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**An Afro-European Communitarian
Ethic as a Model for a Private Sector
Response to HIV/AIDS,
with Special Reference to the King II
Report on Corporate Governance for
South Africa**

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In this era of HIV/AIDS, if only for self-preservation, our human family must turn in unison towards challenging all previously held assumptions in order to create new perspectives on recalcitrant social and ethical problems.

I dedicate this work to my beloved parents:

Jeanne, who bequeathed to me her longing for a perfect world,

and

Douglas, whose stalwart belief in the possibility of its manifestation is my abiding inspiration.

PREFACE

I declare that this dissertation, unless specifically indicated to the contrary in the text, constitutes my own original work.

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ABSTRACT

This thesis formulates and argues for a composite conceptual framework of ethics for strategic and sustainable corporate benevolence as a means of addressing HIV/AIDS in South Africa. The template consists of the following theoretical elements: modern virtue ethics, contemporary Western communitarian ethics, the African philosophy of Ubuntu and a feminist ethic of care.

This template is applied to relevant pragmatic ends through the proposition that the King II Report - as it explicitly advocates a universally communitarian and essentially African code of ethics for a business response to HIV/AIDS - offers a viable and valuable model to both understand and transcend the tensions between profits and caring in the post-apartheid era of the South African experience of the pandemic.

Specific features of the thesis include contextual perspectives on the ethical variances of HIV/AIDS stigma and behaviour change, cached as the thought-form of "I and We" as opposed to "Us and Them", and the psycho-social linguistics of re-interpreting "the wounded other" as "the wounded us". This is drawn together conceptually in discussion around the individual in and of, rather than as opposed to, the community, stressing how the impact of the HIV/AIDS pandemic is compelling our society to integrate this reverence into our disposition and conduct.

In the spirit of this Afro-European communitarian ethic, and to apply this postulated theory for a concrete social morality in the wake of HIV/AIDS, the thesis argues that there is an ethical role for businesses in restoring the balance between nurturing and self-interest - an equilibrium that is essential for both human expression and human survival. This involves underscoring the elderly and young women, as well as children, who head households and care for orphans of AIDS in circumstances of great vulnerability, (particularly the nation-wide body of informally organised volunteer home-based caregivers), as target beneficiaries for a gravely urgent and massive empowerment effort by the business sector.

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INTRODUCTION

Under our country's nascent rights-based political and social dispensation, the study of business ethics for governance and transformation has become a prominent field of academic pursuit and public debate. While ethical theorists undertake ongoing philosophical explorations that seek to understand how emerging models of moral decision-making might be applied in and to this sector, social scientists in other specialist subjects are focusing increasingly on the role of a cohesive civil society in advocacy and activism to address the HIV/AIDS epidemic in South Africa.

The foundation for this thesis is an enquiry into how these pursuits might be coalesced in the construction of a prototypic ethical framework for institutional and wider social application. A perspective for this endeavour is encapsulated by Crewe (2004:5), who focuses on the private sector as a key roleplayer in encouraging South Africans to live with, through and beyond HIV/AIDS, and in so doing, to advance an ethos of compassion:

The language of the private sector is all about the negative impact that HIV and AIDS will have on production and on the workforce. *It is possible to seek to explain AIDS in other ways, to lift it out of the personal behaviour of employees and on to a more sophisticated debate about new forms of production, new ways of generating employment and job security, and new ways of understanding corporate responsibility in a country with our history, coupled with this epidemic.* [my emphasis]

This study is a response to Crewe's call for a more elevated discussion about how business should perceive and respond to the effects and

implications of HIV and AIDS. (The vehicle for this response is that of applied ethics, examining a seminal document on corporate governance (King Report 2002 on Corporate Governance in South Africa - commonly referred to as "King II") and its implications for social responsibility in terms of the pandemic in South Africa, within a particular model of ethical theory: communitarian ethics in both Western and African forms.)

The title, therefore, envisages the fundamental research question and focus as: How, if at all, does King II advocate a communitarian, and essentially African, ethical approach with which business might respond to the HIV and AIDS pandemic? My research objective is to contribute to an understanding of the King II guidelines as constituting a viable model for an African business ethic in a country facing the most severe crisis of HIV and AIDS in the world. In defending this hypothesis (and in so doing, Crewe's proposed "new ways of understanding corporate responsibility"), this study attempts to answer the following research questions:

1. How does the Western contemporary model of communitarian ethics relate to the beneficent agency of the virtuous individual (or, by analogy, the corporate citizen)?
2. How can this model be aligned with the African sense of interdependence inherent in the concept of Ubuntu?
3. Since notions of "profits" and "caring" have historically been viewed as oppositional, how could competition work within the

theoretical model of an African communitarian ethic as a useful foundation for business ethics in South Africa?

4. Why should the private sector take HIV/AIDS seriously, whether as an economic threat or as a matter of good corporate citizenship?
5. Appealing as it does more to goodwill and conscience than legislation or entrenched regulation, could "King II" and its implications for Corporate Social Responsibility (CSR) in South Africa be powerful enough to induce corporations to become more ethically responsible and responsive? Why would it be more desirable for such goodwill to emerge organically, rather than through litigation?

In order to describe this model within the context of an African, multi-cultural society, the philosophy of Ubuntu is introduced as synergistic with the communitarian precepts of interconnectedness, relationship and stewardship. Both concepts resound with the notion of interdependence, whether between individuals, groups, single businesses, large corporations, social sectors, provinces, nations, regions or continents, and this relates directly to the globalisation of not only the world's economies, but also of social, ethical and environmental awareness and experience.

The latter is evidenced by the recent establishment of several international and national indices designed to measure and monitor

performance with regard to good corporate governance and stewardship. One such index is the King II Report (2002). The sense of humanity and responsiveness relayed by the recommendations of King II appear to dovetail with the profound empathy inherent in Ubuntu, the latter being traditionally expressed as: "A person is a person through other people".

One example of how this coalescence of ethical business attitudes is already evolving as a communitarian worldview in South Africa, resides in conclusions drawn at a seminar on Corporate Social Responsibility hosted by the SA Grantmakers' Association (SAGA, 2004):

There was consensus on the need for all citizens, including corporate citizens, to take full individual, personal responsibility for all the problems and threats such as HIV/AIDS facing the nation and not allocate these to others. It can do this by harnessing the competencies of the company into the community within which it operates. This process must however involve the communities if it is to lead to sustainable development.

My contention is that commercial actors can be virtuous agents, and that the private sector, as a single community or collective, and businesses, as individual corporate citizens making up that community, should see themselves as part of a social ecology, an inter- and co-dependent system. I also argue that the effects of the HIV/AIDS pandemic are important drivers of this process. Viewed in this way, the Western notion of an individual virtuous agent seeing itself as connected to, and therefore acting in, the best interests of its communal sphere, corresponds with the

African ideal of creating "the conditions for the fullest possible personal growth and community for all" (Shutte, 2001:179).

On a broader level, this study it seeks to motivate contemplating this model for application as a new concept of business ethics, and the creation of a new moral order for the market and the world of work, production and distribution, which are central to the welfare of all human beings.

Supporting the impetus for this exercise and the role of business in society is an observation by Gold, who describes a growing global ethos of solidarity as evidenced by the volume of literature on Corporate Social Responsibility having increased during the last decade, as well as practical examples of a "new will within the business community to be actively engaged in areas which were traditionally the arena of the NGO community" (Gold, 2004:634-642). Her study discusses the drawbacks and challenges inherent in such partnerships, but affirms that principles of sharing inform

the desire to redistribute profits beyond the business [which] has a positive effect on the internal structures and strategies of the business itself, thereby initiating a systemic reform of the market structures.

Research Methodology

The study involves description and application of contemporary ethics, predicated on a descriptive "scaffolding" of sources relating to the following primary hypothetical elements:

- * Virtue ethics: Annas (2003 [a] and [b]), MacIntyre (1985), Hursthouse (1999) and Dobson (2004)
- * Contemporary Western communitarianism: Etzioni (1996, 2003), Sayers (1992 and 1999), and Epstein (2004)
- * The African moral perspective: Shutte (2001); interviews with Professors Pitika Ntuli and Dhiru Soni of the University of KwaZulu-Natal
- * A feminist ethic of care: Kittay (2001)
- * The King Report 2002, commonly referred to as “King II”
- * General literature in business ethics, economics and social psychology as related to HIV/AIDS
- * Mainstream print-media material on CSR and private sector responses to HIV/AIDS

The above are expanded with commentary on how these might be conceptualised to interlink and reformulate future social practice and policy around HIV/AIDS and the multiple factors driving the pandemic. Brief reference is made to the idea of “social capital” in terms of how the private sector might be induced by the realities of HIV/AIDS to evolve as a co-catalyst for social change.

Chapter Outline

Chapter One: Towards socially responsible growth – a model for African business ethics

In arguing for the application of the modern model of virtue as aligned with African ethics within a communitarian theoretical framework, the

conceptual (first) chapter explores each of these theories, and defines their important commonalities, such as compassion, integrity and interconnectedness. To this end, this chapter contains an explorative overview of contemporary communitarian ethics and in particular, a modern fusion of the Western tradition of virtue ethics with the ancient African spirit and ideals of Ubuntu, routed through an ethic of care.

Reasons for the preclusion of a rule-based approach are outlined, based on the standpoint of virtue ethics and caring as agent-centred volitions, that emanate from the natural predisposition of the virtuous individual character, and that are developed through lifelong learning through application and reflection. This understanding lays the foundation for the ground covered in Chapter Two, which addresses the non-contractual obligation to care, and Chapter Three, which focuses on voluntary caregivers as beneficiaries of a corporate commitment to community flourishing.

The relationship between virtue ethics and caring is forged by the prioritisation that virtue ethics makes of the “kind of *person* one should be” as the premise for how to live an ethical life, rather than the *rules* one should follow to do so. This stance eclipses duty and obligation as motivating factors for ethical living by introducing a more intuitively compassionate impetus to the process, so that the notion of caring and sharing harmonises with the African ethic of Ubuntu in the expressive sense that “I can only be a person *through others*”.

To extend support - in terms of African philosophy - for the inadequacy, if not implausibility, of legislating compassion, mention is made of the way in which African healers inspire individuals to respect themselves through others, rather than by manipulation of others, toward health and wholeness. This healing approach is based on an understanding that the mind, body and spirit are connected, and that the whole, unique individual as a social being is acknowledged, appreciated and assisted towards flourishing by others.

This, in turn, leads to the archetype of the "servant leader" summoned in the philosophy of Ubuntu – one who directs processes through building consensus, working in partnership and collectives, and seeing himself or herself as part of a group of autonomous individuals with a common vision and goal. This African sense of another or others as being extensions of oneself is, in the view of contemporary communitarians such as Etzioni (1996, 2003), not something that can be coerced through laws. This issue is amplified in Chapter Two in relation to the guidelines of King II.

Chapter Two: Holding the balance between goals

The second chapter is devoted to an understanding of the relevant guidelines contained in the King II Report for good governance and its implications for Corporate Social Responsibility in South Africa, beginning with a presentation on the origins and purpose of the Report and its Code of Conduct as the emergent international standard for reporting on corporate governance.

Using King II's stated motivational principles as a starting point, this section develops the argument for solidarity and mutual fortification between genders, institutions, social sectors and even academic disciplines as being recognised, at ever-deepening levels, in the context of the HIV and AIDS pandemic. The HIV/AIDS pandemic itself is highlighting entrenched social and economic divisions in order that they might be closed and healed, hence the systemic, and as such, massive and complex nature of the demands it is placing on our society. Nothing less than a unified, inclusive, participative and voluntary response will address these demands effectively – and these responses are precisely the tenets common to the King II guidelines, to Western communitarian ethics, and to the African tradition of Ubuntu.

Chapter Two thus describes the mandate of King II to define and refine standards of governance in accordance with and applicable to developments in South Africa and to evolving circumstances abroad. Primarily targeted at local listed companies, financial services and public sector entities, the document serves as an indispensable reference for all organisations seeking to understand and comply with these standards of governance. King II was an update of the first Report by the King Commission on Corporate Governance for South Africa, published in 1994 at the initiative of the Institute of Directors in Southern Africa. The primary characteristics of good governance practice identified in King II relate both tangentially and specifically to Social Responsibility, so that the principles it sets out provide an indispensable guide to the formation of an ethical and sustainable business response to crucial development

challenges such as HIV/AIDS. These principles emphasise an inclusive approach in commercial operations.

Chapter Three : Private Sector Positions and Poses around the Pandemic

In support of the thesis discussion around the need for and urgency of a private sector response to the HIV/AIDS pandemic, the third chapter covers the broad back-story of the impacts of HIV/AIDS on South Africa's social sectors, supported and illustrated by statistics and commentary from developmental health economists as well as business sector leaders and business media analysts.

Their perspectives address the scenario of the pandemic in the South African setting as characterised by a population of impoverished children and elderly female citizens bearing the burden of care for terminally ill AIDS patients and orphans of AIDS. For this reason, Chapter Three also explains how an ethic of care might be grafted upon the communitarian vision as an expression of Ubuntu, for particular application by the business community.

The plausibility of a conceptual "triple-overlay" of King II, Ubuntu and HIV/AIDS is presented in the following terms of ideographic comprehension:

- * The King II Report with its communitarian code for business governance,
- * Ubuntu with its community fostering as a virtuous character- or agent-driven process, and

* The pandemic as a proliferation of cross-cutting medical, psychological, spiritual and economic issues that feeds off and simultaneously feeds into what is weak and what is strong in our society,

with the conclusion that the will to Ubuntu and the demands of HIV/AIDS combine to evoke an urgent sense of corporate social responsibility. As such, King II envisages the restorative power of union, based on the African understanding of human identity and relationship that creates the web of all life.

Chapter Three thus leads the exploration of Western and African communitarianism into the deeper terrain of co-creational values as an appeal - if not compulsion - to co-operate, that is extended by the effects of the pandemic to all social sectors, including that of business. Some examples of the inherited negative norms prevailing within modern corporate culture and the effects these have on the wellbeing of people are given, so as to stress the depth of need and urgency for transformation. The ulterior motive behind the altruistic agenda of modern corporate culture, and the idea of the flawed institutional character, is scrutinised.

In arguing for such change, this analysis provides some explanation of how competition and the means of generating and sustaining profitable enterprise would not be obviated by this model. The polarisation of "profits" and "caring" can be reconstructed into complementary ideals, increasing the baseline belief in proactive communitarian interventions both within and beyond the private sector, so that the notion of caring for

its own sake within the context of social responsibility becomes a moral norm.

Conclusion:

The thesis closes with a restatement of the intellectual and philosophical position that the pandemic continues to spread because parochial ideas and methods are no longer appropriate for our society's needs and challenges, and that new ethical conventions need to be propagated to achieve social concord around caring and health.

A claim is made for the significant potential inherent in the partnership of business and community as a joint agency for social change and upliftment. Once in full congress with others to address a shared goal of supporting our nation's response to the HIV/AIDS pandemic, a discernibly positive force for advocacy could be formed by the business sector, which, in the main, has customarily refrained from engaging in matters of wider social and moral concern.

This kind of mobilisation, conducted in service to the invigoration of a communitarian worldview, would draw on the essential elements of virtue ethics and the African moral paradigm. It is an idea that is increasingly being strengthened by rigorous research and debate that calls for interest groups to move away from social autonomy and political controversy, to regard themselves as vital elements in sustaining a balanced societal ecosystem, and to unite creatively in coping with the HIV/AIDS pandemic in South Africa.

As such, the fulfilment of the three central concepts of virtue ethics (Hursthouse, 2005, and as distilled by Annas, 2003) is demonstrated: virtue, practical wisdom (*phronesis*) and flourishing (*eudaimonia*).

Similarly, the nature of the African perspective of collective personhood, as it complements that of virtue ethics, is summarised to reinforce the vision of a communitarian response as a moral programme for social transformation.

This vision is tethered by a recommendation that entrenching such responsibilities within the overall organisational culture of companies would promote sustainability and wellbeing, both for and within the business sector, permeating into and across the fabric of the society of which it is a part. In other words, business as a whole could pioneer new economic frontiers by sustaining markets for the moral sake of doing so, as well as in fulfilment of a profit motive.

How this research might contribute to academic study

It is important to stake the location of this work in the theoretical domain of Applied Ethics, and not pure philosophy or economics. Its objective is to explore, as fully as possible within the limitations of its format, the nature of an ethical perspective that could cogently and positively conflate the mission and activity of business as a moral agency engaged in responding to the HIV/AIDS pandemic, in ways that creatively mitigate its destructive effects.

As far as can be ascertained, there is no evidence in existing local literature, whether academic or mainstream, of this study's key elements having been integrated into a single path of enquiry. Although research abounds on the scale and complexity of the HIV/AIDS pandemic in South Africa, and commentary and analysis of the King II Report recommendations for "triple-bottom-line" reporting on Corporate Social Investment are available, these have not been considered jointly within the proposed context of an ethical model that defines and contains these to form agency for advocating social cohesion and change.

Biomedical scientists, (among many others, but notably Professor Jerry Coovadia, Victor Daitz Chair of HIV/AIDS Research at the Nelson R. Mandela School of Medicine, UKZN, and Professor Gerald Friedland of Yale University's School of Medicine) have argued for comprehensive and broad-based responses in the form of holistic programmes integrating HIV/AIDS treatment, prevention and care, that require a coalescence of researchers and practitioners from a multitude of disciplines and sectors in order to be effective. Friedland (2001) cites the therapeutic alliances necessary for adherence to anti-retroviral therapy as constituting an important premise for interfacing clinical and social practice around the bio-behavioural aspects of the pandemic.

The Sinikithemba Centre at McCord Hospital in Durban is one tangible example of "best practice" in terms of the integrated HIV/AIDS "step-down" care facility envisaged by this view. Similarly, the standard requirements for compliance with the national Health Ministry's

accreditation of anti-retroviral roll-out sites are manifest applications of its Comprehensive Plan for Management, Care and Treatment of HIV and AIDS, which yokes biomedical and psycho-social practice as a holistic response to the needs of our growing population of HIV-positive citizens.

This emphasis on coalescence as a means of managing the pandemic is the basis upon which this study foregrounds the link between the message of King II to the tenets of Ubuntu, and the role that socially responsible commerce can play in this struggle. The cross-sectoral focus areas incorporated in this research protocol should stimulate interest among academics from a range of disciplines, media agencies and corporate governance specialists. It is feasible that certain research, development and resource organisations would find this work useful. Such entities would include:

- ❖ Private sector networking fora such as SABCOHA (the South African Business Coalition on HIV/AIDS), and the African Institute of Corporate Citizenship
- ❖ Publishers with key concerns relating to this subject (including Trialogue Publishers, who produce the *CSI Handbook* and *The Good Corporate Citizen*)
- ❖ Top-end national business newspaper and generalist titles (such as the *Mail & Guardian*, *Financial Mail* and *Business Day*)
- ❖ Applied research centres such as WISER (Wits Institute for Social and Economic Research), UCT's Centre for Social Science Research (CSSR), and UKZN's Centre for Civil Society, Maurice Webb

Institute for Race Relations (the latter being currently funded to map the development of a Moral Charter for South Africa), and HEARD (Health Economics AIDS Research Division)

- ❖ South Africa's national Moral Regeneration Movement

As a whole, this submission on good corporate citizenship aligning with the struggle against HIV/AIDS, as perceived within the context of a particular ethical model that supports a new social consciousness of a shared material environment, offers a case study for writers and theorists in the cited disciplines and fields of interest to further analyse and debate the component topics, as well as the propositions and conclusions of the thesis. Specifically, the discipline of Comparative and Applied Ethics could be served by this output in terms of how the promotion of good corporate citizenship with regard to HIV/AIDS could inform behaviour change towards a normative social disposition of caring. Such behavioural concepts would pertain to both the company as a corporate citizen, its employees as individuals, its beneficiaries in wider circles and thereby, the consciousness of society as a whole.

