

ETHICAL PRACTICES FOR EFFECTIVE LEADERSHIP: FACT OR FALLACY-THE KENYAN EXPERIENCE

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Abstract

The subject of ethics in Kenya has been a hot one for the last few years. The country has witnessed some of the worst corruption scandals in her history since independence. Even with the establishment of the Kenya Anti-Corruption Commission, the situation has not improved. This article tries to argue that laws alone cannot 'convert' the society that has developed and perfected the art of unethical practices. A new way of thinking is necessary that will involve and empower everyone to start thinking and behaving in an ethical way. I have in this article developed a model which can be used to transform societies. Several recommendations applicable not only to the Kenyan society but any other society that desires to transform its people into ethically responsible people has been made. Among the main recommendations is the adoption of a systemic approach to dealing with unethical practices as opposed to only a legalistic approach. In addition, the work of transformation begins with leaders who in turn mentor others to produce the desired behaviour. Hiring a person responsible for overseeing issues of ethics won't do the job until everyone is involved. It is for that reason that I have adopted the systems approach in handling this challenge. The adoption of the proposed model will offer assistance to those who desire to influence their societies to be ethically responsible. In the light of this argument, ethical leadership can be a fact and not a fallacy.

INTRODUCTION

The quest for effective corporate and national leadership is a task which resembles the search for the Holy Grail. The legend of the Holy Grail originated with the belief that Joseph of Arimathea had brought the cup used for the first Eucharist to Europe and that it would appear to those in a sufficient state of grace to behold it. The Publication of *Perceval: The Story of the Grail* by Chretien de Troyes in the twelfth century led to sustained interest in the search for the Holy Grail and in the ways of achieving the state of grace needed to find it (Adrian, 2006).

The need for an improved state of grace in leadership practice in Kenya has become evident in a series of corporate collapses, grabbing of public land meant for public utilities, abuse of power and abuse of office in the 1980s and 1990s. Failure to deal with the poor 'state of grace' in Kenya society has erupted in a series of major scandals of a new type. A classical example is the infamous Goldenberg scam of the 90s which has continued to have a ripple effect even in the 21st century. The 2008 Grand Regency saga has had its origin in the Goldenberg scam. A common factor in all these scandals is the abuse of office by the executives.

The word 'ethics' refers to both a discipline and the subject matter of that discipline-the actual values and the rules of conduct by which we live (Solomon, 2005)

Talk of ethics and everyone will think of a blameless, flawless and point field individual. Yet every human being has a system of ethics. For most people, it is not systematic and therefore they have to employ various ethical guidelines depending on

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the situation to help them make decisions. However, there are people who actually prescribe systems of ethical analysis. Three major areas of prescribed systems of ethical analyses are metaethics, normative ethics and applied ethics. Meta means about. Metaethics explores where our ethical principles came from and what they mean. Two main issues within metaethics focus on the origins of ethics. It tries to establish whether morality is humanly constructed or is something that exists apart from human or both (Stanford, 2005). The key point of focus is what guides our decisions about what is right and wrong.

According to Solomon (2005), ethics is that part of philosophy which is concerned with living well, being a good person, doing the right thing, getting along with other people and wanting the right things in life. Ethics is essential to living in society with its various traditions, practices and institutions. Those traditions, practices and institutions determine many of the rules and expectations that define the ethical outlook of the people living within them. Solomon further argues that ethics has both a social and a personal dimension, but it is not at all easy, in theory or in practice, to separate these dimensions. The study of ethics teaches us to appreciate the overall system of reasons within which having ethics makes sense (Zimmerli, *et al.*, 2007). It is not enough that we have ethics and that we act according to our values and rules. We must act for reasons and be able to defend our actions if called upon to do so. Similarly, it is not enough to have strong opinions regarding an issue or to hold a position on a certain controversial social issue. It is important to have reasons, to have a larger vision, to have a framework within which to house and defend one's opinions (Solomon, 2005).

Normative ethics is the field of ethical study that seeks to determine norms or standards for right and wrong behaviour. The three major types of theories within normative ethics are virtue theories, duty theories and consequentialist theories. Virtue theories focus on demonstrating virtues (good behaviour) while avoiding vices (bad behaviour). Duty theories focus on our obligations. Consequentialist theories look at the results of our actions (Beauchamp and Bowie, 1983). The results determine the rightness of the action.

