ranking out of 177 countries ranked by the Corruption Perceptions Index expert opinion

Country	Rank out 180 countries	Score	Unethical Practice	References
Burundi	157	21	90 per cent of entrepreneurs think paying bribes is standard practice, and a number of them have admitted to being the victim of bribes for: A scandal involving the oil industry that broke in 2007 had serious implications, including an impact on the country's economic condition, the withholding of donor funds and Burundi's derailment from the Heavily Indebted Poor Countries programme, resulting in the postponement of essential debt relief The unwarranted payments were made as a result of dubious transactions that implicated the s According to an audit report, conducted with World Bank support, the oil sector owes the Burundi government US$38 million, equivalent to 3.8 per cent of GDP.17 An audit report by EuraAudit International in February 2008 sets the amount Interpetrol owes to the state at BIF 32.3billion (US$27 million	1.Eura Audit International, Audit Report, (2008) 2. Government of Burundi, 2008 3. Masabo, M (2007) 4. Bujumbura: TI, (2006). 5. Nathan et, al (2006) 6. Diagnostic Study on Governance and Corruption in Burundi(2007)
Cameroon	144	25	Corruption in Cameroon is a perceived problem, and supported by Transparency International's Corruption Perceptions Index and Global Corruption Barometer. Corruption, like any other form of widespread social phenomenon, is built on networks and interactions The study examines the entire private sector by looking at 835 businesses. Of these, 536 declared their turnover, totaling CFA449.7 billion (US$1.08 billion), or an average turnover of CFA839 million (US$2 million). The primary finding is that corruption has high costs for private sector companies, representing 1 per cent of their turnover or about CFA4.5 billion (US$10.8 million). Corruption also has a negative impact on the competitiveness and level of development of these businesses, as well as on the various stakeholders who depend on them It is clear that, across sectors, the most prevalent form of corruption involves bribing the police. This is particularly the case in the industrial sector, commercial sector, goods and services, and financial and property services. A 2006 survey by the Economics and Survey Research Centre (Centre de Recherche et d'Etudes en Economie et Sondage – CRETES), provides a starting point for understanding the causes of corruption When ranked against twenty institutions, the private sector comes fifth from the bottom in terms of perceived levels of corruption – behind religious institutions, NGOs, civil registry services and the media (religious institutions having the lowest levels).	Ayisi, L (2003). Boulaga, F. E. (2002). Eyene C. A.(2006) Nwell P. T. (2001) Penda P. N. (2006) World Bank, Doing Business (2008)
Ethiopia	111	33	In early 2008 some of the NBE's gold that was ready to be exported was discovered to be gold-plated iron bars. The discovery prompted an extensive investigation, which eventually revealed a complicated system of corruption and fraud involving officials at both the bank and the GSE. Gold-plated iron or steel bars were being sold to the NBE by buying certificates from corrupt GSE staff, who allegedly used forged documents or paid off bank staff. In one case, a client of a Commercial Bank of Ethiopia branch paid off a bank employee to transfer sums illegally into the client's account Another case involved the alleged granting of an improper credit guarantee bond contract signed between the managers of two banks that provided a standby letter of credit amounting to more than US$6 million on behalf of a company called Addis Industrial PLC. The government owns all land in Ethiopia; there is no private ownership. With land values increasing in Addis Ababa, incentives for corruption in the allocation of land, which is provided to individuals and investors on long-term leases, have grown significantly, and there are increasing reports of collusion between private sector players and government officials In July 2007 the FEAC released a study in which it examined five of Addis Ababa's ten sub-cities. It concludes that acquiring land in the city without bribing city officials had become virtually impossible. It also finds that ambiguities in the legal code and relevant regulations enabled corrupt officials to exploit these loopholes to their own personal benefit. The report documents cases in which land was awarded to individuals on the basis of bribes or forged bank statements. The commission also reports that its investigations led to the confiscation of 575,531 square metres of land with an estimated value of US$118.6 million.	The Reporter (15 March 2008). World Bank, Doing Business (2008) Ethics, vol. 7, nos. 1, 3 and 4 (September 2007, March 2008 and June 2008). Federal Ethics and Anticorruption Commission (Addis Ababa: FEAC,(2008). FDRE House of Peoples' Representatives (July 2007–March 2008) (Addis Ababa: FEAC, 2008). Federal Negarit Gazeta, year 11, no. 19 (February 2005). World Bank, (2008) Transparency Ethiopia: www.transparency ethiopia.org