Why this topic is important to society

The shift towards joint ventures and synergistic effort as the means by which social challenges – especially those too daunting in scale and shape for single agencies to confront - might be addressed, has crystallised during the last decade, both globally and nationally. Campbell (2003) has evaluated such efforts in practice, along with the concepts informing

multi-layered, cross-sectoral partnerships. Her research led her to develop a distinguished conceptual theory within a framework of social psychology around the notion of partnership and what has been described as "bridging and bonding social capital". She observed (King, 2004:1) that there are two aspects to this process, both involving the development of positive social identities based on trust, partnership and participation:

On one level, this requires the bonding of homogenous groupings such as home-based caregivers, sex-workers and youth within communities. On another, broader level, it requires the formation of bridging alliances between the smaller groups and more powerful authority groups such as the private sector and government.

My vision is of just such a health-enabling ethos - one in which the connections forged by willing partners are deepened and fortified, to the extent that our national business enterprises would perceive the work of consistently reinforcing "the good example" in efforts of this kind as their intrinsic role. This could offer at least one route along which benevolent collective action and redrafting of social policy could be fully realised.

As outlined in the King II Report recommendations, through well-researched, clear communications of expectations, initiatives, results, mistakes and continually renewed intention, specifically relating to the private sector's response to HIV/AIDS, one might dare to imagine the 21st century generating and progressing as an Age of Altruism - a new form of enlightenment.

Sean de Cleene of the African Institute of Corporate Citizenship notes in a news article by Webster (2003):

Critical issues posing severe threats to development, such as HIV/AIDS ... highlight the reality that undertaking business in southern Africa demands a new approach to social responsibility. The traditional idea that a philanthropic business foundation will suffice as a development strategy is rapidly being displaced. Corporate citizenship is about the integration of strategies into the core business in a way that complements both national and civil society development agendas, while adding value simultaneously to shareholders and stakeholders.

Similarly, Kau (2004:12) comments:

Corporate social spending is increasingly influenced by the need to integrate CSI into the mainstream of the business domain. It is an additional tool for outreach, reputation management and stakeholder engagement ... CSI cannot be just about good deeds, removed from business behaviour.

I interpret Kau's call to be for a virtuous response from the private sector that integrates the quest for profits and a social conscience into a single model of endeavour, and to move closer toward a true sense of "citizenship" within a communitarian outlook.

* * * * *

CHAPTER ONE

Towards socially responsible growth – a model for African business ethics

In formulating a template of an Afro-European communitarian ethic for business, this section will describe salient features of three theoretical models. A construct of modern virtue ethics and of contemporary Western communitarian (or what is commonly termed "new communitarian") theory will be aligned with the principles of Ubuntu, the embodiment of the African philosophical ideal for communal well-being, based on the cornerstones of interdependency: co-operation, sharing, reverence and integrity.

A particular focus on women, children and the elderly as both caregivers and dependents (so outlined by Kittay, 2001) is crucial to an Afro-European communitarian platform, in that this focus is pivotal to the impact of HIV/AIDS on South African society and the role that the private sector can play in redressing its effects on these groups through corporate social responsibility. For this reason, this chapter will make special mention of the ethic of care as a corollary of the concerns and principles it shares with communitarian thought.

While this formulation might seem ambitious, if not unorthodox, in its elaborative requirements, the magnitude and complexity of the consequences for society of the HIV/AIDS pandemic require that this interrelation of concepts and values be observed in a systemic rather than

an isolated way. It is for this reason that these four components will not be viewed in either a hierarchical or segmented manner, but holistically, each having unique and intersecting attributes.

In motivating for my proposal that these selected theories be studied as a single framework, it is important to note that this template is not based on epistemological assumptions about the "true" approach, but is informed by a pragmatic intention to describe a means by which business can contribute to a more caring society. The kernel of this new business ethic is the idea that "the utility of the economics of scarcity and exploitation" has come to an end, and that the need for principles of contribution rather than extraction are emerging (Zukav, 1993:248).

Sayers (1992:126) writes in less absolute terms, and examines the potential of the market to both destroy and construct social relations, in reforming and refining networks of bonds between people through a mutating matrix of their needs and work. He gives a philosophical account of free-market and non-market societies that argues for an alternative understanding of both as being "neither purely oppressive nor purely co-operative and voluntary; neither purely hostile to human nature, nor completely in accord with it".

In the context of a communitarian perspective for the market-driven society, Sayers (1995:2) writes that

since our needs and desires, our ability to reason and choose, our very being and identity as moral selves, are formed only in and through our

social relations and roles, [there is need to] create new forms of common life which recognise and accept individual autonomy and differences of values and outlooks as real features of the modern world, and which seek to find ways to satisfy current aspirations for identity and community on that basis.

Hence the schema of this composition begins with virtue ethics via the concept of the individual, opening outward into the life of community, to enfold humanity in the African cosmological sense, as an integrated, rather than a fragmented, whole.

In its very complexity, this perspective aligns with the scope and scale of the challenges wrought by the multiplicity of social needs and the matrix of ethnocentric influences exposed by the HIV/AIDS pandemic. The pandemic creates such a profusion of disability on every level that business, as a key sector, cannot evade its responsibility to serve society, rather than ignore, dictate to or manipulate it. As Capra (1993:232) explains, there is a "crisis of perception" among corporate leaders, who adhere to the dominant Western ideology of "the human body as a machine ... of life in society as a competitive struggle for existence ... and the belief in unlimited material progress to be achieved through economic and technological growth".

Relating this perception to that of "shallow ecology", Capra suggests that commerce can no longer be sustained within the view that it is above or outside of human and natural systems; its very essence has to be re-

conceptualised as a filament in deep relationship with “the web of life”, a term he uses to describe systems theory and the principles of organisation as a discipline (Capra, 1993:233). Commerce - as a transactional activity - cannot continue or flourish if our future generations are threatened.

The development of this theoretical account covers the principles, character and conduct proposed within the cited models as being relevant to present-day contextual challenges prevailing in our country, specifically those rendered by the HIV/AIDS pandemic, and to the changes that are underway throughout humanity. Therefore, it commences with virtue ethics in order to establish the characteristics of the individual as an ethical agent and social citizen, and progresses to how these converge with the elements and approach of complementary European and African communitarian paradigms. A feminist ethical position regarding issues of care, calling for corporate citizens to synergise their endeavours within a framework of relationship rather than remoteness, seals the assembly of conceptual models.

The description will include aspects of these theories that demonstrably constitute a pragmatically appropriate philosophical foundation for an egalitarian and caring social order in the South African context, and will also explore penetrating questions about them expressed in relevant literature.

I will argue that such problems can be resolved by extending ethical imagination beyond the limitations of the respective traditional concepts

as they pertained in the past, and viewing their commonalities as opportunities for a transcendent understanding that fuses diverse cultural ideals as a means of strengthening ethical responses to the impact of HIV/AIDS – in other words, paying attention to the realities of our present, and the warnings for our future. In this way, I attempt to construct a framework that is layered rather than linear, highlighting the conjoining and mutually reinforcing features of the listed models towards an emergent ethical consciousness relevant to South African business in this era of HIV/AIDS.

The virtuous person, right action and developmental process

Very broadly speaking, virtue ethics has developed from the writings of the ancients (Lao Tsu, Plato and Aristotle) into a modern Western idiom (expressed by MacIntyre, Hursthouse, and others). Essentially an agent-centred theory, it specifies that the individual should be inclined to act with benevolent regard and integrity towards others. In this perspective, moral practice (as necessitated by, and not divorced from, moral thought) is the key to the virtuous process, and it begins with the individual, by definition extending to groups, since humans are social beings who are interdependent, and will survive and thrive through relationship.

The historical account of this social role of the individual moral agent, the modern version of virtue ethics - as developed by MacIntyre (1981) – is deeply concerned with the question “What kind of person should I be?”. His description of the quintessential virtuous character revives the

Aristotelian understanding of an agent-focused "state of being" as a continuous, life-long practice, rather than as isolated responses to specific situations. Aristotle's view of citizenship and moral agency presages the notion expressed in the King II Report of the corporate citizen as a communitarian self.

Dobson (2004) summarises the four essential attributes of virtue ethics required to attain human flourishing or "eudaimonia", as Aristotle called it, and the attainment of a moral life, thus: the virtuous individual practises generally accepted, honed and perfected virtues of character, within a community that actively nurtures these virtues; such nurturing and self-improvement develops through not only reliance on rules or guidelines, but in response to particular circumstances on one's own moral discretion, as gained through emulation of worthy exemplars. In this article, Dobson sets out a structure for moral business practice based on these four requirements of virtue ethics – the virtues themselves, the community, moral judgement and role-models.

This focus on the individual as moral agent has attracted criticism on the grounds that such a preoccupation evades the requirement for a "meta-ethic", and could therefore be rejected as too nebulous to be useful. Why, after all, should one choose to uphold certain principles?

Hursthouse (1999) offers a reply to this objection. On her account, it is recognised that individual beliefs and attitudes are embedded in group cultural origins and communal ideologies, not all of which uphold

structures that regard all people as equals, and so cannot uniformly assist an individual in making genuinely virtuous decisions. Therefore, the notion of virtue can be advanced on a personal level through human beings enacting relevant character traits that are "natural" to the species, but that require independent analysis. According to Hursthouse, a fully virtuous agent characteristically acts in a manner that arises from an innately moral motivation or good will, seeking to do the right thing not only in terms of universal principles of correct conduct that remain constant over time, but also in terms of effecting them through practical reasoning in specific situations.

In the Western tradition of virtue ethics - and for that matter, in the African worldview of inclusivity, or Ubuntu - virtuous character matures through moral education, authentic motivation, meaning through relationships, a deep appreciation of happiness and flourishing, and the importance of human emotions (Annas, 2003; Shutte, 2001). Personal development, commitment to right behaviour and wisdom in the individual therefore depend upon and grow through social relations and communal initiations, such that the individual comes to evaluate and make judgements about his or her own actions as ethically sound or unsound. In effect, then, the person's character and conduct are interdependent, and these, responding to principles that guide him or her to make decisions that (at least) do no harm, constitute the virtuous agent.

Annas (2003 [a]:7) expands on this idea of moral education and self-motivation by submitting that the virtuous individual needs to construe

and apply such principles appropriately and optimally within complex situations, if necessary by identifying a suitable role-model for guidance and whom one might emulate, until the practice becomes habitual and refined over time and the person comes to rely on her own intuitive judgement to respond virtuously. This account emphasises the importance of peers in strengthening the internalisation of universal principles of virtue, and accords the virtuous agent the status of "apprentice" embarking on a course of self-education through life:

Learning to be moral is like acquiring a practical skill ... it is undergirded by general understanding of the relevant field and ... there is a process of learning, a passage from a state of being a learner to the state of being an expert.

What is important about this explication of virtue ethics is that it recognises the dangers of propounding a moral theory that ignores the individual's ingenuous susceptibility to the negative influences of social conventions that might be based on prejudice. It also contends that because theories or sets of rules of "right action" remain fixed, they may well not allow for a differential diagnosis of ethical problems when considering complex moral dilemmas. This argues for a more developmental model, on the view that human beings tend to and can evolve as ethical agents through an inborn desire for personal growth, and can mature as virtuous people by not only becoming gradually more adept at reading social cues and competing interests or values, but also by thinking independently and responding from a position of both reason and imagination with a commitment to doing good.

Annas therefore rejects the notion that theories based solely on right action - what she terms "decision procedures" - are useful, unless they are taken to provide a starting point for learning; instead, she promotes the idea of individual human beings aspiring to an ideal of moral behaviour and increasing their capacity for discernment as to what is worthy and honourable, both in people and in circumstances.

In summary, Annas's account of virtue ethics is based on the individual agent's capacity for wisdom and compassion as a basic human instinct. It submits that the proclivity of human nature for communal engagement does not necessarily militate against the individual's unique responses; rather, it allows for the rich diversity of the person's moral imagination and qualitative growth, to encounter, through relationships, the complexities of our collective experience that support the development thereof.

Taking this summation forward, it is important to introduce and examine a discourse of the self as it relates to the concept of community, specifically through the lens of the communitarian rejection of hyper-individualism. To lead the reader into this domain and to highlight the challenges it poses, the critique of virtue ethics as a foundation for business ethics by Dobson (1997) is an insightful argument for a new socio-economic order before such an "other-regarding" - or inter-dependent - communitarian ethos can evolve.

The virtuous corporation – strategic humanism as a counter-intuitive premise

In exploring the idea that virtue has a legitimate role in business, Dobson concludes that “conventional business ethics is being exposed as ... a discipline with no sound conceptual foundation”, and describes it as “impotent” in its reliance on both moral philosophy and economic theory for its epistemological basis. His argument rests on the pervasiveness of contemporary discourse around the catch-phrase “ethics is good for business”, and as he correctly points out, this exposes the concept to what I call philanthropy-as-PR, or as Dobson (1997) explains it: “ethics becomes just another economic strategy within the competitive milieu, ... a means to strategic advantage through co-operation; we have strategic ethics rather than real ethics”.

Dobson is referring to a phenomenon in business studies that he calls “superficially ethical behaviour”, one that attempts to reflect the growing call for good corporate governance and compliance with the objectives of the social responsibility movement, in ways that effectively dodge the fundamental tenets of such regulations, i.e. creating more honest and accountable commerce. Two press articles exemplify this stance: the first, by Patrick Lawlor (“Compliance is becoming a new growth industry” – *The Mercury Business Report*, 17/3/2003) hails the idea of institutions being encouraged to adhere to such regulations by “giving relief in return”, a kind of kick-back for kindness; the second, headlined “Profits before virtue” (by Thebe Mabanga, *Mail & Guardian*, 28 May to 3 June

2004) cites one economist as saying that "companies have to be solid and profitable before they can do good" (my emphasis).

The term for this approach, widely used among multi-national companies, is "reputation management", and its positioning clearly exposes its insincerity, as the example quoted by Dobson (1997) highlights:

While morality as a resource cannot be considered in the same context as tangible assets or goods, it can be considered, however, as a highly valuable and volatile asset, one which reflects the perception of the community. ... In this sense, it will use outflows of resources to establish stocks of morality in order to encourage various publics to hold the firm in trust.

Dobson contends that "it is the motivation for the action that determines whether the act is fundamentally ethical or economic. Business ethicists often seem to forget this; they confuse strategic co-operation with moral co-operation". Moreover, "...virtues must be exercised for their own sake and not in the expectation of material gain".

This links neatly to a codification by Hursthouse (1999) of "moral motivation" or "acting because one thinks it is right", and also notes the rejection of obligation as a catalyst for authentically ethical responses. This is an important factor in relation to the regulatory recommendations contained in the King II Report, which will be amplified in Chapter Two. The effect intended by the authors of the Report, and the basis on which that effect is envisaged, is that the corporate citizen will, in choosing to act as a moral agent, advance the ethical practice of the communitarian

self as a worthy and worthwhile goal in and of itself, rather than as a safeguard or an impediment to business.

Dobson (1997) poses the following penetrating question: "What will these agents do when trustworthiness is not in their material self-interest?" His belief is that there can be no such thing as a "virtuous corporation" within the contemporary paradigm of business enterprise, precisely because it is founded on the theory and practice of the competitive market economy, which involves control and ownership, rather than contribution and caring. He quotes virtue ethicist Alisdair MacIntyre as isolating three "central features of the modern economic order that exclude it from the virtues, [these being] individualism, acquisitiveness and its elevation of the values of the market to a central social place" (Dobson, 1997).

In Dobson's final analysis, "the virtue concept reveals that it is fundamentally antithetical to competitive business enterprise" and that "to survive, the discipline of business ethics will have to broaden its conceptual stance to critique the very notion of market-driven competition." So, while Dobson does not reject virtue ethics as a worthwhile theoretical construct, he finds its viability within the contemporary paradigm of commercial practice to be problematic. This is an important distinction: it is not the concept of virtuous character and conduct that he finds wanting, but the voraciously competitive corporate milieu that has led to grossly unethical corporate behaviour in recent decades, and which in turn has generated the formulation of international

best-practice policies in an attempt to instill good corporate governance and social responsibility.

To illustrate this, Dobson (2004) discusses ways in which ethics might be integrated in business, and supports virtue ethics as a preferred approach because of its "focus on the fundamental motivations of the agent". The virtue model, he contends, recognises that as an individual, one can instil moral excellence within the workplace role through one's own measured choices; because such a moral agent:

does not apply any specific 'rules' in making decisions, but rather attempts to make decisions that are consistent with the pursuit of a particular kind of excellence that, in turn, entails exercising sound moral judgement, guided by such 'virtues' as courage, wisdom, temperance, fairness, integrity and consistency.

Dobson (2004) claims that the agent-based approach allows ethics to become contextual and connected to a given person and situation, rather than separate and abstract to person and place. This is clearly a very different concept to that of ethics as adherence to a set of abstract rules, which is so common in contemporary professional codes of conduct.

Again, it is this contextual, agent-driven perspective that allows for moral excellence to be achieved in non-contractual settings, *viz.* areas of the business focusing on social and environmental responsibility, as referred to by the King II Report.

Spreading actively inclusive concern – the new communitarian model

Martin Prozesky, in a press article entitled "On being a good person – act ethically and we could all benefit" (*The Witness*, 24 August 2004), turns to the self as it relates to community. The article encapsulates the ideas of contemporary communitarian ethics as: "a matter of combining due self-concern with an active concern for the wellbeing of others". Prozesky advocates following the good example of exceptionally moral individuals by appreciating the way in which their lives inspire our own sense of connectedness. His vision is as follows:

When a big majority of the people in any group from family to nation lives this way, the result is a social context where the prospects of human and environmental flourishing are greatly enhanced, because we find that integrity, trustworthiness and supportiveness, even from total strangers, are generally there for us. Fear levels decline, confidence rises, effort and energy are released in worthy ways. More and more of us, as we experience the benefits and the satisfactions of such contexts, strengthen them even further with our loyalty and commitment, so increasing the prospect of long-lasting well-being.

Prozesky's illustration, and specifically its focus on "the good example", points to the need for advocacy towards a cultural evolution, leading to an ethos of benevolence which cannot be imposed or enforced by social institutions - certainly not through legislative interventions, or even recourse to our Constitution and Bill of Rights. However, social institutions and civil society movements can activate this process by

understanding and demonstrating moral citizenship, and conveying this knowledge through the media into public consciousness.

This social philosophy is articulated in the work of Amitai Etzioni, one of the foremost proponents of "new communitarianism", in his proposition (Etzioni, 2003:1) that we can examine the ways that

shared conceptions of the good (values) are formed, transmitted, justified and enforced. Hence [our] interest in communities (and moral dialogues with them), historically transmitted values and mores, and the societal units that transmit and enforce values such as the family, schools, and voluntary associations ... which are all parts of communities.

Etzioni says that while the term *communitarian* was coined in the mid-nineteenth century, ideas that are communitarian in nature appear much earlier (which presents a link, in our own African context, to the ancient spirit of Ubuntu - traditional African humanism). His preliminary claim is that this broad, timeless and evolutionary model stresses the importance of moral judgements being best made at the community level rather than from higher governing levels, so as to ensure full participation and representation, and sensitivity to various culturally defined viewpoints.

Etzioni (2003:2) also makes special reference to the work of Robert Putnam, whose term "social capital" refers to support systems as the "element of communities that forms affective bonds among people",

stressing that bridging these bonds of connectedness across diverse groups is vital for social cohesion.

As for the relationship between the self and the community, Etzioni's approach represents an anti-authoritarian position (whether contemplating State or community hegemony), expressed thus (Etzioni, 2003:3):

Responsive communitarians stress that individuals who are well-integrated into communities are better able to reason and act in responsible ways than isolated individuals, but add that if social pressure to conform rises to high levels, it will undermine the individual self.

Etzioni maintains that "community" can be fairly closely defined, firstly through reference to a "web of affect-laden relationships among a group of individuals ... that often criss-cross and reinforce one another (as opposed to one-on-one or chain-like individual relationships)", and secondly, through particular cultures, identified by a "measure of commitment to a set of shared values, norms and meanings, ... history and identity" (Etzioni, 2003:4). In my analysis, he is saying that communitarian social frameworks that support both individual and collective human rights can evolve, but only within the particular cultural context of communities as a natural response to wider social challenges.