THEORETICAL FRAMEWORK

Plato articulated a virtue theory, so did Aristotle. Plato believed that there were cardinal virtues that we should pursue over all other virtues. These cardinal virtues are wisdom, courage, temperance and justice. Other important virtues included fortitude, generosity, self-respect, good temper and sincerity. Plato's idea is that training in the sciences and metaphysics are a necessary prerequisite for a full understanding of our good (Stanford, 2005). Aristotle follows Socrates and Plato in taking the virtues to be central to a well-lived life. He however, rejects Plato's idea that training is a necessary pre-requisite for a full understanding of our good. He argues that what we need to live well is a proper appreciation of the way in which such goods as friendship, pleasure, virtue, honour and wealth fit together as a whole.

The backbone of Aristotle's ethics is that there are differences of opinion about what is best for human beings, and that to profit from ethical inquiry we must resolve this disagreement. Ethics is about asking what the good for human being is and by acquiring that knowledge of what is good, we will be able to achieve what is good for everyone. In seeking for the good, Aristotle is not looking for a list of items

that good. He assumes that a list can be compiled rather easily; for example, it is good to be friendly, to experience pleasure, to be healthy, to be honoured and to have such virtues as courage at least to some degree. The difficult and controversial question is whether certain of these goods are more desirable than others (Stanford, 2005). Aristotle's search for the good is a search for the highest good and he assumes that the highest good whatever it turns out to be has three characteristics:

- It is desirable for itself
- It is not desirable for the sake of some other good.
- All other goods are desirable for its sake.

The word 'ethics' comes from the Greek word *ethos*, meaning 'character' or 'custom' and the derivative phrase *ta ethika*, was used by the philosophers Plato and Aristotle to describe their own studies of Greek values and ideals (Solomon, 2005). Ethics is first of all a concern for individual character, including what we call 'being a good person'. It is also a concern for the overall character of an entire society. Ethics is participation in and an understanding of an ethos, the effort to understand the social rules which govern and limit our behaviour especially those fundamental rules, such as prohibitions and requirements that we should respect the rights of others, which we call morality.

If ethical leadership practice is about seeking for the highest good, this raises a critical question as to whether our leaders actually practice ethical leadership. In Kenya, for example, we have witnessed religious leaders manipulating their followers in order to get money from them. Some religious leaders have used religious teachings and calls for commitment leading to the followers responding without questioning the behaviour of their leaders. Kenyan politicians especially Members of Parliament have equally abused power. Among the many proposals tabled before Parliament in June 2008 during the presentation of 2008/09 budget by the Finance Minister was a proposal to tax emoluments earned by Members of Parliament. The proposal was vehemently fought by the legislators, yet other Kenyans continue to pay their taxes. This is a classical case of blatant abuse of power. Such leaders have cared least about other people. Aristotle argues that in order to apply that general understanding to particular cases, we must acquire, through proper upbringing and habits, the ability to see, on each occasion which course of action is best supported by reasons. Therefore, practical wisdom, as he conceives it cannot be acquired solely by learning general rules (Stanford, 2005).

Aristotle argues that unlike other species, human beings have a rational soul. The good of a human being must have something to do with being human. What sets humanity off from other species, giving us the potential to live a better life, is our capacity to guide ourselves by using reason. The questions that many Kenyans are asking are: Do our parliamentarians have a rational soul? Are they focusing in the highest good? If we use reason well, we live well as human beings; or to be more precise, using reason well over the course of a full life is what happiness consists of. Doing anything well requires virtue or excellence, and therefore living well consists of activities caused by the rational soul in accordance with virtue or excellence.

According to Aristotle (Stanford, 2005), living well consists of doing something, not just being in a certain state or condition. It consists of those lifelong activities that actualize the virtues of the rational part of the soul. It is for this reason