Table 4. Ten (10) African countries showing the level of corruption in each and their ranking out of 177 countries ranked by the Corruption Perceptions Index expert opinion (continued)

Country	Rank out 180 countries	Score	Unethical Practice	References
Ghana	63	46	Despite President John Kufuor's declaration of zero tolerance for corruption in 2001, subsequent legislation designed to improve transparency and reduce corruption, and anti-corruption programmes by CHRAJ and civil society, many still believe that graft and corruption remain widespread and political patronage systems remain deeply rooted Most Ghanaians are not familiar with tax laws, a fact that has often led taxpayers in the private sector to complain about corruption and extortion by tax officials. A 2003 CDD-Ghana study reports that corruption, evasion, abuse and misapplication of exemption laws are serious problems in the tax collection system A Ghana Integrity Initiative survey and the Global Corruption Barometer 2007 place the revenue agencies among Ghana's most corrupt service providers. Furthermore, writers and analysts have reported various problems, such as tax evasion, corruption, abuse of discretion, misapplication of exemption laws, political interference and low levels of capacity among tax collection agencies. Problems in tax and customs administration deprives the government of much-needed revenue, in an aid-dependent country that has also been declared a heavily indebted poor country	Economist Intelligence Unit, Country Report Ghana (London: Economist Intelligence Unit, (2008). Ghana Integrity Initiative, '"Voice of the People Survey", 2005' (Accra: Ghana Integrity Initiative, 2005). Kaufmann, P. Madelung, J. Spatz and M. Wegmann (2008) World Bank, Ghana: 2006 World Bank and International Finance Corporation (IFC), Doing business 2008 Ghana Integrity Initiative: www.tighana.org.
Kenya	136	27	On 13 October 20085 the Capital Markets Authority intervened in the management of Discount Securities Ltd, a stockbroker with the Nairobi Stock Exchange, and appointed an auditing firm, KPMG, to investigate allegations of a weak financial base and poor corporate governance. Billions of assets are siphoned away to foreign banks for safety, or invested in expensive properties in developed countries. Though fraud is a serious ethical problem in every country of the world, it is particularly detrimental in Africa because the defrauded money leaves Africa and ends up in already developed countries (Gichure, 2000). Following these developments, the National Social Security Fund (NSSF) lost, Sh1.4 billion (approximately US$19 million) belonging to desperately poor retirees invested through the stockbroker. In 2003 Euro Bank collapsed with Sh256 million (US$3.37 million) The funds had allegedly been invested in Euro Bank through Shah Munge and Partners stockbrokers.8 It later turned out that Munge was one of the directors of Euro Bank. What ails Kenya's financial sector is poor sectoral and corporate governance, resulting in weaknesses that make pensioners, creditors, employees and depositors extremely vulnerable. These weaknesses include ineffective laws, poor financial sector oversight, a base sector culture and overbearing political and executive corruption. Reports around the collapse of the Uchumi supermarkets in June 2006 raised suspicions of insider trading by some directors. According to news reports, just before the public pronouncement was made huge sums of shares were sold off. Despite its admirable infrastructure, Kenya has one of the lowest rates of foreign direct investment in the region. The direct costs of corruption (such as bribery for a banking licence) remain a deterrent to potential investors in the financial sector. Corruption is a major impediment both for existing businesses and those seeking to establish new businesses. According to The Global Competitiveness Report 2007–2008, corruption remains the largest obstacle in doing business An example of this is the 'Goldenberg' case in Kenya in which more than a billion Kenya Shillings were fraudulently siphoned out of the Central Bank, as compensation for bogus exports by a private company working in collusion with some senior government officials.	Coalition for Accountable Party Financing [CAPF], Campaign Finance and Corruption: A Monitoring Report on the Campaign Finance on the General Elections (Nairobi: CAPF, (2008). Kidombo P. K. (2007 TI Kenya, Kenya Bribery Index 2008 (Nairobi: TI Kenya, 2008). P. Wanyande, M. Omosa and C. Ludeki (2007) TI Kenya: www.tikenya.org.