Critics of the broader communitarian approach are primarily concerned about domination and subordination of individuals through abuses of collective power. One such writer is Phillips (1993:195) who refers to the

communitarian "ecstasy of belonging" as reflecting an overly romantic account of the traditional societies of old and a degree of amnesia about violations of individual human rights within these systems.

Sayers (1999:4) disagrees with MacIntyre's view of the self as a social product that is isolated, abandoned and condemned within the modern ethos of fragmentation, leaving individuals bereft of the supportive contexts ostensibly upheld by traditional value-systems. Sayers claims that, while it is true that modern selves, as moral agents, are floundering to the point of centreless psychosis with only the tattered remnants of traditional social bonds as lifelines, this view is "one-sided and exaggerated". He argues that such a perspective belies the inherent potential of the self to regenerate, and within its modern realities, to innovate "a community in which it can develop and be realised" (Sayers, 1999:17).

For his part, Etzioni (2003:5) counters that the images of closed and monopolistic traditional communities "are neither typical of modern society nor necessary for, or even compatible with, a communitarian society". This argument highlights the fact that modern life (particularly in our globalised world, facilitated with information technology and characterised by unprecedented social mobility) exposes even rigidly conservative social environments to external influences. As such, it affords individuals multiple attachments across professional, ethnic, religious and other groupings. Therefore, Etzioni's understanding of modern communities - while it does not obviate oppression of individuals by

dominant social forces within those settings – supports Sayers' claim for the new communitarian vision to percolate core ethical values throughout the wider social order through physical and virtual connectedness.

However, Etzioni's mention of contemporary society's relative ease of mobility, enabling people to traverse geographical boundaries in search of living and working conditions that meet their needs and preferences, has a double-edged significance in the African context and in relation to the HIV/AIDS pandemic: while the cross-pollination of people and communal groupings is dynamically advantageous in many creative ways, international and intra-continental migration is a crucial driver in the spread of HIV. Therefore, this evolution of movement and access represents both an opportunity and a challenge for the "reinvention" of Ubuntu as the African communitarian model.

Etzioni's key assertion is that moral dialogue and cohesion in a multi-lateral society can be achieved through commitment to inclusivity and "responsiveness to underlying needs", and that non-discriminatory, loosely stratified community environments can be formed on the basis of "open participation ... [and] ... shared values and institutions", on the understanding that society should be viewed as a "pluralism ... within unity" (Etzioni, 2003:5).

One practical illustration of this point would be the example of an apartment complex, consisting of 10 units housing inhabitants of different races, religions, ages and occupations. Despite their cultural and social

differences, these residents – as a group or community – would generally strive to engender and maintain high standards of cleanliness, safety, tranquility and respect for one another's privacy and property. Beliefs and practices pursued within the confines of the individuals' apartments, at a micro-level of daily life, would not preclude a communal commitment and effort towards eudaimonia – flourishing - in such a shared setting.

Communitarianism as a business ethic: the need for a supportive culture

En route to transposing this analogy to the business environment in relation to broader social needs, one might consider first how the practical and moral consequences of non-virtuous, selfish living by an individual resident or discrete group of occupants could affect the collective adversely. The negative results of unhygienic common property, inconsiderate noise levels and other disturbances, or laxity in safety measures set up to secure the premises as a whole, are obvious.

Certainly, if a resident neighbour is unemployed and, say, colludes with criminals in breaching the property's safety mechanisms in exchange for a portion of the spoils of theft, or is incapacitated by illness, or falls prey to addictive behaviour that results in poor standards of personal and general cleanliness (which would affect his neighbours' wellbeing) it might not seem incumbent upon the other unit-holders to rally in providing him with the means of a better life in order to improve their communal experience. "Am I my brother's keeper?" would be the Biblical reference analogous to the moral issue raised in such a scenario, or to put it in more

contemporary, secular terms, why should "[the] I" care? Crucially, it is in this kind of context that the communitarian quest to equilibrate rights and responsibilities comes to the fore.

If one then relates these ideas to the realm of business ethics and the role of the corporate citizen, the tensions between the individual and the common good are dynamic, with both negative and positive effects. It may seem utopian to claim that a communitarian ethic might be an antidote to the radical self-centredness of our profit-fixated economy, and that a change in social focus can be effected so as to create a more magnanimous market, merely on the grounds of a need for moral excellence or a natural inclination to live virtuously. It might be argued that, at least transitionally, only an appeal to the very hyper-individualism that pervades our world would shift the status quo.

In this vein, one such voice (Dunkelman, 2003) speaks for younger generations reared during the last two decades, suggesting that:

... arguments for the communitarian agenda can be made without the existing focus on "morality". Because communities offer benefits to individuals – because it is in the self-interest of each individual to be a member of a group defined by a common interest and shared moral framework – an argument for the balance of rights and responsibilities can be made in terms of self-interest.

Dunkelman claims that only when "the failures of unfettered market capitalism become apparent to today's young people ... the hollow atmosphere of unfettered self-interest will spawn a new pursuit of community renewal."

Hollis (1991:36) uses the term "active citizenship" when offering an enhanced vision of contribution by the individual through the communitarian lens. He outlines this type of endeavour as involving non-contractual decisions and actions, typified by supererogation for the good of others: in choosing not to exercise certain rights, one does not surrender these rights, but rather exercises one's free will to claim them - or not - in deference to the wellbeing of others. For example, a business organisation has a right to bank all of its profits without allocating surplus funds towards social responsibility programmes; it can rationalise this by relegating obligations to social welfare, and for that matter, the problems of HIV/AIDS, to the public or NGO sectors. However, in reasoning that, ultimately, social stability and thriving can only enhance the prospects of commerce, the business does not forfeit its right to profit by investment in such programmes. Hollis describes this as "the noble equation between the good of each and the good of all".

Tomasi (1991:524) endorses this notion that the function of a right-claim, when it is voluntarily withheld, can serve social virtue, quoting Joel Feinberg's account of this function:

When a person has a discretionary right and fully understands the power that possession gives him, he can - if he chooses - make sacrifices for the sake of others, voluntarily give up what is rightfully his own, freely make gifts that he is in no way obligated to make. ... Imagine what life would be like without these saving graces.

Active corporate citizenship, then, as contemplated by the recommendations of King II, renders the "triple bottom-line" as a mechanism for the cultivation of Ubuntu not through a structure of laws, but through a change of heart, since by reportage of both financial and non-financial policy, expenditure and commitment, it juxtaposes profit with contribution. In so doing, it introduces the idea that the latter is not subservient to the former, but that they should exist in equilibrium, being extensions of the same commitment, and supporting the realisation of shared prosperity as a business ethic.

If a company makes financial profits, and instead of hoarding all of these funds, shares some of them with those most in need of financial relief, it performs as a good corporate citizen and embodies the communitarian self. Its virtuous act does not foreclose the company's individual right to make more profits at any time, and the act also expresses identification with the spirit of communality. This is the balanced business ethos imagined by Dobson (1997) that would accommodate and nurture the application of virtue ethics, and the kind of voluntary contribution that he champions for being a heartfelt response rather than a token gesture.

Freeden (1990:493) also argues cogently for a human rights perspective that would support the notion of business serving in a more people-focused milieu. Company commitment to the creation of such an environment would not be regarded merely as instrumental to its operations, but as essential to social well-being. His logic is based on a view of human nature that depends on growth and solidarity, and that

"points in the direction of ensuring that growth will continue unimpeded, whatever the impediment may be". He offers a positive-rights theory for this idea, claiming that:

Human beings are sympathetic and even naturally inclined to be sociable and co-operative. They can only function and give expression and reality to their abilities and features by means of other individuals.

Interdependence becomes a fact of social organisation; mutual concern becomes a fact of human psychology and disposition.

Expressing values that correspond directly with the principles of Ubuntu (as will be presented in detail later in this chapter), Freeden (1990:494) then explains:

On this view, societies accept the responsibility for doing all they feasibly can to maintain their members' well-being. They do so because to behave otherwise would ultimately dehumanise their members (on a combined growth-sociability model of human nature). ... Individual rights may serve social interests. A right then constitutes a claim that directly or indirectly enhances the quality of life in a community.

Freeden's article outlines numerous theories of social structure that "shift the debate on rights by identifying a new rights-bearer – society" (Freeden, 1990:498). His idea that opportunities, choices and needs feed our mental and moral development, and are also flexible and changing, is useful in that it supports the concept described by Annas (2003[a]) of personal growth as essential to human nature: "Moral life is not static; it is always developing. When it comes to working out the right thing to do,

we cannot shift the work to a theory, however excellent, because we, unlike the theories, are always learning."

However, Freedman (1990:502) goes further by classifying as a human right this natural desire to live and grow in virtue, and to have access to social learning. He concludes by framing "the community as the natural locus of human life and activity and, thus, [justifying] the right to assistance from others in all aspects of essential human functioning".

Albeit that, in strictly theoretical terms, this claim might only qualify as a second-generation right, it is a useful perspective in deliberations on how we, as social beings, might strengthen the foundations of a finer quality of life for all. Following the logic of the Afro-European communitarian view, this presents each one of us with a call and an opportunity to commit to our own development as virtuous agents, so that we might become mentors for others of our own and of future generations.

The universal communitarian self

It is at this point of theoretical exposition that the African voice of business ethics can make entry. Mbigi (2004), in an article outlining a richly nuanced approach to contemporary African business leadership, proposes that the practice of organisational management is emotional, social, spiritual, political and rational, and that what is required in the process of establishing business leadership in an African spirit is a "science of understanding" rather than of manipulation of these aspects of

human response. Beyond amassing data about key values and standards, it involves assimilating world-views for ethical guidance and consensus.

Etzioni (1996:157) animates the association between the modern Western model of "responsive communitarianism" and the African philosophical heritage of Ubuntu. His essay trains its focus on the expression "I and We", (following Martin Buber, 1937) as a portrayal of

a self congenitally contextuated within a community, a view that accords full status to both individuals and their shared union. The "I" stands for the individual members of the community. The "We" signifies social, cultural, political and hence historical and institutional forces that shape the collective factor – the community. ... the social context is to a significant extent perceived as a legitimate and integral part of one's existence, as a "We" rather than a "They".

Etzioni's luminously inclusive reconstruction of meaning around the apprehension of self and community is central to the issues underpinning this thesis as a whole. "I and We" offers, in a single, short phrase, the moral recalibration of mindset needed for decision-makers in the private sector to grasp how and why their role in taking corporate social responsibility seriously is critical to restoring society in the face of HIV/AIDS.

It is the debilitatingly divisive language used in the HIV/AIDS discourse by business leaders, analysts and commentators, pegged by the axiom "Us and Them", that bolsters social fragmentation and stratification along demarcations of race, gender and class, as such obviating a truly

compassionate and effective response to the pandemic. (This aspect will be explored in detail in Chapter Three.)

Etzioni (1996: 157-8) is not idealising “fraternal sentiments and fellow-feeling” in his deployment of the term “I and We”; he sets out a rigorous explication of his claim that:

The uncommunitised personhood is a source of creativity and change for the community and fulfilment for the person. The communitised part of the person is a source of service for shared needs and a source of stability and support for social virtues of the community

which leads to his understanding that neither individual nor community rights should gain ascendancy over the other. Rather, he emphasises that the “‘I and We’ is out of balance after decades in which excessive self-interest and individualism gained primacy”. Nor is Etzioni “seeking a nostalgic return to an imagined past”:

Communitarians favour new communities in which all members have the same basic moral, social and political standing ... [one in which] values are reformulated and policies evolve in a free dialogue and exchange; ... ideally, all participate and particular groups do not impose their values.

His assertion that the common good can best be served in the realm of civil society (to which the private sector belongs and without which it would not flourish) is important in the context of HIV/AIDS in South Africa. It is this very discourse that has generated calls, echoed throughout the nation over the past decade, for co-ordinated, collaborative care and support programmes. As will be illustrated in

Chapter Three, the extent, potency and sustainability of public-private and multi-sector partnerships in this regard are nowhere near the scale and scope required for broad-based restorative and uplifting outcomes.

Etzioni (1996:161) explains the potential for such collective action thus:

Individual rights and social responsibilities, just like individual liberties and social definitions of the common good, are not oppositional but complementary – or at least they can be made to be.

and further:

The need for attachment and normative guidance is at the foundation of families, neighbourhoods, voluntary associations, communities and many of the institutions that basically enrich human life (and potentially ennoble it).

His conclusive depiction of the communitarian self is one that is “part conformist, part creative and critical ... empirically well-grounded ... and one on which a communitarian philosophy can build constructively” (Etzioni, 1996:167).

The ethical vision of Ubuntu

Having tracked the elemental features of the virtuous self in relationship with, and therefore in terms of, social capital and the vista of modern communitarian concerns, the harmonies resounding within the African tradition of Ubuntu are immeasurably rich. It is difficult to grasp, without sadness, the degree of affront that centuries of political and cultural oppression have wrought in obscuring, distorting and degrading this valuable bequest.

Mbigi (2004) cites Archbishop Emeritus Desmond Tutu as having expressed the essence of the African cultural paradigm with particular succinctness:

"Ubuntu ... is part of the gift that Africa is going to give to the world. It embraces hospitality, caring about others, being willing to go that extra mile for the sake of another. We believe that a person is a person through other persons; that my humanity is caught up and bound up in yours. When I dehumanise you, I inexorably dehumanise myself. The solitary human being is a contradiction in terms, and therefore you seek to work for the common good because your humanity comes into its own in community, in belonging."

The implanting of responsive communitarianism into the ground of African indigenous thought is no haphazard or listless endeavour. The two schools of imagination and heritage are so powerful in their compatibility, if not identical in many respects, that the opportunity for reconceptualising them as a universally applicable ideology for the 21st Century and beyond, cannot be forfeited.

The ethical models of virtue, new communitarianism and Ubuntu envisage the individual's natural inclination towards perfectionism in truth, justice, equality, compassion and integrity as the "moral DNA" constituting the person's capacity to catalyse wellbeing for others. The ineluctable synergy inherent in Etzioni's phrase "I and We" and the essence of Ubuntu articulated in the adage "I am because you are" is our point of departure.

Ntuli (2002:55-56) expresses this potential for cross-fertilisation as a way of redeeming "lost answers to the path of progress" and in so doing, to create new knowledge in service to development in a globalising world. He argues that the original values of African culture are akin to those of quantum physics, which, as he explains "frees us from the world of binary opposites as an organising principle so prevalent in European thought". For example, he says that quantum theory's principle of "complementarity, interconnectedness and non-local co-relations ... is consistent with our own African belief systems".

Without ignoring the bifurcated reality of the opposing approaches of Western mechanistic and African cosmological world-views, Ntuli reiterates the contentions put forward by modern communitarian authors from all cultures in emphasising the need to establish and maintain links to the community. He argues that development programmes need to integrate the pedagogical and investigative methods of rural and indigenous peoples and examine how external and internal influences have changed these practices. Above all, he writes, new frameworks that are people-centred have to be established, and for this, an inclusive, open-minded attitudinal nexus is needed, through an excavation, retrieval and diversification of the elements of indigenous knowledge sources, that would advance human wellbeing (Ntuli, 2002:66).

Socially active, responsive and responsible involvement is the over-arching directive of both modern Western communitarian and eternal

African belief. Ntuli (2002:56) sets out this core requirement for full participation for and from all as follows:

To remove oneself emotionally from something or somebody is to view that thing or person instrumentally – something that one can use and/or exploit. To separate one's self from the phenomenal world is to objectify the world. This is what the African world-view rejects. It perceives human beings and the phenomenal world as extensions of each other.

The demeanour of remoteness and the effect of fragmentation within the self and communities in modern society are legacies not only of colonialism and apartheid, but as the Ghanaian author Ayi Kwei Armah (1978:81) describes in his book "The Healers", have cleaved kindred societies through Africa's own history of disunity and separation. He foregrounds this history as being in conflict with the qualitative features of Ubuntu, which are holistic in origin. To illustrate this, he describes the traditional African approach to healing: for instance, that the African healer is devoted to inspiration of the patient's spirit rather than manipulation of the patient's body – the spirit is "invited to co-operate" with the body in healing itself.

It is not difficult to extrapolate from this understanding the crucial relevance of traditional African medicine in the quest for remedial care and treatment of HIV and AIDS, and its apprehension of the whole person rather than isolated symptoms of illness, or only bodily predicaments. HIV infects and affects people at every level of existence, so that a multiplicity of caring processes is required to address the variety of afflictions the disease syndrome can cause.

Health-care is a facet of “interpersonal transaction” that Shutte (2001:127) focuses on as a sphere in which the ethic of Ubuntu can promote personal growth and community. Essential to human development and flourishing, good health is presented as being of parallel importance to the precepts of Ubuntu, which typify the African insight of communal nature as involving “persons depend[ing] on persons to be persons” (Shutte, 2001:51).

According to Shutte, the goal of morality as espoused in Ubuntu is fullness of humanity, and the moral life is seen as a process intrinsically related to human happiness and thriving. It is something derived from our nature as human persons, a commitment that is not something merely conventional in obedience to the arbitrary norms or legislated rules of society. Becoming fully human means entering more and more deeply into community with others (Shutte, 2001:30). This notion of moral development through life-long learning in an environment conducive to connection with other people has a parallel with the process described for virtue ethics – that the individual increases one’s expertise as a moral agent through guidance from judicious mentors and personal practice.

Within the context of African traditional healing, this process is depicted by Armah (1978:81) through the character of the healer Damfo saying: “It’s not enough for the one who would be a healer to have a healer’s nature. Beyond that, he needs training, preparation”. Moreover, Ntuli (2002:58) submits that African historical civilisations were founded on

“the maximisation of human potential” through the guidance of wise and kindly elders, as well as initiation rituals devised and conducted to

ensure life, continuity, stability and prosperity for all. They existed to reinforce group cohesion where, today, we see only wanton violence, death and destruction. It is this spirit of mutual benefit and co-existence that we must nurture in the rebirth of Africa.

This relates back to Annas’s account (2003[a]) of the virtuous disposition unfolding from a base of inherent character traits, applied and refined throughout life, towards intellectual and practical wisdom. In an essay (date unknown:5) entitled “Virtue Ethics: What Kind of Naturalism?”, she investigates the facet of rational creativity as being essential to the human species, and finds that this faculty of reason matters greatly in the living of an ethical life:

The level of biology and ethology is one which helps us to make sense of ethics in a way that takes account of all of our nature – our biological nature which makes us part of the world of living things as well as our rational nature which makes us enquire and reflect about it. ... For it is because we are rational that we can *criticize* and *change* what we do, and can *choose* to live and act in a variety of ways.

Relating these ideas to African communitarianism, it seems to me that human creativity based on reasoned choice of virtuous living, as described by Annas, is a capacity that is crucial to Ubuntu, as explained by Shutte (2001:52) in terms of the African appreciation of the common life-force that unites everything in creation. In contrast to the dominant mechanistic framework of the European tradition, the African worldview

holds that the individual's understanding of and desire to enrich his or her own humanity is indistinguishable from his or her understanding of and desire to enrich the humanity of others.

This perspective renders both the individual and the community as limitless in their complementarity:

As long as we think in our customary materialistic way, we are bound to think of the individual person as a single unit and the community as made up of many of the same. But the African tradition invites us to abandon this habit ... Whether we are thinking of individuals or of the community, the *humanity* of the individual or of the community is one and the same. There is no more humanity in the community than in the individual.

The value of communion as a business ethic

The logic arising from this humanist view has a distinct application in the realm of corporate social responsibility and consequently, makes a sound case for Ubuntu as an ethical model for a private sector response to HIV/AIDS. As Shutte (2001:53) explains:

Insofar as I am open to others and give myself in service for the good of the community, I myself am strengthened and built up. This is why real generosity and unselfishness ... are realistic and creative attitudes, and not illusory or neurotic. They express and confirm my true humanity as something that transcends the limitations of my physical, social, economic and political individuality.