that I submit that Kenyan leaders ought to understand that acquisition of more money and power cannot lead to living well. Real happiness does not result from a state of being powerful and wealthy. It is what they do-acquiring and exercising the virtues that lead to the highest good-that makes them happy and satisfied in life. Aristotle insists that the highest good-virtuous activity-is not something that comes to us by chance. Although we must be fortunate enough to have parents and fellow citizens who help us become virtuous, we ourselves share much of the responsibility for acquiring and exercising the virtues. De Pree (1987: 12) contends that leadership is a concept of owing certain things to others. Hill (1997:159) argues that authority is not an avenue for self-promotion but rather a platform from which to serve others. Leadership is based on serving, not the standard view that it is based on power and self-interest. Effective leadership calls for servant leadership. Servant leaders subordinate their own interests to the good of the whole, listening carefully, equipping others to succeed, building trust and responsibly marshalling corporate success (Hill, 1997). I submit that the responsibility of being virtuous rests on the individual. Human beings have 'the will' and the ability to make decisions based on their concept of 'right' or 'wrong'. This 'will' can, however, be enlightened and can in turn enhance an ethical decision making process. The 'will' is not only powerful in the decision-making process but also in the execution of the decision made. We must acquire, through practice, those deliberative, emotional and social skills that enable us to put our general understanding of well-being into practice in ways that are suitable to each occasion.

Ethical life is a product of life-long learning. If an enlightened 'will' is alive to the 'good', the individual acts ethically and vice versa. The individual's response to the social world is very active. The individual may make decisions in the light of others' attitudes. Mead's social interaction theory argues that there exists both the 'me' and the 'I' in an individual. The 'Me' is social self and the 'I' is a response to the 'Me' (Mind, Self and Society, 118). The 'I' is the response of the organisms to the attitude of the others; and the 'Me' is the organised set of attitudes of others which one assumes. Mead defines the 'me' as a conventional, habitual individual and the 'I' as the novel reply of the individual to the generalised other (Mind, Self and Society, 197). The 'me' is the internalisation of roles which derive from such symbolic processes as linguistic interaction, playing and gaming, whereas the 'I' is a 'creative response' to the symbolized structures of the 'me' (that is, to the generalised other). The point here is that ethical behaviour-the highest good-is prompted by the knowledge and understanding acquired. The 'I' must respond to the 'me' in order for ethical behaviour to be realised. In other words, knowledge is not enough-putting knowledge into action is critical. On the basis of this argument, this article will discuss later a model which can enhance acquisition of knowledge and the practice of ethical decision making process.

According to Solomon (2005), we learn ethics, typically, a piece at a time. Our education begins in childhood with examples or continuous demonstrations of normative behaviour. Mead argues that the human individual exists in a social situation and responds to that situation. The situation has a particular character, but this character does not completely determine the response of the individual; there seem to be alternative courses of action. The individual must select a course of action (and even a decision to do 'nothing' is a response to the situation) and act accordingly, but the course of action the individual selects is not dictated by the

situation. It is this indeterminacy of response that gives the sense of freedom, of initiative (Mind, Self and Society, 177). The action of the 'I' is revealed only in the action itself, specific prediction of the action of the 'I' is not possible. The individual is determined to respond, but the specific character of the individual response is not fully determined. The individual's responses are conditioned, but not determined by the situation in which he or she acts (Mind, Self and Society, 210-211).

It is in light of this that I question the validity of the argument put forward by former top Kenya government officials during the Goldenberg Commission of Inquiry in 2003. Several people who testified before the commissioners argued that they acted unethically during the period the Goldenberg scandal was being perpetrated because they had been instructed to do so by their seniors. Their argument was simply saying that they did not have a conscience – the 'I' never existed in their lives. This is completely ridiculous. The action of the 'I' which I will call the decision of the conscience cannot be overruled by the situation. The individual has power to respond appropriately to an ethical dilemma.

Leadership in Kenya must rise to the occasion and need for good (ethical) leadership. The use of the word 'good' or 'ethical' here has two senses, morally good and technically good or effective. If a good leader means good in both cases, then the leader must be effective and ethical. The question "What constitutes a good leader" lies at the heart of many public debates about leadership today. We want our leaders to be good in both ways. Nonetheless, we are often more likely to say leaders are good if they are moral, but not effective. Leaders face a paradox. They have to stay in business or get re-elected in order to be leaders. If they are not minimally effective at doing these things, their morality as leaders is usually irrelevant, because they are no longer leaders. In leadership, effectiveness sometimes must take priority over ethics. What we hope for our leaders is for them to know when ethics should and when ethics should not take a back seat to effectiveness. Ciulla (1995) argues that the quality of leadership also depends on the means and the ends of a leader's actions. Most of us would prefer leaders who do the right thing, the right way and for the right reasons.