Table 4. Ten (10) African countries showing the level of corruption in each and their ranking out of 177 countries ranked by the Corruption Perceptions Index expert opinion (continued)

Country	Rank out 180 countries	Score	Unethical Practice	References
Morocco	91	37	In Morocco, corruption in the private sector is intimately linked to its relationship with the public sector. A lack of transparency, a lack of competition, collusion of public and private sector officials in selection processes, and inefficient public procedures all help determine the outcomes of public procurement As such, it is a real governance problem, as a lack of transparency and poor management of systems can lead to corruption, inflated transaction costs and substandard products or quality of work. On 17 January 2008 a building under construction collapsed in Kenitra (30km from Rabat), killing eighteen people and injuring twenty-six others It appeared that, while all the necessary prior studies had been conducted, the collapse was due either to unstable soil or the use of noncompliant concrete The building sector is criss-crossed by a great variety of channels for corruption, including authorisation for land parcelling and building, lenient occupancy permits, inadequate architectural plans, frequent and questionable exceptions made to development plans (such as hazardous extra height for buildings) and deficient compliance and quality control, upstream as well as downstream	Akesbi, A. (2008) Mesbahi, K.(2008) Mesbahi K. and. Debbagh A (2002) Zirari M (2007) Transparency Maroc: www.transparencymaroc. org.
Nigeria	144	25	Nigeria's banking sector has a long history of corruption, which was partly responsible for the collapse of many banks in the 1990s and losses to many depositors and stakeholders. The failures were a result of fraud committed by bank owners and managers, who had: granted unsecured loans, resulting in high levels of bad debt and a loss of liquidity; failed to maintain a strong capital base; granted unsecured loans to friends and bank owners or managers; and, in some cases, embezzled funds outright On 11 July 2008 the former managing director of Triumph Bank, Francis Atoju, and three others were brought before a Federal High Court in Lagos on charges of corruption filed by the Economic and Financial Crimes Commission The above stories show the lack of efficiency and effectiveness on the part of the bank regulatory authorities in the country. The situation is compounded by the slowness of the investigation and prosecution processes in Nigeria The lack of accountability, unethical behavior and corrupt practices have become so pervasive, and even institutionalized norms of behavior… to the extent that one may conveniently speak of a crisis of ethics in...public services Widespread corruption in almost all spheres of public and private endeavors has made achieving an adequate level of accountability in Nigeria a major problem The situation has degenerated to the point that bribery and other forms of corruption are referred to as the 'Nigerian factor' corruption and many other unethical practices are fingered as the bane of Nigerian public administration In Nigeria, the manifestation of unethical practices and the intertwining adverse effect take the form of bribery, peonage, nepotism, embezzlement, use of one's position /public office for self-enrichment, absenteeism, cronyism, corruption in administrative and personnel practices, lack of accountability and transparency in the conduct of government and private businesses. Fraud, extortion, embezzlement, bribery, nepotism, influence peddling, bestowing of favors to friends among others are some of the unethical conducts in the public service	Asogwah F. and. Okoli, P (2008) Ayua I and Owasanoye B (2002). Mzamber Waziri F (2005) Ogbu O. N. (2006) Ikeanyibe (2009) Ayanda (2012) AGARA, T and OLARINMOYE O (2009) AKANBI, M (2012) EGWEMI, V (2012) IKEANYIBE, M.O (2009) CHUKWUJEKWU, S.C (2007)