Dobson (2004) offers an explanation of how the rationality of virtue in relation to community has direct implications for the role of business. Arguing for a "conducive infrastructure" within which virtuous business activity can thrive, he emphasises the need for individuals to be enabled to think by themselves, for themselves, as well as with and for one another in a culture of virtue-based behaviour. His description of virtue-based rationality highlights the communal sense of "a shared conception of what is ultimately desirable in all human endeavour". Moreover, he contends that this shared conception is what constitutes the corporation as a community, and that "individuals cannot be ethical in a vacuum". Whether the corporate community acts as a virtuous or a vicious one depends upon the ethos nurtured by its residents; on Dobson's view, the firm is an ideal location for exploring, in theory and in practice, virtuous decision-making around "personal integrity before material interests", so aspiring to maximise human potential and happiness.

In contrast, the notion of individual freedom – evolving from European thought in terms of concern for one's own fulfilment as a unique and self-determining being – has been increasingly distorted and abused throughout the history of colonial and economic conquest, to the point that its modern manifestation is little short of a culture of selfishness. This is evident in the degradation of the world's environment by industrial plunder of natural resources, the material impoverishment of millions and the contemporary crisis of HIV/AIDS in the developing world.

The principle of self-determination would be laudable if it operated within a belief system that accords equal value to every human person.

However, our globalised world stumbles in the shadow-land of self-serving and corrupt governance across social quarters and strata. The overbearing nature of modern individualism has dislocated the communal self from its associative moorings with its vision of shared rather than hoarded growth, and has thereby caused great suffering. The human faculty for open-hearted aspiration, exercised in fellowship, has mutated into radical avaricious ambition, pursued by corporations that prioritise power and profits and perceive human beings merely as instruments to be deployed in service to these goals. It is therefore not surprising that the yield from such enterprise tends to benefit those in control of its disbursement, rather than those most in need of its bounty.

It is this outlook that has appropriated the authentically abundant power of the universal life-force so revered in African as well as European virtue and communitarian ethics, and assigned it to equip an exclusive, rather than an inclusive, concept of individual freedom. The corollary of this is that the right to flourish is viewed by dominant social forces, among which is corporate business, as the preserve of “the fittest” – those who achieve elevated status in the landscape of fervid competition. Hence we observe the experience of the “vicious cycle” for those born or falling into disadvantage and poverty, such that avenues of access to enabling skills, resources and opportunities remain unattainable for generations. It is this ethos of detriment that has allowed HIV/AIDS and the ill-health of millions to fester and spread to the point of desperation.

The ethical blindness of this approach, in turn, obscures the inimical nature of division and disparity to all human endeavour. The indolent response of South Africa's private sector to the HIV/AIDS epidemic (which will be delineated in Chapter Three) represents a moral myopia of confounding proportions, because its preclusion of genuinely communitarian effort in this regard threatens the very survival of the society that commerce requires in order to operate and sustain itself.

The virtue of and responsibility for care

An understanding of an ethic of care as a vital component in the theory and practice of the Afro-European communitarian vision has direct implications for the corporate social responsibility movement in the context of HIV/AIDS in South Africa.

Shutte (2001:147-7) refers to Patricia Benner's vision of caregiving in "The Helping Domain" as providing a comprehensive model of health-care that is characterised by a sense of solidarity not only with the patient or dependent, but with the caregiver herself. He relates this concept to the spirit of Ubuntu in the sense that:

They [caregivers] can't continue to genuinely value the patient and want their good if they wholly subordinate their own interests and health to those of the patient.

He regards this vocation as "a field for personal growth and community rather than a purely technical and administrative (or even purely commercial) venture".

However, the issue of the onus of coping with the impact of HIV/AIDS being shifted by governments onto communities is one of perplexing magnitude. While this aspect will be developed more fully in Chapter Three, it is necessary to pose it in this conceptual discussion to provide some context for the ethical challenge of care. Barnett and Whiteside (2002:194) explain:

The scale of the problem is such that governments recognise they have neither the financial nor human resources to deal with the impact [and assume that] communities will "cope" (whatever this means), so, to argue that they are being given the task of doing so is to legitimise what is happening anyway.

It is also important to focus on the gender-bias governing and perpetuating the burden of care on women, which is particularly evident as a broad-based social challenge facing South Africa as a consequence of HIV/AIDS. With most new infections occurring in young adults, and women being more physiologically, culturally and economically susceptible in this regard, the tragic result is that elderly women and orphaned children – the most vulnerable in society – are bearing the brunt of caring for dependents and themselves.

Akintola (2005:23) focuses on the issue of gender inequality and caregiving in a time of HIV/AIDS. The 41 women interviewed for his study gave accounts of their own severe psychological, emotional, physical and economic stress as a consequence of volunteering as informal caregivers of people living with AIDS, which invariably compromised their own families' wellbeing. As is typical of many like them, most of these women have no income and struggle to support themselves and their own kith and kin; nonetheless, they devotedly provide various levels of care for their neighbours and other community members who are ill and dying with AIDS, and offer substantial psycho-social as well as practical support to affected family members.

Indeed volunteers play a major role in mitigating the burden of care for people living with HIV/AIDS and constitute the backbone of this model of home-based care ... They are thus an invaluable resource to affected households, communities as well as the health care system.

With evidence of affected families assuming that volunteers are being paid and tending to abrogate their own obligations for care of family members, along with the paucity of governmental support for the caregivers, Akintola urges for deeper research into the various stakeholders' roles and responsibilities.

Barnett and Whiteside (2002:218) conclude their chapter on "Dependents: Orphans and the Elderly" by describing the bleak trajectory of unfavourable dependency ratio thus:

Dependence requires support; support is found in social life; social life requires energy and inputs if it is to be maintained and reproduced – the elderly lack the energy to make these investments, ... [which is why] when children die and their work, remittances and other support cease, the circumstances of an old person can decline dramatically. What then happens when the grandchildren come to live with them?

They foresee incremental impoverishment across societies, with an alarming increase in dependent populations and the steady vanishing of older citizens, all of which will “erode the possibilities of ‘coping’ at the local level and nationally (Barnett and Whiteside, 2002:220).

Kittay (2001:532) argues for a feminist perspective of this challenge in terms of “reconceptualising social co-operation”. Keeping in mind the South African reality of poor, aged women and orphaned children as heads of households in the era of HIV/AIDS, I regard her call for the recognition of the social worth of dependents as both poignant and powerful from an ethical point of view:

Even in their inability to be self-supporting, [they] bring meaning to the ongoing nature of human relationships – and ... [in their] special vulnerability ... in the process of caring for others, come to have a diminished capacity for self-support.

She stresses that the efforts of these dependent caregivers must be reciprocated so as to both acknowledge their worth and help sustain their work. Kittay draws these conclusions within a framework that shares the concerns of both feminists and communitarians, saying that the role of the caregiver, whether she be elderly or very young, cannot be over-valued.

Given that State resources apparently cannot be stretched to respond adequately to the pandemic, who, besides community-based organisations, should assume the responsibility to provide this reciprocal support? Here is a clear and present role for business, in terms of an ethical response to HIV/AIDS and the goal of sustainability.

Kittay (2001:535) propounds this view in the following account:

[This would involve] universalizing our own understanding that, were we in such a situation, helpless and unable to fend for ourselves, we would need care to survive and thrive. We may delegate the responsibility for the care – but we cannot evade the moral responsibility to assure that care is provided. ... As a concept of reciprocity, I prefer to invoke the notion that we are obligated to provide care because we have all, at some point in our lives, been the recipient of care.

Seen in the light of the Afro-European communitarian model - the "I and We" - as presented in this chapter, the private sector should be urged to make decisions around corporate social responsibility within the mindset of broad-based human flourishing, and to regard active citizenship as a moral imperative through which it would be a beneficiary of its own benevolence. This would fulfill the universal humanist principle of validating oneself through the validation of others, not merely as instruments of productivity, but as beings of inherent worth and dignity.

There is substantial reference to this principle as the core directive of the second Report of the King Committee on Corporate Governance for South Africa ("King II") of 2002. However, wider specialist commentary on the moral obligation to care has typically been limited to its implications for business as viewed within the competitive paradigm. Chapter Two focuses on the contents of the Report that encapsulate and propound a new paradigm of inclusivity and service to humanity, such that it constitutes an essential guide for pragmatic application of an ethical business response to the HIV/AIDS pandemic.

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CHAPTER TWO

"Corporate governance is concerned with holding the balance between economic and social goals and between individual and communal goals ... the aim is to align as nearly as possible the interests of individuals, corporations and society."

- Sir Adrian Cadbury, Corporate Governance Overview, 1999. World Bank Report

This chapter outlines how the second Report of the King Committee on Corporate Governance for South Africa of 2002 ("King II") posits a means by which local and multinational companies might "hold the balance" described above as an ethical imperative. This proposition calls for serious consideration of salient features of the Report as offering a coherent moral starting point for an Afro-European business ethic in the new Millennium.

Based on the cogency of the contemporary European/Western communitarian ethical model and its conceptual links with the African tradition and spirit of Ubuntu, a case is also made for the King II Code to remain largely unlegislated, so that the virtuous and inclusive deportment it espouses would be authentically voluntary in origin, intrinsic meaning and realisation – and as such, more profound and enduring than the imposition of regulations and penalties for breaching it.

The origins, mandate and social implications of the King II Report

"King II" was an update of the first King Report ("King I") on Corporate Governance for South Africa, published in 1994 as an initiative of the Institute of Directors in Southern Africa. The King Committee on

Corporate Governance had been constituted in 1992 within the context of South Africa

[coinciding] with profound social and political transformation at the time, with the dawning of democracy and the re-admission of South Africa into the community of nations and the world economy (King II, 2002: 5).

The King Committee was mandated to define and, in 2002, to refine, principles relating to the highest standards of governance in accordance with and applicable to evolving social and ethical developments both in South Africa and abroad.

Drawing from work already done by numerous international bodies on accountability and reporting (such as the AA1000 AccountAbility Standard, the SIGMA Guidelines, the UN Global Compact and the Global Reporting Initiative), King II encodes seven basic precepts, viz. discipline, transparency, independence, accountability, responsibility, fairness and social responsibility, within a framework of guidelines that inform and enhance ethical business practice.

The Report is targeted primarily at local listed companies, financial services and public sector entities. However, it serves as an indispensable reference for all organisations seeking to, at the very least, understand and comply with these standards of governance, and beyond this, to advance and exemplify the highest of these standards in innovative ways. Three of the seven core facets of governance identified in King II relate tangentially (and one, specifically) to Social Responsibility: accountability, fairness and responsibility, so that the Report provides a valuable guide to

the formation of a just and sustainable business response to crucial human challenges such as HIV/AIDS, notably since they emphasise an inclusive approach in all commercial operations.

The latter approach is a seminal attribute of both King Reports (King II, 2002:5), and one that sets them apart from their equivalents elsewhere in the world, in that their espousal of "a participative corporate governance system of *enterprise with integrity*" [emphasis added], originates in:

the King Committee in 1994 successfully formalis[ing] the need for companies to recognise that they no longer act independently from the societies and the environment in which they operate.

It is this conjugation – enterprise with integrity - that represents the notion of the "good corporate citizen" in perfect alignment with the concept (described in Chapter One of this thesis) of a company as a "communitarian self". Moreover, by clearly articulating Ubuntu as its philosophical foundation, King II specifies a uniquely African derivation of business-in-community, and by linking this to the growing global awareness of the role of the corporation in society, presents a pivotal construct for an applied form of an Afro-European communitarian business model.

The reference made in King II's Introduction and Background, to the distinction between the terms "accountability" and "responsibility", has important bearing on thoughts related to corporate social responsibility and the paradigm within which the business, as a both a collective and

individual manifestation of the communitarian self, can formulate strategies. King II's (2002:56, Item 5) propose these terms thus:

One is liable to render an account when one is accountable and one is liable to be called to account when one is responsible. ... The inclusive approach recognises that stakeholders such as the community in which the company operates, its customers, its employees and its suppliers, need to be considered when developing the strategy of the company. The relationship between a company and these stakeholders is either contractual or non-contractual.

The essential connotation of King II's proposals resides in the idea of an equilibrium and interaction between structure and agency, and the promotion thereof. In Section 4 (King II, 2002:96), which is devoted to "Integrated Sustainability Reporting", the authors demonstrate a clear recognition of this concept as a feature of, and potential solution deriving from, a view of national and regional health crises such as the HIV/AIDS pandemic in terms of complexity theory, in the sense that sustainable economic development, prosperity and viability are bound inextricably with a commitment by business to corporate citizenship.

The tenor of the writing conjoins moral obligation with business intelligence information: for example, the Report's authors urge that all companies should report at least once every year on the nature and extent of their social, transformation, ethical, safety, health and environmental management policies and practices. This advances company reporting from the level of the "single" to the "triple-bottom-line", that is, from an account of purely economic data to a more

comprehensive narrative and figures, for expenditure on, commitment to and strategic results of social and environmental activities.

The Report's authors also advise companies to identify HIV/AIDS as a matter for specific consideration, in terms of managing its impact both within and around the company's ambit (King II, 2002:35-36).

This philosophy is expressly defined (King II, 2002:96) as:

Business decision-making linked to ethical values, ... and respect for people, communities and the environment ... [evidenced by] ... a comprehensive set of policies, practices and programs that are integrated throughout business operations, and decision-making processes that are supported and rewarded by top management.

The authors also refer to the need for long-term engagement in stakeholder relationships, as culled from numerous experiences cited by international business development bodies (King II, 2002:97).

The letter of the law vs. the spirit of the ancestors

In terms of the practice and application of business ethics theory, there is a distinct difference between cursory compliance and sustained, solid contribution. The King Code of Corporate Practices and Conduct is not prescribed by law in all areas of business; only companies listed on the Johannesburg Securities Exchange (JSE), public sector enterprises and agencies, banks, financial institutions and insurance companies are required to adhere to the Code. Specifically, the King Code of Conduct for

Social Responsibility is a requirement for reporting by JSE-listed companies only, but as JSE Chief Executive Russel Loubser said in an article in Acumen entitled "Spotlight on Corporate Governance", the JSE is not a "policing agent" and the greatest stick that he, as CEO, can wave against errant executives is "bad publicity".

For this reason, and based on the theories of virtuous and communitarian ethical response described in Chapter One, it is the non-contractual relationships inherent in the South African private sector's response to HIV/AIDS upon which my thesis turns. This hypothesis suggests that the model of an Afro-European communitarian ethic can only be applied and advanced effectively as a product of fundamental virtuous concern, and as such, should work through a fluidity of process that proliferates beyond the confines of contracts and statutory obligations.

Some broader, but empirically studied views on behaviour change, particularly in the context of sexual health and HIV prevention, are required to support this point. Campbell (2003:133) submits that a primary precondition for behaviour change is the development of "a critical awareness of the way in which social relations serve as obstacles ... and a vision that things could be different". She describes the prevailing macro-social environment in South Africa as inimical to health-enabling decision-making amongst relatively powerless social groups (Campbell, 2003:148), and states that promoting collaboration towards behaviour change among stakeholders with different views and interests is complex and difficult (Campbell, 2003:179).

In the scenarios she illustrates, as displayed to varying degrees by different stakeholders, the common detractors are a lack of commitment, trust and willingness to embrace innovative conceptualisations (Campbell, 2003:188), and the fraught discourse of "who needs to change" (Campbell, 2003:191-2):

People ... put the locus of change beyond their own constituencies ... This process of 'othering' often serves as a mechanism whereby groups distance themselves from taking any responsibility for seemingly overwhelming problems.

Taking the issue of trust forward, while some social activists would argue that codes of conduct require blanket enforcement mechanisms or, at least, structured monitoring systems, Epstein (2004:51) argues for a modern communitarian idea that, in the interests of genuinely responsible and responsive social organisation, there should be no formal obligation to comply with such codes. He contends that because ordinary individuals enter voluntarily into "multiple overlapping forms of association", they can generally be relied upon, at the very least, to "find some limited areas of compromise and co-operation".

If that critical element of trust can be established on some limited grounds, then the seeds are planted for its *expansion over time into other areas*. But this program will only work through voluntary interaction that takes place with the prospect of mutual advantage, and it cannot work when moral over-confidence breeds social intolerance. *Forced associations will only compound ... high levels of distrust and make matters worse. ... there is no way to force-feed a viable social community. It has to be the*

outgrowth of voluntary interactions by free and responsible men and women [my emphasis].

This echoes Etzioni's illustration of the modern communitarian setting being made up of various intersecting relationships, within and through which individuals are naturally inclined to caring and sharing, despite cultural and ideological differences (Etzioni, 2003). Similarly, the conviction that such voluntary, adaptive and innovative virtuous approaches can take root and flourish over time, within a supportive wider worldview, is reflected in the principle of Ubuntu - which is specified in King II (as will be detailed in due course).

This is not to ignore or deny that our contemporary society suffers from a lack of these strongly supportive connections, and indeed, radical disconnection is precisely what the HIV/AIDS pandemic is exposing, as Campbell's comprehensive study (2003) revealed. Even a fleeting survey of contemporary life, on our continent alone, reveals ubiquitous and pervasive threats to human well-being: violent crime, abuse of women and children, armed conflicts, corrupt government, mass poverty and unchecked spread of infectious disease.

As Campbell (2003) indicates, it would also be unrealistic, if not unreasonable, to suggest that such voluntary, virtuous approaches, because they constitute a moral ideal rather than a universal reality, could be rapidly and readily adopted by key role-players in society with a longstanding tradition of oppositional attitudes, and that the public in

general would respond in kind with the urgency that the pandemic demands.

Behaviour change occurs within a highly complex matrix of social and cultural influences, but also depends on individual inspiration and self-leadership. The economic, racial and gender imbalances and divisions in our society, which have demonstrably reduced opportunities for individuals to exercise their natural rights, responsibilities and choices, and which continue to drive the spread of HIV, have been constructed and bolstered over centuries. Narrowing these gaps and ensuring the nation's recovery from these wounds will accordingly be a process requiring protracted and ongoing attention and vigilance.

My contention is that King II's pragmatic recommendations are based on a clear grasp of this reality, and on a persuasive vision of social re-connection, which would gradually invigorate and advance an ethos of mutual and collective responsibility, balanced with individual rights.

More footholds for this schema are offered in the following perspectives. Preston-Whyte (2004) refers to flexible and creative "moral scripts" evolving in relation to local cultural forms that build and secure social capital around and against HIV/AIDS. This suggests that there is hope for a new ethical vision, an enabling Ubuntu ethic that upholds social expressions of universal values such as commitment, caring, inclusivity and mutual regard. Primarily, it is Etzioni's proposed milieu of "I and we"

that will facilitate the healing of social rifts and disjuncture created by centuries of divisive, hierarchical "us-and-them" consciousness.

Both the time required for such maturation and the gravity of HIV/AIDS dictate the urgency of commencing this process. Again, this is clearly expressed in the King II Report.

Bringing this ideology into the realm of business operational strategy, Corporate Social Investment consultant Liana Roussouw (interviewed on SAfm's Media @ SAfm, 5 December 2004), views the current South African corporate culture as being generally polarised by two divergent approaches:

One is, "pay the cheque and report it" with no real involvement, and the other is exemplified by those who work on total integration of CSI into the business programme and who sincerely believe in their projects and the intentions behind them.

Roussouw claims that legislation compelling listed companies to report their social investment results along with their financial performance profiles would be beneficial in two important ways. Firstly, such data would provide structured, measurable benchmarks for gauging the impact and relevance of funded programmes, and secondly, they would establish a framework for "the good example", and in effect, deploy the capitalist proclivity for competition as inducement for other companies to follow suit. In this way, the trend towards observing, linking and supporting individual corporate and communal social goals would be broadened and deepened. However, Roussouw notes a critical caveat in this regard,

saying that although the true spirit of corporate philanthropy eschews self-aggrandisement through social giving, disseminating information about such investment is vital to the process of wider cultural transformation. She emphasises the significance of the mode of expression through which this dissemination is conducted:

It's all a question of tone: brash, costly advertorial spreads in newspapers or broadcast media to demonstrate how "good" they are do not ring true. Evidence of a more long-term philosophy, (what one might call "brand spirit" or "deep branding"), serves to market both the product and the business in terms of the company's ethos - the way it treats its own and others - and is stronger testimony to their authenticity.