Transforming Leadership and Servant Leadership are normative theories of leadership. Both emphasize the relationship of leaders and followers to each other and the importance of values in the process of leadership. James MacGregor Burn's theory of transforming leadership rests on a set of moral assumptions about the relationship between leaders and followers (Zimmerli *et al.*, 2007). According to Greenleaf (1997), servant leaders lead because they want to serve others. In both transforming leadership and servant leadership, leaders not only have values, but they help followers develop their own values, which will hopefully overlap or be compatible with those of the organization (Zimmerli *et al.*, 2007). This raises a concern in the Kenyan context. Several cases of unethical behaviour involving Kenyan leaders have been highlighted by the media. Leadership practice in the Kenyan context seems to unduly benefit the leaders. Leaders who are politically well-connected have been accused of promoting corrupt practices, nepotism and abuse of office. The temporary closure of Uchumi Supermarkets, the collapse of Kenya National Assurance Company, and the collapse of several state parastatals attest to this fact.

Hill, (1997) argues that an individual can respond to an ethical dilemma in any of the following three ways. These models are mutually exclusive. One can only apply one model in a particular situation. These are:

- Submissive model
- Legalistic purist model
- Accommodating purist

Submissive Model

The submissive model requires employees to place a strong emphasis on loyalty and obedience to their superiors and employers, perhaps even utilising the military 'chain of command' metaphor. Within the bounds of the law, superiors should be accommodated; acquiescence to their directives is normative. According to Milton Friedman's (1983: 81) submissive agents are amenable to venture beyond their own religious ethics so long as their actions remain legal. In the case of the Goldenberg scandal described above, public servants participated in illegal activities that led to the Government of Kenya losing hundreds of billions of shillings, all because they were willing to compromise their own values to please those in authority over them especially the senior politicians. Submissive model assumes that employees are slaves who must submit to their masters. According to this model, employees are influenced by three factors: human bondage, political impotence and irreversible unemployment consequences such as the possibility of never securing a job again. These assumptions are however invalid in a democratic capitalistic system. In dictatorial systems such as the old Roman Empire, this model may have been valid especially with regard to people who were slaves; but not in the 20th and 21st centuries. Whereas it is true that a few public servants who refused to be compromised during the Goldenberg scandal lost their jobs, they later got job openings elsewhere. The submissive model does not, therefore, support in any way the actions of the public officers who agreed to be compromised. For this reason, the submissive slave paradigm ought to be rejected as a basis for employer-employee relations today (Hill, 1997: 95).

The employment contract does not completely commit employees to a higher degree of responsiveness to their employers' desires. They are only committed to the extent that there is an agreement to exchange their skills for compensation and to apply themselves diligently to assigned tasks. The contract does not in any way require employees to abandon their personal ethics to comply with unethical or immoral imperatives. Employees have every right to assume that they are not contractually obligated to act unethically (Cederblom and Dougherty, 1990: 27-28).

Hill (1997: 97) argues that the submissive model is flawed because it tolerates what he calls "altruistic sinning". Altruistic sinning is the laying aside of one's own ethics to please another. The Goldenberg scandal described above is an example of such. Other examples of altruistic sinning include the General Electric employees who engaged in price fixing. One commentator described them as men who "surrendered their own individualities to the corporate gods they served" (Hill, 1997). Similarly, Gulf Oil managers who made illegal political contributions were grudgingly praised by the Securities and Exchange Commission as individuals who "did not personally profit and who desired to act solely in what they considered to be the best interests of Gulf and its shareholders (Beaucham and Bowie, 1983: 247-254).