Table 4. Ten (10) African countries showing the level of corruption in each and their ranking out of 177 countries ranked by the Corruption Perceptions Index expert opinion (continued)

Country	Rank out 180 countries	Score	Unethical Practice	References
Rwanda	49	53	Following years of conflict and unrest in Rwanda, and the consequent poverty of Rwandan society, micro-finance institutions (MFIs) were set up in response to the critical need for access to financial services by low-income Rwandans. In an MFI, individuals deposit funds into cooperative arrangements that receive a provisional banking licence from the National Bank of Rwanda, the central bank. Their share capital amounted to FRw. 150 million (US$272,000). In 2006, after only three years of activity, many MFIs became insolvent and were unable to meet their obligations to investors. At this point the government intervened and disbursed F.Rw. 3 billion (US$5.44 million) to compensate those who had lost their deposits Two relevant issues have arisen in relation to MFIs. On the one hand, it has been alleged that depositors' cash was misappropriated, with those implicated including former MPs and a pastor. On the other, loans in some cases have been obtained illegally and never serviced. According to Deputy Prosecutor General Alphonse Hitiyaremye, the pastors often 'lack professional guidance The auditor directly involved in some of these cases, Anastase Sebudandi, claimed that the MFI bankruptcies had been caused by mismanagement and lack of supervision Nepotism was practised, whereby family members were granted credit without providing guarantees. In addition, poor oversight allowed managers to become involved in financial embezzlement	Ministry of Local Government (MINALOC) (2004) Districts and Kigali City Association (RALGA), (2008) Governance and Anti-corruption Strategy', 15–16 January (2007) The Transparent Magazine, August–September (2008)
Zimbabwe	157	21	The attitude towards corruption has become a major challenge to the economic recovery of Zimbabwe, as small-scale risks in the form of bribery, fraud and extortion interfere with the private sector's ability to access foreign direct investment. Corruption also interferes with commerce, increases costs, slows growth and makes the future difficult to predict Zimbabwe has serious deficiencies in relation to holding its private sector accountable Furthermore, a TI Zimbabwe study has revealed that the business sector evades accountability, and, other than the requirement to publish financial statements, they are not held accountable. One finding of the Code of Ethics Survey conducted by the Business Forum against Corruption (BFAC) is that, while the concept of a code of ethics is generally understood, its salient features, utility and purpose are not implicit As a result, the implementation of codes is not very successful	The Zimbabwe Business Forecast Report (London: Business Monitor International, 2007); www.businessmonitor.com/business forecasts/zimbabwe.html. Mawere, M. (2006) www.pambazuka.org/en/category/corruption. TI Zimbabwe, A Journal of Investigative Journalism Focusing on Corruption in Zimbabwe (Harare: TI Zimbabwe, 2005). Code of Ethics Survey (Harare: TI Zimbabwe (2008).
South Africa	72	42	The South African Business Ethics Survey (SABES) 2013 follows on two earlier studies, namely the Business Ethics Survey South Africa (BESA) 2002 and the South African Corporate Ethics Indicator (SACEI) 2009 The Republic of South Africa is the largest economy in the African continent with a Gross Domestic Product (GDP) of approximately US$364 billion in in 2010 The country's main economic activities are mining and agriculture, with tourism an important contributor also. In their Corruption Perception Index, Transparency International (TI) rank South Africa as the 5th least corrupt country (out of 33) in the sub-Saharan African region in 2010 (54th out of 178 worldwide) In a survey conducted by TI in 2010 in which members of the South African public were asked how they thought the level of corruption in the country had changed in the last three years, 24% said it had decreased, 14% felt that it had stayed the same, and 62% said it had increased. The survey results demonstrate that corruption is considered to be more common in the public sector than it is in business The infamous 'Arms Deal' procurement scandal of 1999 was an internationally high profile example of such corruption that took place at national government level.	Ethics Institute of South Africa (EthicSA) http://www.ethicsa.org/ Judith I (2010) Armstrong, P. (2003) Institute of Directors of South Africa. (2002). King report on corporate governance for South Africa 2002