King II explains this need for a framework of standards in the same terms - albeit without the compulsory element - saying that without a commonly accepted configuration of requisite characteristics and guidelines, "meaningful comparison between companies [is] difficult" (King II, 2002:100). The key to a more responsible society, as envisaged by this aspect of the King II Report, is authenticity. This raises the questions as to whether or not authenticity can be legislated.

Access to oversight by the courts of social and legal considerations not contemplated prior to South Africa's transformation to democracy, has some precedence. In a radio interview (2002), Mervyn King, head of the King Committee that compiled both Reports I and II, explained that, in terms of corporate governance as it relates to the fiduciary duties of directors, the King guidelines had been used by a legal body as a

benchmark against which to weigh degrees of negligence on the part of company leadership:

The interesting thing now about having an acceptable corporate governance guideline in South Africa, [is that] courts can actually assess whether a director has exercised care and skill, having regard to guidelines. It's interesting that the Myburgh commission into Regal did exactly that. It looked at the King guidelines, then looked at the conduct of certain directors and concluded that there was a lack of care and skill. So in that way, the guidelines complement the law and the law complements the guidelines.

The mandate of the King Committee was only to recommend, but if, as exemplified here, a reciprocal dynamic between the letter of the law and the spirit of the ancestors can be established, and activity stimulated within the market to expand its influence, a normative state of responsible business practice might be a realistic vision.

Moreover, apart from the visible, and as yet invisible but anticipated, demands of the HIV/AIDS pandemic, there are several influences of some magnitude that might obviate the need for legislation in this regard, such as the groundswell of civil society opinion and activism. This collective force has increasing power to mobilise for sustainability in both business and society, focusing attention on deep-seated values rather than superficial image. Trialogue Publishers' website Home Page features an on-line article entitled "The Good Corporate Citizen" in which this impetus is outlined:

Internationally, industry leaders have been applying their minds to such issues ... driven to do so by globalisation and the information age, which have put the spotlight squarely on businesses. Activists and lobby groups now wield greater leverage. Consumers are better informed and more demanding. Company stakeholders demand an audience. A raft of governance debacles has highlighted the havoc that corporate impropriety can wreak. And continued environmental degradation has made the effects of exploitation and development patently clear.

The corporate citizen as a communitarian self

King II expands the notion of ownership from the old paradigm of elitism and hegemony, both within corporate hierarchies and in relation to wider society, to embrace the interests of both "the company as a separate person" and those affected by the "economic, environmental and social aspects of a company's activities". Narrowing down the classification of "social aspects", the authors list "values, ethics and the reciprocal relationships with stakeholders other than just the shareowners" (King II, 2002:8).

In Item 17, King II provides a concise definition of "the company" as being "a key component of modern society" and stresses that "the minimalist approach to corporate governance adopted by many local companies needs to change". The Report also explains that, in terms of company law, "on incorporation, a company becomes a separate persona ... and no person, whether natural or juristic, can be owned". The wider social environment in which the company operates and from which it draws its resources and profits, is co-owned, or common, property. It is

from this basis that the system of “triple-bottom-line” or “balanced scorecard” reporting was devised by the Report’s authors, described as relating directly to the idea of ownership (King II, 2002:9).

In terms of social responsibility *per se*, King II sets out a description of good corporate citizenship as “... non-discriminatory, non-exploitative, and responsible with regard to environmental and human rights issues (King II, 2002:11). The Report provides empirical evidence of such responsible citizenship “adding value” in terms of financial return for the business (whether through increased productivity, expanded global investment or reputational advantage leading to marketing and sales opportunities).

It is necessary to interrogate this portion of the Report by taking up Dobson’s view (1997) that such deliberations may lead one into murky ethical territory. His assertion is that when the intention to be socially responsible reverts and regresses from purely moral motivation into tactical - as opposed to authentic - ethical behaviour, (i.e. that philanthropy is good for business) the resultant hollowness of meaning belies the objective of sustainable business ethics being yoked with social wellbeing, and instead, champions the market before the marginalised.

While agreeing wholeheartedly with Dobson, I would counter, in defence of King II’s vision, that its authors recognise these dangers. The stated aim of their specific conceptualisation of good corporate governance and social responsibility is not to discourage, diminish or denigrate

entrepreneurship and profitability. Rather, it is to elevate the status within, and highlight the relevance of, social goals to corporate activity, so as "to seek an appropriate balance between enterprise (performance) and constraints (conformance)" (King II, 2002:6).

This ideal of equilibrium between economic and social goals represents a rethinking of renowned economist Milton Friedman's adage, "the business of business is business", towards the proposition expressed by writers such as Capra (1993) and Zukav (1993) that the business of business is *relevance*.

This is evidenced in the closing point of Item 21 in the Report's Introduction: "The era of deference of shareowners and society to the company generally, has gone" (King II, 2002:13). Inspired by the spirit of relationship and inclusivity, the Committee proceeds to emphasise the issue of trust between boards and companies and their stakeholders, indicating the contemporary concern for equitable distribution of wealth and resources in the face of urgent and complex social challenges (HIV/AIDS being named in the Report as one of these). They drive this forward by outlining the *method of company reporting* that would best fulfill society's need for access to information that verifies the company's *non-financial performance* – specifically, issues associated with social and ethical accounting - noting that such "balanced scorecard" forms of communication have not yet been universalised (King II, 2002:15).

Another focal paragraph in the Report supports the impetus towards an inclusive business ethic in South Africa (King II, 2002:17):

Companies in South Africa must recognise that they co-exist in an environment where many of the country's citizens disturbingly remain on the fringes of society's economic benefits. Hence, it is the King Committee's unanimous view that the inclusive approach is fundamental to doing business in South Africa in order to ensure that companies succeed at balancing economic efficiency and society's broader objectives.

Infusing commerce with Ubuntu

King II's definitive stance on the cultivation of a particularly African philosophical mindset for "corporate ethos and conduct" is clearly stated in Item 38 of the Report's Introduction, and is derived from the Committee's extensive research and consultation on South Africa's "wide range of value systems and rich diversity" (King II, 2002:18).

Briefly, this section lists spiritual collectiveness, the communal nature of life [interdependence], consensus rather than dissension, humility and helpfulness, reconciliation and the eradication of prejudice, belief in fairness, the notion of the extended family commitment to upholding moral values, an ideology of consultation, and a "perpetual optimism" as constituting an essential worldview within which relevant ethical values and aims can be promoted.

Moreover, King II's case for Ubuntu as a founding tradition for business ethics in the new millennium is lucidly spelt out in Item 38.5 (King II, 2002:18):

Co-existence with other people is highly valued. The essence of *ubuntu* (humanity) that cuts across Africa is based on the premise that you can be respected only because of your cordial co-existence with others.

The authors collate all these traits as factors for the regeneration of human resources management, leadership attitudes and social cohesion both within and beyond the company gates. In summary, they link efficiency with global competitiveness as a stimulant for job creation, and highlight honourable management as the key to business confidence; social responsibility is seen as ineluctably part of core business operations, as are transparency and accountability, which in turn strengthen the sustainability of the company and its enterprise (King II, 2002:18-19).

Ubuntu applied in a global business context

It is important to reiterate that the ideas contained in King II reflect the trend of an international shift in values with regard to ethical business theory and practice, and, in addition, offer a succinctly African solution to the challenges facing the private sector and its engagement with social wellbeing and development. The Report's section on Integrated Sustainability Reporting is prefaced with an inscription that translates the isiZulu phrase "*Umntu ngamuntu ngabantu*" into English as "I am

because you are, you are because we are" concluding with the interpretation: "Humanity is interdependent".

The body of this section of the Report cites numerous global reports, definitions and descriptions pertinent to socially responsible capacity-building, stakeholder engagement and the impact of business operations on human rights, the environment and other species (King II, 2002:99).

Phil Armstrong, Convenor of the King Committee, described the Report in a radio interview "as a comprehensive overview of corporate governance in South Africa, benchmarked against international standards, but taking into account circumstances or situations that are specific to South Africa as well".

One of the reasons for the King Committee's review, refinement and expansion of parts of its 1994 submission (King I), was so that concurrent global trends in corporate governance during the 21st Century could inform and be integrated into its recommendations. This motivation arose not only from cognisance of the need for local companies to produce reliable information that would attract global investors, but also from the emerging worldwide recognition of sound corporate governance acting as "a lever to address the converging interests of competitiveness, corporate citizenship, and social and environmental responsibility" (King II, 2002:14).

The evolution in broader societal attitudes and expectations around business ethics is borne out by delegates' statements made at the International Vlerick Forum on Business Ethics (2001). Dr Pamela Hartigan (MD of the Schwab Foundation) said: "Society is no longer asking the business world to stop harming its social and ecological environment; it asks business to contribute to the public good and to make the ... environment a better place". This observation highlights the idea of a shift from the "minimalism" referred to in King II, towards a more active and conscientious concern on the part of business for the health and wellbeing of people and the planet, and as such, a move from non-malificence to positive beneficence.

King II's unique contribution to the global effort in this regard is compellingly articulated in its exposition of the qualities of Ubuntu as a management model, as encapsulated in Item 7 of Section 4 (King II, 2002:99):

The notion of sustainability and the triple-bottom-line in the corporate world is evolving to an approach that recognises the importance of interdependent relationships between an enterprise and the community in which it exists. Ubuntu has formed the basis of relationships in the past and there is no reason why it could not be extended to the corporate world. International experience, which reveals a growing ... emphasis on non-financial issues, is a wake-up call to Africans not to abandon their cultures ... but to import and infuse these practices into the corporate world.

and in Item 8:

The Ubuntu philosophy and the community concept of the corporation ... provide a cultural hot-bed for such important values as creative co-operation, empathetic communication and team-work. They provide a basis for what should be corporate culture on African soil. In implementing best practices with regard to the triple-bottom-line, corporate South Africa would be well-advised to build on the foundation of African values. They can not only form the basis for effective practices in this regard, but also have the potential to set South Africans apart as world leaders in this area.

An interesting and important facet of the Report's argument for non-financial reporting is its forward-looking and wide-ranging perspective, juxtaposed with conventional financial reporting that announces only realised and, as such, historical achievements. This model of thorough contextuality, which perceives the past, the present and the future, is not only critical to the issue of sustainability, but is important in specific relation to HIV/AIDS, because of the magnitude of the burdens imposed by the pandemic across dimensions of time, space and human presence. In Item 23 of Section 4, (King II, 2002:102) the Committee calls for companies to engage with both the market and society, arguing that:

Identifying expectations informs more meaningful reporting on issues that are important to the sustainability of each company and the communities with which it enjoys the symbiotic relationship in which the viability of both depends.

It is this understanding of symbiosis, or interdependent origination, as inherent in the Ubuntu ethic, that evidently escapes the (un-named)

writer of an opinion piece published in *The Economist* (22-28 January 2005:11), entitled "The Good Company". The writer of this article rejects the significance of what he calls the "CSR mindset", submitting that "the standard of living enjoyed by people living in the West is due to little else but the selfish pursuit of profit" and that:

well-run companies will strive for friendly long-term relations with employees, suppliers and customers. There is no need for selfless sacrifice when it comes to stakeholders. It goes with the territory.

The article concludes with a paragraph sub-titled "Pernicious Benevolence", advocating that social and economic policy should be left to governments, and with the remark that "managers lack the time" to be concerned about these matters, "or should do". This statement confirms not only a narrow understanding of the reality of social conditions, particularly in developing countries where issues such as a nation's health are a threat to market stability, but also a breathtaking indifference to the ways in which huge income disparities defy any realisation of social justice and flourishing.

To purport that people in general will prosper by sheer dint of companies – whether public or private - being well "into the black" is strategically feeble, at the very least. It is also alarmingly ignorant of the indisputable intersection of the market with society (through stakeholder perceptions of market valuation and corporate integrity, with the need for global sustainable development as both a driver for and outcome of social

justice, as described by King II), and the ways in which businesses ineluctably operate at the centre of a polygon of social forces.

Discussion around the feasibility of the King II model gaining force in practice, and reasons for scepticism in this regard, will be developed later in this chapter.

Responding to HIV/AIDS - Ubuntu as a business ethic

King II begins to train its focus on HIV/AIDS in South Africa in Chapter 4 of the Report, under its section on Health. Citing statistical indicators prevailing in 2002 showing that "over 20% of South Africa's economically active population [would] be directly affected within the [coming] five years", the Report lists six practical impacts of the pandemic on the country's economy generally, *viz.* decreased productivity, increased overhead costs, reduction in the available skills and customer base, along with changes in consumer spending patterns, lowered profitability and diminished investor confidence (King II, 2002:116).

The Report's authors note that "there [was] little evidence of measures taken to promote business sustainability in the face of the pandemic". They urge Boards of Directors to adopt appropriate plans and policies based on an exhaustive understanding of the multiple and trans-sectoral effects of HIV/AIDS on business operations and objectives, and to

regularly evaluate and report to stakeholders on performance regarding the implementation of such strategies (King II, 2002:117).

In Chapter 5 of the Report, the Committee turns to the issue of social and transformation issues, which – due to the nexus between these with HIV/AIDS prevention, treatment and care programmes – relate directly to “the greater well-being of society generally”. Here again, the model of an Ubuntu business ethic is motivated as having the potential to contribute to sustainability through addressing inequality, advocating that the process should be “underpinned by supportiveness, co-operation and solidarity”. The Committee calls for businesses to move beyond compliance with the existing laws that have already helped to effect change, and to commit to their “underlying objectives” (King II, 2002:123).

At this point, the Report makes specific mention of the need to empower women in terms of access, contribution and benefit, through workplace policies that advance their opportunities and status at every level, consideration of their parental and caregiving roles, representation of women’s issues and gender discrimination, and the obligation to ensure women’s full participation in the economy.

This is closely followed by guidelines for the prioritisation of diversity management and social investment programmes designed to propagate growth and security in communities (King II, 2002:124). Bearing in mind that South Africa’s youth are particularly vulnerable to HIV infection and

its labyrinth of challenges, business funding for a range of community-based upliftment projects – in other words, responses that extend beyond the workplace and into focus areas such as education and income-generation – is crucial for the future of both society and the market, and as such, the health of future generations and their economic prospects. Furthermore, given that all these measures are vital to the containment of HIV/AIDS and the provision of relief to those most susceptible to its effects, these recommendations demonstrate clearly the Report's holistic approach to the responsibility of companies operating in a society wracked by the pandemic as a global health crisis of daunting proportions.

King II cites HIV/AIDS programmes as being integral to the requirements of human capital growth, regarding these as critical to "nurturing, protecting, capturing, retaining and developing" employees, both individually and collectively. While the authors explain the value of this process in terms of organisational benefits and sustainable economic performance, their notion of "capitalising" human potential is carefully expressed so as not to perpetuate the ubiquitous, and often vacuous, cliché, *our people are our greatest assets*, the tenor of which tends to render human beings as mere instruments. Rather, they again urge for full participation in the process by all employees, for recognition of the convergence of the company's and the stakeholders' interests, and for the latter's right to information (including financial data) on the results of long-term, comprehensive and regularly reviewed development programmes.

Not the wounded “other”, but the wounded “us”

The foregoing outline has focused on King II as a document of inordinate worth in its repositioning of the role of companies as “communitarian selves”, with its singular emphasis on the African value system as a foundation for a new corporate paradigm of business being in, and of, society. In particular, its guidelines for a corporate Code of Ethics provide a reference point for the effective realisation of this vision and commitment.

The Report is replete with conceptual elements that have one common feature: the attainment of *balance* in organisational functions and thinking, and the appreciation of the *relational* nature, as opposed to disassociation, of entities and concepts (such as government and the private sector, investment and return, society and the market, enterprise and integrity, profits and people, financial and non-financial information). Its special achievement lies in its rigorous formulation for the marriage of Corporate Social Responsibility (CSR) with other core strategic components (from which it has traditionally been divorced).

In its Briefing document on King II, the South African Grantmakers' Association (SAGA, 2002:10) refers to this merging thus:

Just as a focus on sustainable business management is a key aspect of sound governance practice, so CSI is a key component of the 'mosaic' that is sustainable business management ... South African business's

assumption of CSI responsibilities presents it with an opportunity to leverage its role in shaping public policy in ways that benefit itself and the broader national community.

The Briefing commends King II's advocacy for a proactive, self-regulatory stance by the corporate community with regard to these governance standards. It concurs that compliance as a voluntary practice would not only obviate government's need to impose restrictive legislation to exact a communitarian response from business, but would also stimulate the adoption of a virtuous mandate, through emulation of "the good example", encouraging public leadership and partnerships across society to follow suit.

It is therefore not difficult to discern how the propulsion of King II's recommendations might fortify social cohesion and the sharing of resources and capital in all its forms, and so revive a national spirit of humanism and social health that has been for so long degraded in the course of South Africa's history. Hunter (2003:47) explains this requirement to match resources with needs in the context of the African AIDS pandemic thus:

Twenty years ago, when AIDS was first discovered in sub-Saharan Africa, the very immune systems of the communities where it took hold had already been devastated. The basic requisites for decent human existence – food, clothing, water, sanitation, shelter, employment, access to healthcare and education – were beyond the reach of most people. Individual immune systems had been weakened by relentless malnutrition

and by curable STDs and other illnesses, rampant because of lack of water, sanitation and medical treatment. There was no residual strength left to fight AIDS when it came.

King II expresses recognition of these conditions by presenting a multi-orientated view of the socio-economic landscape, and highlights HIV/AIDS as a cross-cutting challenge. In foregrounding Ubuntu as an appropriate ethical model for use by companies in response to the pandemic, the Report indicates how to perceive the systems, behaviours and impacts (both internal and external) relating to HIV infection and AIDS mortality, as analogous with those relating to the body of society - the immune system, behaviour and impact of our human family, as it were.

The Report also provides the defined moral framework needed to enable awareness of this graphic scenario to be translated into action by business, and in responding accordingly, to play its part in reconstructing society so that it reflects the sense of humanity inherent in Ubuntu: that is, in respecting others, we respect ourselves, sharing both rights and responsibilities, as well as wealth and the work required to generate it.

The axis of these ideas is that corporate virtue is the product of good self-governance and citizenship. Given that it is as typical of human nature to be tempted into excessive ambition and self-concern as it is to care for the wellbeing and rights of others, it is only through an autonomous, individual recognition of one's social responsibility - the sense of self in relation to others - that a genuine and sustainable virtuous response can

be evoked. To presume that an external authority or coercion through legislation can do so is delusional, as has been argued in Chapter One and earlier in this chapter.

The message of King II resonates as follows: if the AIDS pandemic is society's physical manifestation of its spiritual and philosophical dislocation, then it is urgent that companies, as corporate citizens and communitarian selves, perceive the healing of this fractured social reality not only as a commercial imperative, but also for the sake of the intrinsic worth of every person as ends in themselves, and the responsibility of everyone to address.

The significance of this message lies in the distinctive lesson of the pandemic itself, *which resides in the fact that no single person, irrespective of race, age, gender or creed, is immune from HIV infection and impact.* As it prescribes the internalisation of communitarian thinking, King II urges boards of directors, CEOs, managers and business-owners to value their employees at every level, and their stakeholders from every quarter, as they would themselves and those close to them.

Communitarian literature focuses on the quest for balance between rights and both personal and civic responsibilities as an identifying feature of moral individuals and societies. This underpins the communitarian concept that a healthy social order can be achieved through harmonising individual liberty with creative capacities and collective agency of civil society.

True commitment to this principle in the context of HIV and AIDS would result in such decision-makers grasping that they themselves, being just as susceptible to HIV infection as anyone else, should avail themselves of voluntary counselling and testing services (VCT). The current response from business leadership tends to relegate such acts of personal responsibility to those "beneath" or "apart" from them - those who fall into perceived "risk-group" categories. Ironically, it is these very leaders who bemoan the fact that stigma and denial around HIV and AIDS results in low uptake of workplace VCT services and anti-retroviral treatment programmes. I would argue, in support of King II, that as stigma and denial begin within the individual, so does their abolition begin at the level of corporate leadership.