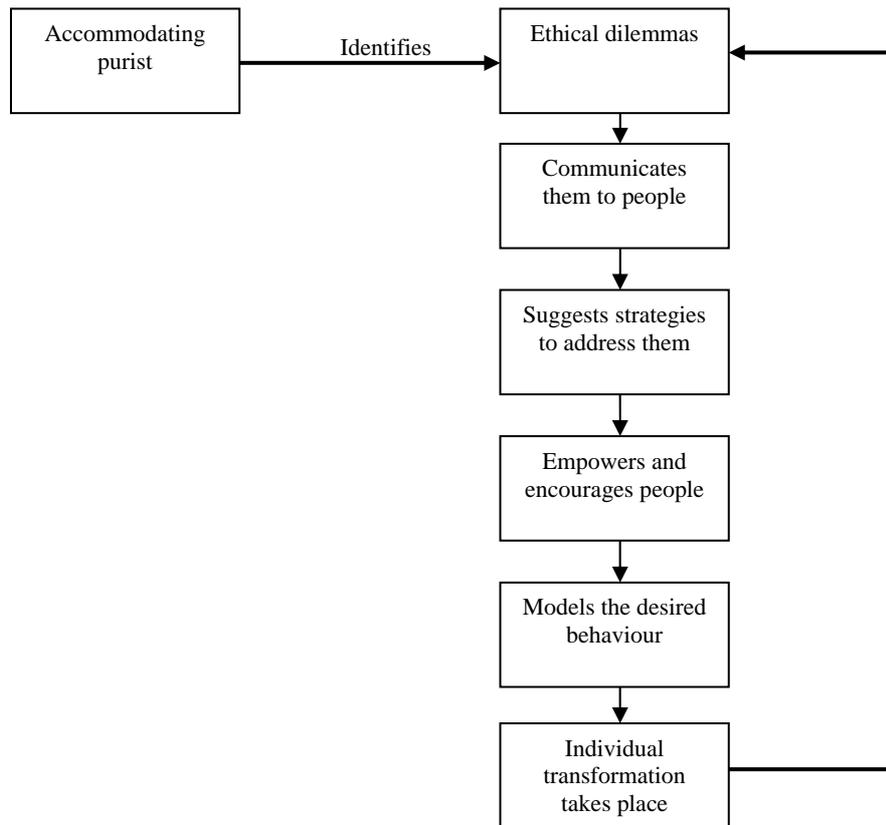
The Purist Model

The purist model possesses much strength and is strongly preferable to the submissive model. Preserving the agent's dignity, it cuts him or her as a moral agent responsible for making independent judgements (Hill, 1997: 98). Determinism is rejected in favour of free will (Stewart, 1990: 13). Society benefits from such autonomy because its interests are more likely to be taken into account. Viewing law as a moral minimum rather than the ceiling, the purist model encourages organizations and employees to surpass regulatory standards and aim for an ethic of excellence (Fuller, 1964: 9-10). In the Kenyan case, emphasis is on the enactment of legislations that will cause people to act in ethical ways. The enactment of The Public Officers Ethics Act, 2003 is a classical example. Two models of application of the purist model are possible – a legalistic approach and an accommodating approach (Hill, 1997: 98).

The Legalistic Purist: Legalists apply the purist model in its strictest sense. If a requested action bothers their consciences, they do not comply. The application of this approach assumes that facile answer exists for every ethical dilemma. Legalists are tempted to suggest simple solutions to complex problems. Rather than focusing on the spirit of the law, the purists follow the law strictly. They ignore the fact that the law does not provide detailed technical rules of conduct but only a framework for conduct. The approach fails to recognize that gray areas exist in which there may be reasonable disagreement (Katerega and Shenk, 1980: 157-64)

Legalistic purists often lack creativity in seeking solutions to ethical dilemmas. Too often they resort to a single tactic when given what they perceive to be an immoral command – the ultimatum. By immediately threatening to quit or to report up the line, they may not be acting prudently. Furthermore, their quitting never resolves the ethical dilemma in question. Such people are never agents of transformation in a society. They are aloof, ineffective and do not model ethical behaviour. They are not a source of knowledge and inspiration with regard to ethical behaviour. In the Goldenberg case described above, legalists would have resigned but corruption would have continued unabated.

The Accommodating Purist Approach: At a glance, this application of the purist model appears to be an oxymoron. How can one be both a purist and an accommodator? Accommodating purists display tolerance toward others who fall short of ethical standards. This has nothing to do with compromising their ethical standards. Neither does it tolerate unethical practices. Accommodating purists accept that unethical people need help. They condemn the unethical practices but love and help unethical people to become ethical. They recognise that strict adherence of rules and applying punishment does not change individuals. Change in behaviour leading to ethical decision-making only comes about through the transformation of the individual. Accommodating purists are transformation agents. They identify moral issues and unethical practices to be addressed, communicate the same to the affected people (employees), propose strategies for behaviour modification, empower and encourage people to model the desired behaviour. The figure below graphically shows how a purist becomes an agent of behavioural change in matters of ethics. It assumes a linear relationship in an effort to address ethical dilemmas