Table 4. Ten (10) African countries showing the level of corruption in each and their ranking out of 177 countries ranked by the Corruption Perceptions Index expert opinion (continued)

Country	Rank out 180 countries	Score	Unethical Practice	References
South Africa	72	42	One of the material issues facing the country is the low credibility of law enforcement officials. The police are widely perceived as corrupt (see Table 1) and the 2010 conviction on corruption charges (involving links to organized crime) of the Commissioner of the South African Police Service, Jackie Selebi, who was eventually sentenced to 15 years in prison, has done little to improve perceptions More common in the private than the public sector is fraud. In PwC's most recent Global Economic Crime Survey (of senior representatives of 3,037 companies in 55 countries), 62% of South African respondents indicated hat they had been impacted by fraud, compared to a global average of 30%. Some of the most common forms of economic crime that businesses in south Africa encounter are 'asset misappropriation' and 'financial statement fraud'. The survey also found that the percentage of internal perpetrators of fraud was 62% vs. a global average of 53%. In addition to legislation such as the Prevention and Combating of Corruption Act (2004), the country is a signatory to various United Nations (UN) conventions including the UN Convention against Corruption and the Convention on Transnational Organized Crime, the African Union Convention on Preventing and Combating Corruption and the Organization for Economic Co-operation and Development (OECD) Convention on Combating Bribery of Public Foreign Officials in International Business Transactions. The standard and principles for corporate governance in the country is set by what are known as the King Reports issued by the King Committee on Corporate Governance The Committee was commissioned by the Institute of Directors in South Africa and chaired by the former Supreme Court judge, Mervyn King, who viewed it as an opportunity to educate the recently-democratised South African public on the principles of working in a free economy. Three reports have been issued: King I (1994), King II (2002) and most recently, King III (2009). King makes direct reference to the concept of Ubuntu in the Code suggesting that: "Such leadership is characterized by the ethical values of responsibility, accountability, fairness and transparency and based on moral duties that find expression in the concept of Ubuntu To date, there has been no credible and generally accepted national standard available for measuring how various organisations are performing against the standards set out in King III. To address this challenge, the Institute of Directors in South Africa has recently developed the Governance Assessment Instrument - a web-based tool that serves as both a measure and a framework for good corporate governance in terms of structure, policies and procedures The extent to which ethical practice is embedded in the corporate culture of businesses in South Africa is not clear. A recent study conducted by the Ethics Institute of South Africa concludes that there is a wide gap between regulation on ethics management, the level and quality of reporting, and the actual implementation and influence on strategic decision making within the business The (South African Business Ethics Survey) SABES 2013 findings make it clear that the ethics programme is good on paper and awareness is created about it, but the ethics programme is not effectively implemented and the organizational values do not permeate the behavior of employees	Ethics Institute of South Africa (EthicSA) http://www.ethicsa.org/ Judith I (2010) Armstrong, P. (2003) Institute of Directors of South Africa. (2002). King report on corporate governance for South Africa 2002

In addition, BEN-Africa generates new knowledge through a number of research projects including, the Whistle Blowing Project, the Business Ethics Case Study Project, and the HIV/AIDS project

4.3 Overview of ethical intelligence in Africa: Transparency International Corruption Perceptions Index 2013

The Corruption Perceptions Index 2013, ranked 177 countries and territories around the world on their perceived levels of public sector corruption. Based on expert opinion, the index measures the perceived levels of public sector corruption in countries worldwide, scoring them from 0 (highly corrupt) to 100 (very clean). The 2013 index paints a worrying picture. While a handful perform well, not one single country gets a perfect score. More than two-thirds score less than 50 and many are found in Africa.

Table 4 shows ten (10) African countries showing the level of corruption in each and their ranking out of 177 countries ranked by the Corruption Perceptions Index expert opinion.