Reviving and restoring an African spirit for business

In essence, King II goes to the heart (both literally and figuratively) of the nature of human progress, and argues persuasively for a revised view of capitalist pursuits that discards the perception of socially responsible companies being eccentric or foolhardy. Instead, it presages an economy that is vibrant with ancient wisdom, translated and reinterpreted in a modern idiom with honesty and respect, and applied through pioneering activities.

Kelly (1993, in Ray and Rinzler:193) explains this vision as one indicating that "our picture of what constitutes good business has matured":

The old view of business as a jungle, where only the vicious survive, is giving way to a new view of business as a community affair, where only the responsible get ahead. ... There's a new way of looking at capitalism as not preying upon society, but as serving society. It's an image, you might say, of capitalism at its best.

The view of Chapman (2004:3) helps us to interpret this idea of "capitalism at its best" in relation to corporate citizens within a framework of Afro-European communitarianism, by describing Ubuntu as a social rather than socialist Africanism,

in that the character of the person changes in its relations with others. It is also generational, in that as we grow older in our relational understanding, we become more fully persons, more ourselves. The greater our sharing of humanity, the greater our *isithunzi*, or *seriti*, our aura or prestige. A division between the individual and the society is rendered invalid. Rather, community involvement contributes to one's self-actualisation as a distinctive person. For longer than it can remember, this story has been marked by both Westernism and Africanism.

The exigency of a response based on this awareness is critical, as will be described in detail in Chapter Three in terms of the impact of HIV/AIDS in South Africa and the inadequacy of social giving by the corporate sector to address its effects. The instinct for survival of societies facing such emergencies can well be a unifying force, depending on the extent of the perceived terror posed by such threats. However, in our country, it is clear that this sense of solidarity is taking hold too slowly to keep abreast

of the velocity of the pandemic, and where it has been voiced, it is not being applied. The longer it takes for unity to be achieved, the more devastating the pandemic will become. In this sense, the body as a metaphor for society, whether whole and at ease, or fragmented and diseased, has never been more clearly articulated than through the social, economic and environmental topography of HIV and AIDS in South Africa.

Perhaps skewed messaging through mainstream media has both reflected and purveyed ill-informed and misguided moral panic around HIV and AIDS within wider public discourse, to the degree that a crisis in perception has blurred the vision of policy-makers, who are those most resourced to help in clearing a path towards social healing.

Perhaps it is this that undermines the inclusive demeanour that is characteristic of Ubuntu and the communitarian self, and perpetuates the trend of individual remoteness and inaction, with each sector expecting another to lead the collective charge forward, and not enough of them joining up.

In community and interest-group fora, one hears views that the lethargic responses to the HIV/AIDS cataclysm from the country's power-bases are rooted in protracted socio-economic and political trauma, conflict, bewilderment and stagnation. There is consensus on the ground that, although the volume and diversity of information and debate around the pandemic have become overwhelming in magnitude, a revolution of

mindsets and behaviour is – at least on the scale required to provide clarity and viable solutions - a long way from realisation.

How, then, on the level of ethics, does the King II Report amplify the call for the private sector to take social responsibility seriously, to make itself both the subject of and the object for HIV/AIDS interventions, and to expend energy and resources to these ends? Moreover, how have institutions and companies responded to this call?

Self-actualisation of the corporate citizen

It is through institutional responses to the King II Report, and cross-sectoral commentary on its recommendations, that one can trace the degree to which an impetus of a national focus on the convergence of financial and social interests, and its implications for shaping and legitimising economic relationships in terms of facing down the HIV/AIDS pandemic, prevails.

As a prime example of positive institutional responses, in May 2004, the Johannesburg Stock Exchange (JSE) announced its first Socially Responsible Investment Index (SRI Index) for listed companies. This was "a triple-first", according to Maureen Brady ("A Measure for Corporate Citizenship", *Mail & Guardian*, 11 August 2004), because it is also the first index of its kind in an emerging market, and a world-first as one launched by a stock exchange. Brady quotes Nicky Newton-King, CEO of the JSE, describing the SRI Index as a means of helping to focus the debate on embracing the triple bottom-line (TBL) reporting method, and of

encouraging more companies to voluntarily benchmark their CSR activities in this way. Newton-King's comment implies a commitment to motivating corporate citizens to adopt and embed – rather than adhere desultorily to – a moral framework for business practice. As such, it manifests the notion of the virtuous individual engaged in refining its stance as a communitarian self, and adding its voice to the call for committed and co-ordinated action on social issues like HIV/AIDS. By structuring the measurement of the actual impact of ethical responses from business to the pandemic, this refinement process can be supported and advanced throughout society as a method of unification.

In the experience of global accounting specialists Deloitte & Touche (2004), many companies are “enlightened but confused” as to how to apply consistently the relevant standards, codes and principles of corporate citizenship, and manage their corporate responses innovatively. Since the release of King II, specialist bodies have introduced “peer learning” events, conducted surveys of top 100 companies to showcase achievements, and devised courses on integration of corporate social responsibility and triple-bottom-line for corporate executives, disseminating this information through the media and via the Internet.

National awards programmes and publicity around collaborative efforts within and between industry sectors have helped to increase the momentum towards normalising such integration and benchmarking. Faculties of Management Studies in South African universities now offer a range of curriculum components and higher degrees relating to a social

role for African business as a form of leadership training. Various fora are devoted to sharing of expertise, advancing research and pooling of resources in this field.

It is clear, then, that a discernible institutional movement towards voluntary corporate initiatives and a redefinition of “progress” as more people-centred is taking hold, albeit gradually. Its ultimate destination is the perceivable “holding of [the] balance between economic and social goals, and between individual and communal goals” as envisaged in the quote of the World Bank cited at the start of this chapter (1999). The reaction of companies in terms of social giving and the stated philosophies underpinning such giving will be analysed in detail in Chapter Three.

Stunting the social conscience of business

The comment already made about the pressing need for this movement to expand arises again at this point, because the pace of this mobilisation needs to be accelerated to achieve the “critical mass” required to address the present and future devastation of HIV/AIDS in our region. Mitigating this momentum are prominent and stalwart critics who resist the concept of inclusivity, and reject King II’s model of social and economic goals as existing in equipoise. They question the validity and the practicality of corporate social responsibility and its aspirations, a response which typifies the unenlightened corporate self that dismisses or limits the role of the corporate citizen, and so impedes the actualisation of corporate citizenship on a grand scale.

One such local critic is Investec economist Brian Kantor, quoted in the *Mail & Guardian* ("Profits Before Virtue" by Thebe Mabanga, 28 May to 3 June 2004) as saying: "The most important function of a corporate [sic] is to provide goods and services efficiently at a decent return ... while being honest to suppliers, customers, workers and shareholders." Mabanga summarises this minimalist stance by concluding that "companies have to be solid and profitable before they can do good".

It is disturbing to note that Kantor is described in the article as a "corporate governance expert", for one would imagine that anyone bearing this appellation would have assimilated King II's clear support for profitability, and grasped its call for a new understanding of successful commerce in terms not of "*either profits or virtue*" as mutually exclusive, but of "*both profits and virtue*" as being interdependent. In this collision of ideologies, Kantor's idea of "wounded other" cannot be transformed into an understanding of King II's "wounded us".

Negative attitudes towards triple-bottom-line and corporate social responsibility have been recorded in the first annual report on South African corporate citizenship, *The Good Corporate Citizen*, in March 2004. According to an article in *Business Day* ("Getting to Grips with Triple Bottom Line", by Patrick Wadula, 2 April 2004), the report's editors claim that corporate citizenship is generally not regarded as a strategic priority in our country, since South African firms seem daunted by the polymeric

landscape of challenges related to transformation, both within and beyond the company gates. The editors urge businesses to view the issue of triple-bottom-line accountability as "an opportunity and not a threat"; co-editor Nicky Rockey specifies that this approach involves weighing up the perceived costs and burdens of responsible corporate behaviour with the imperative of sustainable development.

International commentators on corporate ethics such as Bakan (2004:34) offer a less accommodating perspective on the reticence of economists and business leaders to take social responsibility seriously. He recalls Nobel Laureate for Economics Milton Friedman as claiming during an interview that:

A corporation is the property of its stockholders. Its interests are the interests of its stockholders. Now, beyond that, should it spend the stockholders' money for purposes which it regards as socially responsible but which it cannot connect to its bottom line? The answer I would say is "no". There is but one 'social responsibility' for corporate executives: they must make as much money as possible for their shareholders. This is a moral imperative. Executives who choose social and environmental goals over profits – who try to act morally – are, in fact, immoral.

Bakan (2004:57) quotes Friedman's philosophy in essence: "Hypocrisy is virtuous when it serves the bottom line. Moral virtue is immoral when it does not". He quotes Dr Robert Hare, an internationally renowned expert in psychopathy, who describes the corporation's institutional character as "socially irresponsible, because in an attempt to satisfy the corporate goal,

everybody else is put at risk.” He attributes this lack of empathy as an asocial tendency that indicates how superficially the corporate character relates to others:

Human psychopaths are notorious for their ability to use harm as a mask to hide their dangerously self-obsessed personalities. For corporations, social responsibility may play the same role. Through it, they can present themselves as compassionate and concerned about others when, in fact, they lack the ability to care about anyone or anything but themselves. Corporations try to manipulate everything, including public opinion.

It would seem that, cognisant of Friedman’s approach of “hypocrisy-as-virtue”, and the philanthropy-as-public-relations explained by Hare, and by Dobson (1997), King II’s authors have formulated their guidelines for triple-bottom-line reporting on the basis of close operational scrutiny, so as to see exactly how, and to what extent, their goals of profits, share prices and domination of markets translate into moral bankruptcy. Bakan (2004:61) contends that the psychosis that characterises the corporation renders it unable to perceive the amorality of its harmful actions, whether they affect workers, consumers, communities or the environment, these acts being viewed instead as:

inevitable and acceptable consequences of corporate activity – ‘externalities’, in the ... technical jargon of economics. An ‘externality,’ says economist Milton Friedman, ‘is the effect of a transaction ... on a third party who has not consented to or played any role in the carrying out of that transaction ...’ - literally, other people’s problems.

On Bakan's view, this externalisation is a symptom of corporate psychopathy, and relates directly to the disconnection perpetuated by the Western propensity for 'scientific management' as opposed to the ethic of 'servant leadership', as espoused by Etzioni's new communitarianism and as propounded by contemporary followers of Ubuntu and the African leadership paradigm. It is known from the accumulated mass of relevant case studies that historically and globally, compliance with laws protecting workers, communities and the physical environment from these violations is low. If charged, companies will pay large fines and repeat the offences for as long as they can afford to budget for the fines.

Bakan (2004:79) says that this "systemic unlawfulness" on the part of corporations pervades largely because courts tend to address themselves to the corporate entity, rather than regulating, censuring and sanctioning the actual people who run the corporations. "For a corporation, compliance with law, like everything else, is a matter of cost-effectiveness". Given this view of corporate moral dereliction, and because their identity as "corporate persons" offers individual leaders and decision-makers a shield from accountability, Bakan finds it impossible to support the notion that companies and the private sector will evolve voluntarily and organically towards an ethic of social responsibility.

He argues that corporations revel in this sense of moral immunity in the rampant race for market share, and dismisses the notion that they would respect social and environmental interests without being compelled by law

to do so. If governments see fit to legislate against individuals who commit murder, assault or theft, he claims, there is no reason to believe "that corporate persons - institutional psychopaths who lack any sense of moral conviction and who have the power and motivation to cause harm and devastation in the world - should be left free to govern themselves" (Bakan, 2004:109-110).

Bakan explains that because the business is single-mindedly driven towards maximising profits - by the greed explicitly described in King II as a corporate sin - (King II, 2002:7), managers are blind to the amorality thrashing in the wake of the company's pursuits, even though they might be kind, caring people, loving parents and friends. "Yet, as philosopher Alisdair MacIntyre observed ... they compartmentalise their lives. They are allowed, often compelled, by the corporation's culture to disassociate themselves from their own values ..." (Bakan, 2004:55).

He cites the view of Anita Roddick (of The Body Shop) that the corporate world is amoral (Bakan, 2004:55); she blames the "religion of maximising profits", which forces decent people to do indecent things, for this amorality. The corporation, according to Roddick,

stops people from having a sense of empathy with the human condition; it separate[s] us from who we are... The language of business is not the language of the soul or the language of humanity. It's the language of indifference; it's a language of separation, of secrecy, of hierarchy. It is fashioning a schizophrenia in many of us.

As Mary Crewe's call (2004) for the language of the private sector to focus on a new understanding of corporate social responsibility highlighted, this language of indifference on the part of business is all too apparent in South Africa. The business publication *Acumen*, No. 7, (n.d.) features an article entitled "Boardroom Detectives' Spotlight on Corporate Ethics", which finds that some moves made towards individual action around practical business ethics have been dismal. The multi-national accounting firm Ernst & Young helped to spearhead this mobilisation by offering to produce an in-depth report for listed companies that would, in effect, audit their corporate governance profiles by assessing the practical implementation of policies cited in their annual reports. According to senior manager Jayne Mammatt,

Corporate South Africa is prepared to do a lot more talking than doing when it comes to company ethics. We spend a lot of time and money developing theory about corporate governance, but we don't give much to it in practice.

Chidester, Dexter and Wilmot (2003:330) provide another avenue for vigilance in terms of authentic practice of corporate social responsibility. They dismiss the veneer of community engagement as presented in media and public relations materials by large companies, and urge that these claims be tested by focusing on the actual function of a number of corporate divisions in forming social networks. They argue that the creation of sustainable social capital can only be assured if projects are devised in a wholly participatory manner, with measurable outcomes and are "situated in a political economy of community".

Relating back to the concept of the communitarian self, as envisaged by Sayers (1999) and Etzioni (2003), Chidester *et al* (2003:330) define the term "social capital" as a form of kinship within and among communities, such as is defined in ethnographic literature for relationships beyond the family structure, built up within and through social networks, and based on trust, sympathy and mutual obligation as the factors that fortify people mobilising around common interests.

Adopting the 'kinship' model of a family, as opposed to the contractual model of human relations that dominates both the liberal state and the capitalist market, these local networks of social capital emerge in a wide range of voluntary associations, community-based organisations and new social movements.

The authors confirm that South African communities are building social capital through intersecting local interests, national policies and global forces (Chidester *et al*, 2003:333):

In these transactions, are there distinctive local and indigenous resources in South Africa for building social capital? Without idealising or romanticising indigenous African culture - a risk that arises, for example, whenever *ubuntu* is invoked as a solution for social cohesion, business management or political order - we still need to find ways of 'capitalising' on the actually existing forms of social kinship in which people live.

My reply to the question posed in this quote is that the King II Report **is** the kind of reference point for a post-apartheid African business ethic that

the authors seek. The Report locates an Afro-European communitarian theory within a context of practical application and highlights its relevance in terms of transformation, growth and development in the face of HIV/AIDS. Therefore, the Report is not merely a "rainbow-nation spin-text" composed to encourage inauthentic renditions of triple-bottom-line reporting.

To close this chapter and its debate on whether the recommendations in King II are flawed through idealism, reference to Prozesky's examination of the "link between ethics and competition" provides a useful distinction between "valid self-interest" and "the pull of selfishness". He rejects the notion that "business ethics is a contradiction in terms" (Prozesky, 2003:79) and echoes the King II Committee's call for a "balance between legitimate concern for [people's] own interests and those of others" (Prozesky, 2003:77).

In naming HIV/AIDS and poverty as two of South Africa's greatest challenges, Prozesky (2003:79) writes:

Morality at heart means being actively concerned about the well-being of others and not just about our own personal interests. It is the ability to feel something of the misfortune of others – like those with AIDS or in abject poverty – and *do something about it*. But without wealth – morally sensitive wealth – there is very little anyone can actually do about [it] ... Conscience alone won't remedy or even ease these problems, any more than wealth of itself will alleviate them. But put them together and things can change dramatically for the better.

Prozesky calls for a reconnection of “the creation of wealth with the power of conscience”. Maintaining that there is no future for those who cheat and exploit, and that profits would rise and be sustainable when all are treated fairly, he explains why the business community should care about ethics (Prozesky, 2003:80):

A strong morality is the only way to achieve what all of us including the entire business community really want – the best kind of lasting well-being. We are by nature social beings who can only thrive with the help of others. ... Life is either a partnership project or it is a failure. This reality generates a crucial choice, especially for the powerful ... either win through co-operation or lose through coercion and manipulation.

The destruction wrought by HIV/AIDS is the catalyst for radical and urgent reconstruction of society. The pandemic is a metaphorical tutor that assigns complex and demanding tasks with urgent deadlines and harsh penalties – in the form of social dissolution - for the kind of failure described above. The next chapter will substantiate this claim with data and commentary from a range of sources, and position the Afro-European communitarian model of business ethics in terms of its relevance to the pandemic.

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CHAPTER THREE

Private Sector Positions and Poses around the Pandemic

To amplify discussion of the urgent need for a sustained private sector response to the HIV/AIDS pandemic, this chapter provides an overview of the impacts of HIV/AIDS on the South African business environment, as illustrated by statistics and commentary from developmental health economists, anthropologist-demographers and business specialists.

General analysis of current levels of the private sector's response to this impact is also pursued. Focus is trained on a particular example of the pandemic's crisis of ethics as it relates to corporate citizenship (and as raised in Chapter One), namely the burden of AIDS care being shifted to society's dependent and most hard-hit population – women and children in very poor communities.

"The blip on the screen ..."

Over the past four years, informal enquiries and personal opinions have frequently been put to the writer as to the levels of impact and related implications of the HIV/AIDS pandemic for South Africa's socio-economic environment. The off-handed, exclusionist and insouciant tenor of these questions and conversations has inspired the work undertaken in this thesis.

Dialogues of this nature are commonly raised by individuals who enjoy notable socio-economic advantage, many of whom hold senior positions in business and professional contexts. Ironically, these querists are among those who have more agency than most to effect the kind of response needed to address the social realities exposed and created by HIV and AIDS. It is therefore worrying that, more than 20 years after AIDS became apparent in our country, such lacunae in awareness and engagement exist within this sector in relation to the pandemic.

Moreover, a disturbing feature of these enquiries is that they tend to be focused on the quantitative effects of HIV and AIDS, rather than the qualitative consequences of the pandemic for individual human beings, families and communities. One explanation for this might be that the South African struggle against HIV/AIDS has been fought periodically around imperfect statistics and a body of knowledge that is scant in proportion to the wave of challenges presented. This has been accompanied and in many ways driven, not always helpfully, by media coverage of debates raging between interested parties, which has tended to sharpen public focus on the numbers alone and to polarise interpretations of the available data. These polarities have served largely to entrench the obscuring of the individual and family faces of the pandemic.

It is also clear that public perceptions of the insurgence of the HIV/AIDS pandemic is skewed by its unique feature: the gap between the curves, as Whiteside, Mattes, Willan and Ryan (2002:5) describe it, or more plainly,

the five- to eight-year incubation period "between infection and onset of illness ... the pandemic silently creeps through the population, and it is only later – when the HIV pool has risen to a considerable level – that the true impact of the pandemic is felt in terms of AIDS deaths".

Nonetheless, plainly, these querists find it difficult or unnecessary to perceive themselves as being amongst those affected - even indirectly - and that despite their ostensible curiosity, their cognition of the subject is intransigently aloof, linear and objectifying. In numerous different conversations of this kind, particularly when current representative calculations and demographics have been mentioned, the characteristic response from the enquirers is that the impact of the pandemic on business is "a mere blip on the screen" in terms of both workforce decimation and loss of market share through a decrease in consumer viability. Their standard comment that shuts down the topic tends to be: "There are millions more [people] to make up for those who disappear". It is this notion that persuades me that, quite apart from social concerns, even the quantitative implications of AIDS illness and mortality are not being confronted by business leaders in the interests of their own enterprises, and much less so from a standpoint of humanism.