Figure 1: Resolving ethical dilemma in a linear manner

Accommodating purists are not insensitive to their supervisors, nor do they seek confrontation. To the contrary, they acknowledge their superiors as people to whom love is owed and help is needed. Accommodation of superiors is predicated not on their status as superiors but on their status as people who need help. Furthermore, the continuum of acceptable and unacceptable practices or actions must take into account such issues as causation (direct or indirect), the person (people) harmed and the degree of injury (serious or minor). Accommodating purists avoid needless confrontation with their employers and superiors, and are positive contributors to the work environment (Hill, 1997: 101). Establishment of a quality superior-subordinate relationship perhaps is the key to avoiding major ethical clashes. Superiors are more likely to oblige hardworking, loyal, personable employees than those who are aloof, cold, rigid and self-righteous. Ongoing dialogue discloses employee ethical comfort zones and limits managers' surprise when subordinates back at carrying out mandates that violate their ethics or convictions.

If supervisors persist in issuing such directives, employees should request a one-on-one meeting. With maximum tact, they should state their apprehension and, if necessary, their intent to disobey. If managers rescind their orders, employees should brace themselves for a measure of ostracism and take every opportunity to repair any breach in the relationship. On the other hand, if managers insist on compliance, employees should weigh their options and pursue the matter with upper management and (or) their union representatives Hill (1997). Should these alternatives fail, employees must be prepared to find work elsewhere. "The theologically and socially

responsible Christian in a business organization, lonely as he often feels, is to stand at times apart from the outside existing structures. It is precisely this solitude that often marks the life of one called to play a prophetic role in society” (Forell and Lazareth, 1980: 48). It is, therefore, important to note that an accommodating purist may at times be required to pay the price of being ethical; ethical though the loss of a job or just a severed relationship at the workplace. Being a change agent, he or she must be prepared for it. It is at such times that modelling the desired behaviour becomes powerful and unethical people start questioning their behaviour.

Ethical leadership- rules based or led by principles?

The old saying, *corruptissima republica plurimae leges* (*The more corrupt a republic, the more the laws it has*) is very applicable in our context today. Codes with legal enforceability are rules. Kenyan tends to favour a rules-based approach to governance and ethical leadership. In the Kenyan context, this is seen in the way legislations have been enacted by Parliament in order to promote ethical behaviour. The Public Officers Ethics Act(2003), Company’s Act(CAP 486), Retirement Benefits Authority Act(1997), Capital Markets Authority Act(CAP 485 A), Restrictive Trade, Monopolies and Price Controls Act(CAP 504) and several others are a testimony to a widening recognition of the need for improved corporate governance and ethical business practices. Violations to rules may result in legal actions which vary from criminal to civil in nature.

- Principles are advocated by many as they are seen to have a long lasting effect on individual and group behaviour. The advantages of principles over rules as argued by Adrian (2006) may be considered as follows:
- Principles are easy to understand but are not rigidly defined as rules.
- Principles relate to individual behaviour in order to shape group behaviour, whereas rules are undifferentiated.
- Principles should have universal acceptance whereas rules may be specific to a given group at a certain point in time.
- Principles usually reflect universal values, which are easy to recognise. How those values are interpreted may vary between cultures and individuals. Honesty, for example, may be interpreted differently by Mafia members and clergymen.
- Principles are touchstones. You can usually recognise them when you meet them, even though it would be difficult to define them in a way which everybody would accept. Rules need to be defined in order to be enforced. Such definition may often involve measurement (as in speed limits) and measurement aids enforcement.
- Principles relate to human behaviour and reflect the norms expected of each of us by the rest of the society. Where the majority respects a principle, it will become the norm and others will be expected to abide by it individually. Where a principle loses general acceptance, it will be changed by general consent. The consent of principle lies in their general acceptance and their ability to create trust between individuals and within society. Rules are rarely embedded in the human psyche nor do they have the universality associated with principles. Rules are made to regulate the conduct of a specific group at a certain point in time. Often, rules are preventive rather than enabling; couched in negative rather than positive terms, and rules tend to change with circumstances.

- Principles are usually more enduring since they are passed down the generations and become 'hard wired' in our psyche.