5 Discussion and findings

The general findings of the study were similar to that reported by of Ekpo-Ufot (1990). The results have shown that, there appears to be two basic principles that guide Jewish law in business ethics. The principle of tzedek (fairness and justice) underlies most of the legal rules. Jewish law, however, contains an additional ethical or moral dimension, that of chessed (goodness). In other words, one should not only follow the letter of the law (e.g., justice), but that of the spirit of the law (e.g., goodness). In this manner, while contemporary business ethics tends to suggest that it deals with matters "above" or "beyond" the law, the Jewish business ethics approach does not distinguish between the law and ethics. Jewish business ethics does not rely on moral principles generated by contemporary moral philosophy, such as utilitarianism, Kantianism, moral rights, and justice. Instead, it derives its content from a body of literature (the "sources"), which include primarily the Torah (the written law or Old Testament), the Talmud (the Jewish oral tradition that interprets the Torah and was later codified into written form), rabbinic commentaries, and halakhic (legal) decisions. The sources of the Torah and the Talmud are believed to ultimately be derived from the word of God Instead, standards include both the legal principles as well as the ethical principles since both are ultimately derived from a supreme entity. One might think of Jewish business ethics as "codified ethics" or "legislated morality" that is "… an all-encompassing system that is inherently moral and just since it emanates from Divine Revelation of a God" and represents a balance between justice (tzedek) and mercy (chessed) as well as between legalism and spiritualism. At the time of judgment one is asked two questions at the Heavenly Court: "Did you set aside time for Torah study? Did you do your commerce in a Torah way?" Judaism looks at monetary dishonesty as a transgression against God's will. Such activities lead to Divine retribution (Tamari 1991, 40). Theft requires not only restitution, but repentance before God (teshuvah), and may result in an individual becoming ineligible as a witness. All of these consequences are seen as necessary towards achieving a proper sense of justice or fairness (tzedek). Judaism rejects the utilitarian or cost/benefit approach which might suggest that dishonesty pays in certain situations. Results as shown in Table 1 have revealed that although African countries talk about African ubuntu philosophy where ethical values are emphasized but nothing has changed positively to curb corruption and all business illicit behaviors. According to Transparency International Corruption Perceptions Index African countries rank the lowest and three quarters rank below fifty (50), a clear indication that ethics in Africa is still a very serious issue.

5.1 Conclusion

In all the national codes of corporate governance in Africa the need for actively managing the ethical performance of companies is not emphasized. The challenge that faces African enterprises is to translate this African ubuntu philosophy commitment to high standards of ethics into organizational practice. It is on this account that most codes of ethics and corporate governance in Africa fall short as they provide very little to zero guidance on how business ethics should be institutionalized in enterprises in Africa. The second-generation codes like King III of corporate governance that are now emerging in Africa tend to recognize this shortfall and address it explicitly but so far nothing has borne fruit. It is, however, essential that these policing developments like the Jewish approach on the enterprise level should be reinforced with governance reform on the regulatory and political level. Africans should emulate the Jewish business ethics system for example the general gravity with which business ethics are treated in Jewish thought is illustrated by the widely quoted Talmudic tradition (Tamari, 1995) that in one's judgement in the next world the first question asked is: "were you honest in business?"

5.2 Recommendation

The most comprehensive recommendations on the governance of ethics are found in the third King Report on Corporate Governance for South Africa (IoD of South Africa, 2009). The latter report recommends a six stage process of governing ethical performance that consists of:

- identifying through stakeholder engagement the perceptions and expectations that stakeholders have of the ethical performance of a company,
- determining the ethical values and standards of the company and codifying it in a code of ethics,
- institutionalizing the values and code of ethics of a company on both the strategic and systems levels,
- monitoring and evaluating compliance to the code of ethics,
- accounting and auditing ethical performance according to emerging global standards on ethical accounting and auditing, and disclosing ethical performance to relevant stakeholders.

Business in Africa should blend their ubuntu business philosophy to the Jewish Business ethics system in order reduce the rampant corruption and ethical problems in Africa.

The researcher further recommends strong commitment to the implementation of laws, enforcement of sanctions and strengthening of institutions of corporate governance on a unremitting basis

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