For this reason, this chapter will argue that the language used and the stance taken by business spokespersons about many HIV/AIDS workplace and community investment programmes fall far short of an "ideology of solidarity" (so phrased by Bayer, 1996:1540). Consequently, this section will support a case for business ethics to be framed more decisively

around an understanding of what Bayer calls “universal vulnerability to HIV”, as a fundamental tenet of the corporate citizenship profile urged by King II (2002).

Specifically, in analysing the language used in communications around how and why HIV/AIDS should be (and to some extent, is) given due attention by corporate South Africa, examples that either diffuse or reinforce the link between ethical with economic concerns will be scrutinised. For instance, the notion and scope of the term “risk” will be examined as it underpins the “us-and-them” discourse around HIV and AIDS that is so dismissive of our wounded selves.

This discussion will strengthen the argument that the exclusionary and divisive philosophy of the industrial market economy, which views human beings as mere cogs in machines, is evident in many companies’ and analysts’ statements - and which is counterpoised by Ntuli, 2002, in that African traditional thought rejects such dehumanisation.

HIV/AIDS has resulted in an unprecedented need for businesses to bolster *Corporate Social Investment* in caring for our nation’s volunteer caregivers and vulnerable children who are heading households. This is a critical area in which companies need to assume, unquestioningly, a role to support government, NGOs and CBOs in this field of service. Most importantly, the motivation to do so should derive from the apprehension of human interdependency, and certainly not merely because these marginalised women, men and children are providing a vital and cheap – more often

than not, free - service. The dignity of persons as ends-in-themselves, so presented by Kittay (2001) and as people with interests rather than as instruments, is defended in this scenario.

HIV/AIDS is more than its clinical impact

Representing a perspective common to an emergent body of trans-disciplinary analysts writing on this subject, Neilson (2005) encapsulates the background of the impact of HIV/AIDS on business and the role of the private sector in facing down the pandemic. Writing about the global response, he notes that until recently, most in the business sector assigned responsibility for the pandemic to the State and NGOs:

There is a growing experience, however, from multinational companies to small and medium enterprises, that becoming involved in the fight against HIV/AIDS is crucial, not only for reasons of good corporate citizenship, but increasingly out of a more comprehensive understanding of corporate self-interest.

While it is gratifying, from the communitarian viewpoint, that Neilson endorses the need for collaborative sectoral efforts to confront the pandemic, it is interesting that he frames his reply to the hypothetical question - *Why should business care about HIV/AIDS?* - by foregrounding "corporate self-interest", thus relegating "good corporate citizenship" to a secondary status. The distinction is subtle, but it is a typical example of how the balance between self-interest and stewardship, as sought by King II, is easily, if unintentionally, tipped.

Further evidence of this is Neilson's quoting of Brian Brink, Medical Director of the South African mining giant Anglo American, who warned delegates at a conference of the Global Business Coalition on HIV/AIDS early in 2005 (GBC, 2005):

"Don't make the same mistakes in India we made in South Africa – we saw this coming but the first reaction of business was that it wasn't our problem, that it wasn't threatening us now, that we'd let the government sort it out." Now, 25% of Anglo's employees are infected with HIV and *the disease has begun to affect corporate profits, productivity and morale* [my emphasis]. (As a result, Anglo American has made a dramatic change in its policies, establishing a wide-ranging set of new programmes that have made it a leader in its field.)

Certainly, corporate profits, productivity and morale are critical factors for business leaders to consider in their deliberations on why they should take HIV/AIDS seriously. However, as King II painstakingly points out, there is a broader ethical imperative at stake that requires a deeper effort towards structural and cultural transformation within companies and the private sector. This imperative reverberates beyond the confines of the operation's premises and cheque-facilities. It has to do with developing a relational concern for the human suffering wrought by the pandemic, the sense that no-one is immune from its effects, a commitment to the creation of a desirable future for all in society, and the belief that the poorest and frailest among us are co-creators of such a future.

Manuela Krog, Partner in Accounting and Auditing at Deloitte & Touche South Africa, asserts that "certain directors are still operating according to a mindset which previously characterised South African business, parochial, authoritarian and possibly a little too casual" ("Triple-Bottom-Line Reporting" - author not named, 2004).

The acknowledged fact that generally, company executives tend to procrastinate on whether, when and how to take steps towards addressing HIV/AIDS in meaningful ways, indicates that they do not subscribe to this ideology of solidarity in terms of its inherent human tragedy, but rather to whether, when and how its negative consequences will affect their businesses' bottom-line. It also appears that this procrastination can extend for as long as a company's leaders take to reach some kind of professional or personal epiphany relating to the threat of the pandemic, whether about fiscal prospects or for reasons of altruistic concern.

Brad Mears, CEO of the South African Business Coalition on HIV/AIDS (SABCOHA), articulates this paradigm as being predominantly one of indifference to the human and social aspects of HIV/AIDS, so that its qualitative effects are addressed, if at all, only as they are seen to affect profits - the so-called "commercial realities" (Mears, 2004 [a]:14). It would seem that the impact on the financial bottom-line, because it is perceived as being less abstract, is a more compelling catalyst for companies to care:

Can parts of the private sector continue to be self-absorbed and inwardly focused? Are we going to be asking ourselves the

question at some time in the future – should we have forgone excessive short-term profits for the sake of long-term sustainability? ... In determining whether the values that underpin the South African business psyche echo those that make South Africa a resilient society, companies need to reassess the values held closest by them. In the context of asking ourselves what commitments companies intend making to fighting HIV/AIDS, statements such as: 'we value our staff', 'we value our customers', 'we value the community we operate in', and 'we value our environment', need to be reassessed.

Barnett and Whiteside (2002:8-9) present this paradigm as a demarcation fashioned by the HIV/AIDS pandemic which "defines those who can purchase well-being and those who cannot". They make the point that in this age of the information economy, demands for human labour in great quantity are not as high as they used to be, and that "de-layering" and "sub-contracting" are symptoms of a trend towards decreased responsibility for the development of human capital on the part of business.

Once, it was necessary for employers to offer training, pensions, jobs for life, to build up a workforce with skills at many levels and retain it within the company. ... In the closing decades of the 20th Century, this changed dramatically ... [and low-level labour] were among the excluded. They had little to offer ... beyond their occasional labour. And it is among these excluded that most of the world's HIV infections and AIDS cases are to be found.

The quantitative face of HIV/AIDS: "How bad is it, really?"

As evidenced by ongoing debate through popular and specialist media and resultant discord about the accuracy of HIV and AIDS statistics, it is important to understand why a number of factors militate against the accumulation of firm data, and that consequently, actual percentages can be assumed to be much higher than those quoted in survey reports.

Firstly, the stigma and denial surrounding the pandemic preclude the official recording of many AIDS-related deaths. Barnett and Whiteside (2002:243) note that this stigma confounds company managements' efforts to measure increased levels of death and illness amongst employees, so that the cost of the disease syndrome to firms cannot be calculated accurately. Moreover, many employees die after they have left the company and these deaths remain unaccounted for in management information studies. However, these authors show that there is "consistent evidence of AIDS impacts in companies across southern Africa".

Secondly, until December 2002, national statistics were extrapolated from the Department of Health (DoH) ante-natal clinics' Voluntary Counselling and Testing (VCT) programmes, and so reflect a major bias in that they have largely been based on the HIV status of pregnant black women. Another factor hindering reliable quantitative analysis is that all test

results yielded through VCT programmes are confidential, and in South Africa, HIV/AIDS is not a notifiable infectious disease condition.

Results of South Africa's first independent and widely representative survey on HIV prevalence, conducted by Human Sciences Research Council (HSRC) in partnership with the Nelson Mandela Foundation, were released on 5 December 2002. The Survey was based on anonymous saliva tests administered to over 8 000 people countrywide - 11,4% of whom tested HIV-positive. (Both the DoH and HSRC sets of data showed that, as at the end of 2002, over 24% of the country's pregnant women were HIV-positive).

So, while anecdotal accounts from HIV/AIDS fieldworkers and other sectoral observers indicate that HIV prevalence is far more widespread than statistics bear out, and that many more deaths from AIDS are occurring, these are not disclosed as such and therefore cannot be quantified empirically. Therefore, of necessity, the figures used are projections based on the relative paucity of available data.

Early warnings of the projected scale of HIV/AIDS in South Africa were issued by Sunter (1996:39) in terms of how the pandemic could affect the country's development and of recommendations for strategic planning around the scenarios presented; he emphasised the significance of the "pronounced effect of AIDS on mortality rates" in infants and children up to four years old and the 30-45 adult age group, and that the

concentration of deaths “in these two age cohorts drag[s] down life expectancies considerably” (Sunter, 1996:41).

His analysis of the gendered spread of HIV referred to the DoH 1994 data comparing male and female AIDS cases by age distribution. These indicated that AIDS illness was markedly higher in young women aged 15 to 19 years, and the highest in women between 20 and 24 years of age (Sunter, 1996:46). He noted that with deterioration from HIV infection to fully symptomatic AIDS-defining illness taking a mean period of 10 years, these women would have been very young when they were infected with the virus. It is chilling to register that a decade after Sunter’s book was first published - despite unprecedented global and localised activism around the plight of women and children in the face of the pandemic - widespread child abuse, rape, coercive and transactional unsafe sex remain amongst the most daunting accelerants of HIV/AIDS in our country.

Sunter tabulated the impact of AIDS on health-care systems, benefit schemes, productivity and surrounding communities in both economic and social terms, repeatedly predicting financial loss and humanitarian desolation as outcomes (Sunter, 1996:48). A national level of approximately two million HIV infections was recorded at that time. The Department of Health reported a total of 5,3 million individuals infected with HIV by the end of 2002 (Makubalo *et al*, DoH, 2003).

The Mandela/HSRC Survey (2002), found that about 76% of those who tested HIV-positive were unaware of their status and 63% of them did not see themselves as being at risk of contracting the disease. HIV prevalence on farms was 7.9%, with 8.7% in traditional communities and 21.3% in informal urban settlements. About 5.6% of children between the ages of two and 14 - from all population groups - were HIV-positive, and 12.1% of the residents of formal urban neighbourhoods were infected. The Survey showed that 6,2% of whites were infected - up to six times more than other countries with mainly white populations, such as the USA, Australia and France.

Risky business – and business at risk

Perceptions of risk are important in analysing such findings. According to Colvin (2004), although poverty exacerbates the impacts of HIV and AIDS and *vice versa*, wealth does not guarantee immunity from infection:

The poor and the wealthy have their own sets of risk factors. The trend internationally is for HIV to spread more rapidly and widely among the poor, but not exclusively. The HSRC study found no relationship between degree of wealth and risk of being infected with HIV. Those having disposable income with which to purchase sex, mobility and increased opportunity are equally at risk.

A consequence of the high HIV prevalence rate and AIDS-related mortality is increased orphaning. Estimates prepared by Metropolitan Life in March 2004 project that the number of maternal orphans (i.e. children under the

age of 15 years who have lost their mothers) in South Africa will approach two million by 2010. While cautioning that parental presence or absence are not the only factors determining children's vulnerability, Meintjies (2004) provides even more recent estimates of 2,9 million already having lost one parent; she projects that by the year 2013, this figure will escalate to 4,6 million, with one million children having lost both parents.

Again, factors such as small sample sizes and unstable bases of birth and death documentation, result in wide confidence intervals in findings on AIDS deaths among sub-populations. Therefore, figures alone cannot determine conclusively the size and shape of the pandemic in South Africa. McCauley (*Business Day*, 19 August 2003) quotes Clem Sunter, Chairman of Anglo American Chairman's Fund, warning that if the "denial scenario" across sectors in South Africa continued, the AIDS death curve would be steep and visible through all levels in society in the coming 10 years.

The moral vs. the monetary costs of HIV/AIDS

Bringing this quantitative vista closer to the realm of business enterprise, and specifically to a more profound understanding of the so-called "blip on the screen" attitude mentioned earlier, Barnett and Whiteside (2002:242) focus on how HIV/AIDS affects large organisations in commerce and industry. Explaining this impact, they highlight the threat of the pandemic to organisational outputs and business profits in terms of a simple correlative concept:

At its simplest, profit is made by selling goods and services for more than the cost of production. The cost of producing goods is a function of inputs including labour, materials and utilities.

HIV/AIDS raises costs, reduces the productivity of individual workers and alters the firm's operating environment.

They list the following primary considerations as ascribable to HIV/AIDS: increased absenteeism, falling productivity, replacement of trained and skilled employees, higher recruitment rates in order to counter workforce attrition due to AIDS illness and death, higher market wages to ensure and consolidate the skills-base, and decreases in investment in the wider business environment. Other longer term effects on the broader economy include relocation of companies to countries less incapacitated by the pandemic (Barnett and Whiteside, 2002:242-8).

As for the impact of HIV/AIDS on markets and customer profiles, Barnett and Whiteside note in the same section that "company studies are commercially sensitive and generally unavailable. Informed speculation is necessary". However, they relay data provided by local clothing and furniture chains that led to the following projections:

- the South African customer base would grow slowly until 2010; thereafter the demographic impact of AIDS would be felt, resulting in an 18% decline in customers by 2015 in all provinces but the Western Cape;
- other countries such as Swaziland, Lesotho and Botswana would experience a reduction in market size of about 14% by 2010;

- the increase in illness and death meant that consumption patterns would change as consumers reallocated income.

The authors cite another set of negative conclusions as presented by Deutsche Bank in a 2001 study of Amalgamated Beverages Industries (ABI), the findings of which were that:

- the epidemic will adversely affect demand for the company's [soft drink] products;
- ABI's principal products appeal to the young and the wealthy: both of these segments (but in particular the young) will be affected by HIV/AIDS, and it is estimated that a shrinking 'young' population will reduce sales growth by 12,5% over the next 10 years;
- because the wealthy market is more protected from the impact of HIV/AIDS than the less affluent, ABI has launched new products aimed at them;
- increasing capital intensity of production means that the company depends heavily on skilled and educated employees: these are particularly vulnerable and expensive to replace.

(Barnett and Whiteside, 2002:249)

Human worth as human capital

Parsing the conclusions drawn in these two studies provides important insights into the disturbingly narrow and uncaring perceptions prevailing in business quarters about HIV and AIDS. The statements articulate the threat of the pandemic's effects to product demand and consumption and to profit margins, which gives the lie to the "blip on the screen" position.

Moreover, the language used to do so exemplifies a profound disregard for the human beings who are quantified by the study, whether they be employees or consumers.

In the latter study, "the young" are objectified as an amorphous, dispensable group whose instrumental viability for the business operation is being rendered negligible by the effects of HIV infection and therefore unworthy of investment. The company's remedy for this is to focus product innovation and marketing on "the wealthy", a plan which, given the pessimistic evaluations around broad-based socio-economic flourishing in the face of HIV/AIDS, is ironically and illogically short-sighted.

An editorial published in *Business Day* ("A Long Road", 2 December 2004) noted that, despite robust mass media messages against sexual violence and on prevention of HIV infection, and with no sign of an effective vaccine becoming available,

far too many South Africans still refuse to take an HIV test, eschew condoms, and blindly ignore their fellow citizens' right to say no to sex. ... Family doctors in private practice in Cape Town described to *Business Day* ... how many of their middle-class, well-educated patients refuse to believe they could be at risk of [contracting] HIV, and continue with their often promiscuous lifestyles without using condoms. ... Those businesses that have so far failed to act need to stop procrastinating and seek ways to work with government and non-governmental organisations.

This trajectory of denial and self-distancing on the part of individuals and groups could involve increased pressure on national taxes as young adult

income-earners die, and with lower revenue impairing government's capacity to fund and manage public sector services. Even with a massively up-scaled national anti-retroviral treatment programme, without an authentic commitment from the private sector to contribute to the struggle against HIV and AIDS, what are the conceivable prospects for a sustainable class of wealthy consumers, or for that matter, the development of successive generations of educated and skilled employees?

This is not even to speak of how such tax burdens might hamper efforts to improve the lot of the many who fall around the margins of the existing poverty benchmarks. These people would be those most likely to benefit in real terms from some form of social grant designed to empower unskilled and-or unemployed citizens, and who might ascend, however gradually, the ladder of Life-Style Margins (LSMs) that dictates business investment and corporate marketing strategies.

Naidoo (2004), in an article urging business to take urgent action to combat the HI Virus, reported on data compiled by the International Labour Organisation (ILO) showing that "the AIDS pandemic cost South Africa more than \$70 billion (about R420 billion) in the 10 years to 2002".

One of the paradoxes of the HIV epidemic in sub-Saharan Africa is that in the past 10 years it has not made a huge dent on standard macro-economic yardsticks, such as GDP. This is due, in large part, to the labour situation in South Africa. In the cold logic of supply and demand, the country's labour surplus means that workers removed by AIDS can be replaced without much

loss of productivity. The supply of human capital is not everlasting, though. However high or low the prediction, the damage in terms of accumulated loss of GDP per capita will be large, according to the World Bank. ... South Africa, where more than 20 percent of people aged 15 to 49 are infected, could lose half its per capita income in the next few generations, or within 90 years.

The article quotes an observation by Gavin George, Research Fellow at the University of KwaZulu-Natal's Health Economics and AIDS Research Division (HEARD), on the grave long-term damage caused by HIV/AIDS to national economies, as many children who are orphaned by the pandemic are deprived of education. He emphasises the surging effect of this deprivation as it overwhelms individuals, households, businesses, communities and entire social systems, stunting long-term economic growth.

Naidu (2001:2) summarises the implications of national AIDS crisis for the macro-market environment by analysing issues of profitability and legal obligations, and offering a focus on marketplace morality, ethics and responsibility. This working paper is prefaced by the following quantitative backdrop:

HIV/AIDS is the single biggest threat emanating from the macro environment facing firms today. It has been estimated that 22.6% of the total population in the 20 to 65-year-old age group is currently infected, and that this will rise to 26% by the year 2005 (ASSA2000 Model, Change Scenario).

Naidu urges firms to undertake ongoing monitoring of this threat, anticipate its effects on the socio-economic environment and take appropriate measures. The data reported in Naidu's study indicate HIV prevalence in the economically active population and the impact of morbidity and mortality on firms and households, represented by age and skills levels. All the relevant cost estimates of the pandemic's impact in terms of direct, indirect and systemic effects on firms across market sectors are extrapolated. What Naidu introduces in terms of "appropriate measures" are crucial – but rarely raised – thoughts in relation to wider health concerns connected to a firm's operations: for instance, whether its products are safe for use by people living with AIDS, and whether factory plant processes are safe for HIV-positive employees to work on and within.

Naidu's challenge to companies to adapt their operational methods and policies in the context of HIV and AIDS represents one voice of the academe; it reiterates that of Mears (representing concerned corporate citizens through SABCOHA), whose observations have already been quoted on the triteness of unmitigated claims that "businesses do care", in a genuinely holistic way, about corporate social and ethical performance.

It strikes one that these authors' call is communitarian in character, not only because it is echoed in various quarters, but also because it embraces the pandemic on its broader social fronts as well as its consequences for employee and customer bases. Finally, it assesses the actions of corporate citizens as one would those of an individual self.

This entreaty offers a penetrating future vision regarding the assumptions upon which marketing strategies could be devised, the need to research relevant and accurate data on an ongoing basis, a concern for the effects of corporate operations on the health and wellbeing of the whole population, and a focus on new generations of people with special needs. This kind of vision, in contrast to that represented by Deutsche Bank (in Barnett and Whiteside, 2002) speaks of an authentically humane business ethic.

Barnett and Whiteside (2002:268) condense the issue of human worth as human capital thus:

[International audits show] that the key vulnerability of the organisation lies less in the bottom-line than in the production process itself, or in the investment or market climate. For the small business at the end of the value chain, vulnerability issues overlap with those of the household. The smaller the business, the deeper its location within the unregulated 'informal' sector, the greater its vulnerability to illness and death of its proprietor, sole worker or employees.

In their Introduction "Disease, Change, Consciousness and Denial", these authors interrogate how humans beings value other human beings and themselves, and whether such "humanistic valuing" has been replaced by a market system that, in dismissing the value of social goods in the competition for goods and services, "threatens to become the sole

determinant of values as well as of value (Barnett and Whiteside, 2002:5).