Why are laws failing to achieve a 'state of grace' in Kenya today? The reason is that ethical practices, as observed by Adrian (2006), must engage humankind, individually and collectively. Judgement and action are human qualities, not those of processes or procedures; hence a systemic approach is required. People's mindsets must change in order to change behaviour and leadership practice on a day-to-day basis.

Developing people who are sensitive to ethical practices

The sad state in the Kenyan society is that we have very few models of leaders operating virtues-based leadership practice. Such a practice almost becomes a wished-for ideal rather than practical leadership practice. The questions that need answers are: Is being an ethical leader an ideal or a possible actual state of being? Why does executive white-collar crime occur regularly? The glaring truth about unethical business and leadership practices is that the challenge is more societal than individual. Some Kenyans have been credited to being ethical only after they have continued to demonstrate ethical and moral leadership. Money, power and position have been good 'indices' of measuring one's commitment to ethical and moral leadership.

With this indictment on the Kenyan society, is there hope of ever transforming people into a community of people sensitive to ethical practices? I submit that this is possible. Discussions I have held with many followers drawn from various spheres of influence point to the fact that many Kenyans desire to see this gloomy situation changed. First, many people believe that the society will be changed once individuals have been sensitized and encouraged to change their behaviour. Second, when the few ethical leaders in the society model and lead the way, many will follow that way. Third, majority of the people believe that leaders who do not demonstrate ethical behaviour should face consequences of their failure. They should be removed from positions of authority and where possible, make restitution for their unethical behaviour.

The fundamental principle here is that both the individual and the society have a role to play in creating ethical people. The spirit of morality, said Aristotle, is awakened in the individual only through the witness and conduct of a moral person. The principle of the 'witness of another', 'role modelling' or 'mentoring' is predicated on the process shown below:

1. As communal creatures, we learn to conduct ourselves primarily through the actions of significant others,
2. When the behaviour of others is repeated often enough and proves to be peer-group positive, we emulate these actions,
3. If and when our actions are in turn reinforced by others, they become acquired characteristics or behavioural habits.

According to Skinner, the process is now complete (Ciulla, 2004). In affecting the actions of individuals through modelling and reinforcement, the mentor in question has succeeded in reproducing the type of behaviour sought after or desired. For Skinner, the primary goal of the process need not take into consideration either the value or worth of the action or the interests or intent of the reinforced or operant-

conditioned actor. According to Skinner (1971: 107-108, 214-215) the bottom line is simply the response evoked. From a philosophical perspective, however, even role modelling that produces a positive or beneficial action does not fulfil the basic requirements of the ethical enterprise at either the descriptive or normative level. Modelling, emulation, habit results-whether positive or negative are neither the sufficient nor the final goal. The fourth and final step in the process much include reflection, evaluation, choice, and conscious intent on the part of the actor, because ethics is always “an inside-out proposition” involving free will (Covey, 1990: 42-43).

Following Skinner’s and Covey’s arguments, I propose that entrenching ethical behaviour involves a transformation process. Borrowing a term from Kohlberg’s stages of moral development (Crain, 1985), a post conventional morality individuals can initiate the transformational process towards others becoming ethical people. These transformation agents are people who want to keep society functioning in a morally ideal way. They step back from their own society and consider the rights and values that a society ought to uphold. They believe by the principles that uphold love and justice, for a healthy, normal society. Kohlberg’s conception of justice follows the great moral leaders such as Gandhi and Martin Luther King. According to these people, the principles of justice require us to treat the claims of all parties in an impartial manner, respecting the basic dignity, of all people as individuals. The principles of justice guide us toward decisions based on equal respect for all. Postconventional moralists are transformed people. They possess vision, courage and enlightenment. They see things as they truly are, transcending the limitations and conceptions of their tradition and culture. This transformation requires people’s fidelity to their convictions, possibly, their religious convictions. It requires people who are able to give their best of strategy and tactical retreats when resistance level heightens.

MODEL FOR ESTABLISHING AN ETHICALLY RESPONSIVE SOCIETY

Values and ethics must have their origins and resolutions in the community (Ciulla, 2004). It is for this reason that model considers the society to be the focal point of ethical behaviour. To achieve ethical behaviour, the entire society must make a commitment. Figure 1 shows the four stages involve double-loop learning. Feedback is a key component in this model.

Stage 1

In this stage, an individual is facing an ethical dilemma. The dilemma will require the individual to make a response. The assumptions here are:

- a) Humans will always be faced with situations that require a decision to be made.
- b) Reflections on ethics in general start with the assumption that it has to do with human actors who do or omit something.
- c) The decision to act ethically is contingent on the values learned and the desire to act the learned behaviour.
- d) One’s stage in moral development will influence the kind of ethical decision made.

Stage 2

The individual might be regarded as the main point of reference for analysing societal ethical integrity. The response made by the individual facing an ethical dilemma will

be determined by one's moral and ethical standards. A pre-conventional moralist will make a decision depending on the consequences of the decision made. The conventional moralist will make the decision depending on others expectations. The Post-conventional moralist will base his or her decisions of the highest good. Justice and love for others will be key determinants.

Stage 3

Society is at the centre of shaping one's ethical view point. The argument in this stage is based on the systems approach. A society is a living system that influences and is also influenced by its sub-systems. This stage assumes the following:

- a) Post-conventional moralists play a key role in shaping the ethical behaviour of the people in the society.
- b) Laws and regulations influence people's behaviour especially those at pre-conventional level. The negative consequences of certain behaviour deter them from engaging in unethical practices.
- c) Learning is fundamental to behavioural change. Some people are yet to understand what ethical behaviour requires. Education, therefore, is used to address cognitive challenges to ethical behaviour.
- d) Media, civil societies and religious organizations are instrumental in shaping ethical behaviour. Whistle-blowing is a great weapon in their hands because they use it to expose the wrongs in the society.
- e) Transformative leadership is a necessary condition for behavioural change. It is motivating, uplifting and ultimately moral in that it raises the level of human conduct and ethical aspirations of both the leader and the followers.

Stage 4

This stage requires that people be kept in check through transformative audits. This ensures that:

- Everyone maintains an accurate view of what constitutes one's self-interest. Self-interest if it occurs should be made to be expressed in morally acceptable ways.
- People are engaged in a form of accountability process, such as ethical teams.
- Detection and voicing of unethical behaviour is done. The office of the Ombudsman man is critical for this.

Correction of errant behaviour takes place. Zimbardo (2004) argues that the context in which the individual is influenced behaviour. The author's prison experiments from the 1970s clearly demonstrate that good people might do evil things if they are put in an evil context. This finding is crucial to ethical leadership practice. Formalisation and institutionalization of the ethical dimension of leadership and management is based on a simple observation: organizational integrity goes beyond managerial and leadership integrity and is more than the presence of individuals with good characters within the organization. Having 'good' leaders and managers is certainly a precondition for organizational integrity, but it does not prevent organizations from obtaining bad ethical results. It is possible to take the bad apples out of the barrel but the risk of deviant organizational behaviour will not be reduced to zero. The good apples might develop a bad taste and sometimes it might be a problem of the barrel itself.

In the Kenyan context, an independent office created by social or legal institutions can go a long way in providing checks and can also serve as a reporting station for whistle-blowers.

CONCLUSION

Ethical leadership depends on a heart of service, trust and cooperation with others. Laws alone won't have the job done. 'Old Adam' is strong in all of us, yet, we must all cooperate to succeed in instilling ethical leadership in all spheres of our society. Finding a sustainable balance between spirited individualism and a fruitful system approach to promoting ethical practices is the heart of ethical leadership practice-is it also its Holy Grail? I have demonstrated that it is possible to build an ethical society when the bedrock of ethics is built on the view that a society is a system and every facet of that system is involved. It will, however, take a lot of commitment and sacrifice on the part of ethical people to raise awareness to all the sub-systems, model the desired behaviour and build commitment among the members of the various sub-systems. Ethical leadership is therefore a fact and a fallacy.

Recommendations

I have therefore, come up with the following recommendations:

- Ethical leaders must be appointed to positions of authority to start influencing people.
- Education programmes to raise the level of awareness and the importance of ethical practices in a society must be established.
- Ways to punish unethical practices must be instituted and must be seen to work.
- The office of an Ombudsman is an absolute must in the Kenyan case.
- Laws to protect whistle blowers must be put in place and followed and leaders must be seen to support the practice of whistle-blowing.
- The war against unethical practices must adopt a systemic approach rather than a legalistic one.

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APPENDIX

FIGURE 2: A four-stage cycle of ethically responsive society