Hindering a communitarian business response: denial, stigma and exclusionism

Covering 64 of the country's biggest companies, a survey found that although 14,3% of employees were HIV-positive, only 4% were taking part in HIV/AIDS disease-management plans and only 0,6% were receiving anti-retroviral drugs (KaiserNetwork, 2005).

The World Economic Forum (WEF) and the Harvard School of Public Health also found that globally, companies are falling behind in the fight against AIDS. Their survey of "nearly 9 000 corporate leaders in 104 countries found that only 14% of firms had conducted quantitative HIV/AIDS risk assessments and two thirds have no idea how prevalent the disease is among their employees" ("Companies neglect fight against AIDS", *The Witness*, 21 January 2005).

In the largest survey to date on the effect of HIV/AIDS on South African business, research on 1 008 local companies was conducted by Stellenbosch University's Bureau for Economic Research (BER) between July and September 2004 on behalf of the South African Business Coalition on HIV/AIDS (SABCOHA). The KaiserNetwork report (2005) referred to this Survey's findings that HIV/AIDS has had a significant impact on the business operations of 9% of the companies surveyed, and

43% anticipated similar impacts by the year 2010. Approximately 30% of the respondent companies reported higher labour turnover rates, 27% had lost skilled and experienced employees, and 24% had incurred high recruitment and training costs because of these losses.

At the risk of seeming repetitive, the following instance of business leadership missing the target of de-stigmatisation is offered to demonstrate how an ethic of inclusivity might be applied in the workplace to more positive effect. An editorial in *The Mercury* of 30 November 2004, analysing the SABCOHA/BER Survey, noted that despite 77% of firms in the manufacturing and mining sectors reportedly having HIV/AIDS policies in place,

de-stigmatisation is vital because it will encourage workers to willingly test for HIV, knowing that they are not going to lose their jobs if they are positive. This could also encourage workers who are HIV-positive to improve their lifestyle and health, thereby improving their productivity.

The voice in this editorial opinion piece is very much that of "The Employer", which comes across as distanced from the notion that personal and professional responsibility rests with all ranks of employees, including senior management, and that participation in voluntary testing and disclosure should extend from the shop-floor to the executive suites. This example is representative of an elitist sense that it is acceptable for business leaders to see themselves as somehow exempt from this engagement. Why should only "the workers" be induced to be tested and, in effect, serve themselves up for some kind of top-down social

engineering? Eradicating stigma is indeed the key to turning the pandemic around, but that will require nothing less than an openhearted commitment from business leadership and policy-makers to acknowledging that in the face of HIV/AIDS, everyone is equally responsible.

Commenting on the release of the Report (KaiserNetwork, 2005:14), SABCOHA's CEO Brad Mears wrote:

As HIV has begun to impact on South Africa, in the way that some in the 1990s foretold, many still disbelieve, or conveniently elect to ignore, its impact. The private sector, especially small and medium-size companies, have not yet come to terms with the disease, and how it will affect their bottom line ... infections continue unabated, and people are still dying at an alarmingly high rate. Within the maze of seemingly endless debates and unresolved conflicts, perhaps we are too close to the wood to see the trees. Maybe we should take a step back ... and look down upon the problem, as it were. In so doing, we as South Africans should endeavour to let go of our agendas, step off our territory, and become a little less parochial.

Mears' words provide space for the principles of an Afro-European communitarian ethic to be presented as eminently appropriate and applicable. He is further quoted in a *Sunday Times* article (2004 [a]) on the issue of developing trust within companies to overcome stigma around HIV/AIDS: "Too many businesses regard

health as a soft issue, and this could handicap the process of managers wanting to build up trust with their employees."

The article also cites BMW SA's Managing Director Ian Robertson as saying that to address stigma, staff should be made to feel more valued and respected, but that this transformational process is a gradual one, and that effective workplace programmes must be held high on the company's agenda. At BMW SA, employees are willingly having subsequent HIV tests.

Although Robertson's exhortation to value and respect employees is laudable, it is obvious from the tenor of his comments that "staff" are segmented from senior management (the latter, one would imagine, already enjoying a sense of being respected and valued, if only by virtue of their higher material status). Interpersonal trust within a company requires a corporate culture that embraces a shared commitment to balancing rights and responsibilities within the organisation. Wherever stigma, denial and exclusion are evident in corporate practices, the communitarian ethic is precluded. It is counter-productive for a firm's executives to assume that it is only the junior, less educated, lower-earning staff who are at risk of HIV infection, and to expect only these levels of the workforce to be open, courageous and self-disciplined in this regard. These assumptions cannot bode well for cultivating a trusting workplace ethos.

Such considerations are relevant to the issues of human and social capital described previously, and the concerns expressed by Barnett and Whiteside (2002) in terms of the exclusionary nature of the demarcation between high-level and low-level employees. They can also be linked with Bayer's "ideology of solidarity" and the corporate ethos of inclusivity urged by King II. The expression used by AIDS activist and High Court Judge Edwin Cameron (2005) to describe what is needed to heal the nation's material and social wounds and fractures magnifies the concept of Ubuntu as a response to the pandemic: "HIV/AIDS tests us as humans at every level, and so we need to look beyond our specificities and find what unites us as humans."

Offering a perspective from a medical anthropological stance at an earlier juncture in the growth of the pandemic, Farmer (1996:259-64) saw significant evidence of social inequalities contributing to disease emergence. He highlights the "pathogenic roles" of these inequalities and critically analyses the "large-scale forces influenc[ing] unequally positioned individuals in increasingly interconnected populations" (Farmer, 1996:259). He explores the dynamic of the spread of HIV in multi-dimensional terms, as part of a topographical distribution of basic resources:

HIV does not follow national borders, but rather the contours of a trans-national socio-economic order. ... Much of the spread of HIV in the 1970s and 1980s moved along international 'fault-lines', tracking along steep gradients of inequality, which are also paths of migrant labour and sexual commerce.

In examining these differentials of disparity and vulnerability, practical scenarios to enable openness and promote a deeper sense of connection can be proposed: for example, how many high-earning executive managers have participated in their firms' VCT programmes? Do they make use of in-house condom dispensers? In order to visibly reduce stigma, such activities should be normative within the workplace.

Another example of the negative effects of socio-economic demarcation – drawn from the findings of an empirical study on the failure of HIV/AIDS interventions – is contained in reportage by King (2004) on the Summertown Project, a study by Catherine Campbell of the London School of Economics. This research investigated ground-level influences on the transmission and prevention of HIV/AIDS in a small South African mining community, and focused on intervention programmes for commercial sex-workers, young people and migrant mineworkers.

Summarising some of her findings, Campbell noted that partnerships had failed because the levels of commitment, conceptualisation, concomitant assumptions and capacity were varied, and in some cases totally inadequate. Her team experienced first-hand the syndrome of the mine's managers seeing "the others" as needing to change their behaviour, but never their own.

The organisational and management framework, accountability and reporting obligations were ... poorly structured, and the project was profoundly affected by the polarising effect of the power bases held by

different people. At one level, there were the relatively elite 'managers of change', and on another, the miners, sex-workers and township residents, who were seen as the 'targets of change'.

As King II urges in the interests of participatory, inclusive processes, business specialists would do well to research and redevelop existing models for relationships based on trust and understanding that have been initiated and developed by members of poor communities. The concept of social capital involves people interacting and sharing their resources freely in order to build themselves, each other and their communities, an example of this being the *stokvel*, an economic co-operative savings scheme originated during the era of apartheid by localised groups of low-earning women with no access to banking facilities.

Strategising a response: inclusive caring and giving around HIV/AIDS

Ellis and Terwin's (2004) survey of the impact of HIV/AIDS on selected South African business sectors notes with concern the generally low levels of progress made towards the formulation of a concerted strategy to mitigate the economic and social effects of the pandemic, and in the reporting of these matters in companies' annual reports and other statutory documents (Ellis and Terwin, 2004:59). In the survey's concluding remarks, the funders (SABCOHA - SA Business Coalition on HIV/AIDS) undertake to conduct ongoing monitoring of these processes, to use the survey's findings to identify sectors needing and to initiate

augmented research focusing on business sectors not studied previously. As a practical measure, SABCOHA commits itself to providing empirical data and disseminating the knowledge distilled therefrom to support its members and the wider business community.

In terms of applied ethical practice, SABCOHA has offered a perspective of comprehensive and collaborative caring and giving – more generically, corporate social responsibility (CSR) – as a strategy for business sustainability and for institutionalising good corporate governance, promoting this as crucial to wise and effective policy development in the era of HIV and AIDS. Awareness of this need for a new and broader approach to CSR has resulted in the World Bank and SABCOHA launching “Guidelines for Building Better Coalitions Against HIV/AIDS in Sub-Saharan Africa” (*IRIN PlusNews*, 11 February 2005).

In this article, Mears describes the Guidelines as being aimed at providing the private sector with relevant direction on combining forces to fight the epidemic. A regional network of business coalitions and national AIDS councils to serve the interests of business and governments is planned.

According to Elizabeth Ashbourne of the World Bank, “Coalitions assist companies by facilitating information sharing, permitting economies of scale in the development of workplace HIV/AIDS products and services and creating a strong, united front for public policy debate and advocacy”.

Such plans can be seen as part of an evolutionary process towards demonstrating the communitarian commitment envisaged by King II in

terms of identifying and managing the social and economic impacts of HIV and AIDS.

Another example of disseminating knowledge in this regard is described in a report by Wilson (2002), which outlines the JSE's Social Responsibility Index (SRI) as a mechanism for promoting the application of best practice in corporate social responsibility, and which would serve as "an incentive for companies to join peers" in this process. Emanating from the tenets espoused in the South African Constitution and the goals of the New Partnership for Africa's Development (NEPAD), the SRI is based on the UK model of the FTSE4Good, and manifests King II's recommendations for triple-bottom-line reporting:

[It] has been customised to reflect the complex nature of social responsibility in South Africa ... Its aim is to ... highlight those companies with good CSR records, to measure their share price performance and to provide the basis for SRI products.

Although reporting through the SRI covers active corporate citizenship across a range of business practices and not merely responses to HIV/AIDS, CSR experts have remarked that general scepticism around the perceived cost and other burdens inherent in these objectives is a sign that leadership in this regard is still immature. Nonetheless, the harsh reality of HIV/AIDS is that, as noted in *The Corporate Social Investment Handbook* (2003, Figure 2: 221), ensuring a healthy and stable society is not a goal that begins or ends at the factory or farm gate. The spheres of corporate influence and obligation in this regard radiate outwards from the pool of company employees, to their families, the supply chain, the

communities surrounding the company's operations, to customers, rural (worker-source) communities and society at large.

The chapter in *The CSI Handbook* (2003:226-8) on HIV/AIDS support and intervention strategies lists several focus areas for responsible investment, characterises the pandemic as a "complex interplay of economic status, social convention, sexual norms and gender inequality" and illustrates that in addressing these challenges, socio-economic and human rights are indissoluble:

Maintaining that HIV/AIDS is the exclusive domain of government or select corporates is an easy yet unjustifiable excuse that shirks the grave responsibility we all share. Waiting around for the widespread roll-out of drugs to solve the crisis is even more short-sighted. Rather, we need to respond to the challenges ourselves – by nurturing partnership and by leveraging the impact of our programmes to save lives, offer hope, and provide lasting human dignity.

The areas targeted in the Handbook's HIV/AIDS profile include caring for AIDS patients and their dependents, building peer education, networks and solidarity among sex-workers so as to counter the disproportionate power held by their clients regarding safe sex, fending for orphans and vulnerable children, providing for out-of-school youth, empowerment for women, and sustaining home-based caregivers.

Market-share for the moral mindset

Assuring that care is provided, (as outlined in the programme mentioned above) requires critical discussion in the light of the ethical concerns raised in Chapter One of this thesis. This centres on specific recognition of the immense burden placed on women, children and the elderly as dependent caregivers, and how business can respond to this using an inclusive communitarian model correlating with Kittay's (2001) feminist ethic of care.

Makgoba (2002) describes the enabling environment needed to collectively challenge the pandemic with compassion, non-judgemental care, respect, support and assistance:

We must all take responsibility for generating a prophetic and positive vision of a society in which general welfare becomes the abiding obligation of public, private and voluntary sectors of society in partnership, where adequate care and appropriate prevention measures will be available for all people in need.

Smith (*Business Day*, 25 March 2002), reporting on research conducted at the University of KwaZulu-Natal, puts the contribution of voluntary caregivers into perspective, citing an intergovernmental review finding that a massive home-based care programme for AIDS patients would "cut hospital costs and relieve a fiscus already losing R6bn a year to AIDS". She quotes Professor Umesh Laloo of the Enhancing Care Initiative as defining a role for business in this regard:

The private sector is seeing more HIV, but they are in a comfort zone; they think workers are replaceable. That will become more difficult. Lives can be extended in the workplace by using HBC in that community too.

Apart from cost benefits, positive repercussions of organised and remunerated home-based care would include "a spur for community counselling and the reduction of stigma", according to Dr Dapheton Siame, who has pioneered HBC in Zambia for more than 10 years (Smith, 2002).

Other advantages have been claimed in a similar project run for the last three years by Mozambique's Health Ministry, according to an article published by IRIN PlusNews (2 February 2005). With only one nurse for every 5 000 people, and many health centres not having any nursing staff, AIDS care has largely been shifted to the shoulders of women volunteers with little or no training. The caregivers, once trained, visit those with AIDS-related illnesses in their homes, provide health education, counselling and prophylaxis, and promote patient adherence to the anti-retroviral drug regimens, taking note of any serious side-effects of the medication. Since ethnographic studies had shown that men in these communities eschew voluntary work, the project co-ordinators hope to induce men to serve in the HBC programme by offering remuneration to all its trained community-based caregivers. From a feminist ethical perspective, paying for such services in order to draw men into these roles might well seem to capitulate to patriarchal, masculine values, but clearly the objective of the programme was to achieve some relief for

women, not only in terms of compensation, but also to share the burden of care and, in the longer term, cultivate respect for their efforts and some degree of gender equity.

Research consultant Olagoke Akintola did a comparative investigation of home-based care programmes in South Africa and Uganda (2004), which centred on the exploitation of volunteer caregivers in KwaZulu-Natal province. He notes that the South African government promotes voluntarism as an answer to the demand for home-based caregivers to cope with the rising number (estimated at 21,5 percent) of people infected with HIV.

Adopting a more feminist ethical stance, Akintola urges for the refinement of volunteer-based care programmes and the provision of stipends to caregivers, who are predominantly unemployed women who are more likely than not to be poor and affected by AIDS themselves. "Volunteer work aggravates their poverty, as many caregivers share food and other material goods with the patients they visit, spending long days working free of charge instead of looking for a paid job" (Akintola, 2004).

Akintola's study found that caregivers endure inordinately stressful, risky and unsustainable physical, psychological, social and economic conditions; apart from tending to the sick and terminally ill, their work also includes domestic chores, family counselling, child-care, seeking donated food and clothing, arranging funerals and assisting with access to social grants.

While the national Department of Health runs a 40 000-strong programme

of Community Health Workers (CHW) who earn between R1 000 and R1 700 per month, it has budgeted for the employment of 150 000 additional caregivers.

Akintola recommends that the Ugandan model for home-based care be adopted in South Africa, whereby government hospitals and NGOs network with caregivers to provide free, enhanced training that covers the administering of basic medication, and they are "supported by a team of healthcare professionals, including doctors, nurses and paramedics, with clerics for spiritual care."

He submits that this model, which is "community-oriented" rather than "community-based", would protect young girls from being deprived of an education through their recruitment as caregivers. His conclusions align well with Kittay's notion of "re-conceptualising social co-operation" (2001:532) within the framework of a feminist ethic of care, and his underscoring of the plight of South Africa's child primary caregivers (Akintola, 2004) more than defends her argument, as outlined in the following exposition.

Elevating the expression of ethical business strategies

With HIV/AIDS, poverty and gender inequality having had the shamefully unique effect of turning South Africa's children and grandmothers into primary caregivers, the private sector cannot escape its moral and practical responsibility to underwrite the idea of "service to the server" as

conceived by Kittay (2001:533), by ensuring that these unsupported caregivers are cared for.

This should happen not merely to secure their services for the long term - as would appear to be the injunction offered by the Anglo American Chairman's Fund, as quoted in *The CSI Handbook* (2003:226): the AACF is described as seeking to resource, capacitate and encourage community home-based caregivers so as to sustain them as "the cornerstone of support for as long as the tragedy lasts".

While the AACF's motivation to support caregivers might be seen to fall within Kittay's comprehensive vision of reciprocity, (in which dependents and the larger community are all beneficiaries of the caregivers' efforts), it is a woefully instrumentalist agenda, in that it fails to recognise the prior ethical requirement for our children's and grandmothers' basic rights and needs to be fulfilled, *for their own sake*.

In the South African experience of HIV/AIDS, the burden of AIDS care deprives elderly women and children of these rights, because the dependents and the caregivers are one and the same, and this is a phenomenon unique to the African experience of AIDS that Kittay is unlikely to have envisaged in its enormity when her exposition was published. The State alone cannot be challenged with this requirement - the private sector role is ineluctable.

Kittay's re-conceptualisation does allow for such involvement by business, albeit not in the expressed sense of corporate citizenship (Kittay, 2001:533):

As the responsibility spills out to the larger social order of which the dependent and dependency worker are a part, *all are encompassed by a nested set of dependencies and responsibilities* [my emphasis]

and her contention that "persons who recover can resume their productive lives [as producers, consumers, taxpayers and citizens] ... given the appropriate support and an accommodating environment" (Kittay, 2001:534) extends the model to embrace the role of the economy and commerce.

However, her primary affirmation (Kittay, 2001:534-5) is one that she claims links feminist ethics with new communitarian concerns, in that:

Any society that is morally decent ... understands that fully dependent persons must be cared for irrespective of their productive potential. It is not a hypothetical imperative, it is a categorical imperative. It is not something we must do only given that we desire some other outcome ... the dignity of persons as ends-in-themselves mandates this moral imperative.

As such, it is Kittay's theory of social co-operation that cements the conceptual links between Ubuntu, Western communitarianism and the principles of King II. It embodies the spirit of the adages "I and we", "I am because you are", and in her words (Kittay, 2001:536) "we are all

some mother's child ... even as I care for another, I, too, am worthy of care":

This is a notion of fairness and reciprocity that is not dyadic but one that involves at least a third party and, more properly, an infinite spiral of relationships that reaches both into our past and projects into future generations. ... [This] is a call that resonates with the new communitarians' emphasis on the moral grounding of society and on a collective responsibility that must accompany calls for personal responsibility.

Finally, just as HIV/AIDS is re-describing forms of family and sources of care, Kittay argues that within complex industrial societies, "the insistence on self-sufficiency perpetuates a fiction that hides the role of dependency work as well as the many dependencies [that] families, businesses and corporations all have on each other, on economic factors, on government and on global forces" (Kittay, 2001:539). It is in this context that Kshe urges for caregiving to be compensated as work.

As corporate citizens, businesses large and small must recognise that HIV/AIDS exposes a multitude of social groups requiring rightful inclusion in the private sector's sphere of influence. Measurements of due diligence on the part of companies should assess and critique their responses to the consequences of the pandemic, and their grasp of the fact that these effects epitomise the need for a healthy and stable matrix of relationships for the fabric of society to be restored and to endure. The pandemic should not be used as an excuse to re-burden impoverished women and children and in so doing, to commodify them; the AIDS crisis is an alarm-

siren for those with power and agency to create not only sustainability,
but flourishing as a strategic objective.

* * * * *

CONCLUSION

This dissertation is an attempt to draw attention to aspects of mainstream discourses around ethical roles and responsibilities for South African business as a social partner in the age of HIV/AIDS. It is also an exercise in evincing HIV/AIDS as a multi-dimensional crisis that both shapes, and is shaped by, every individual and group engaged in every field of endeavour.

It undertakes to illustrate the urgency with which the private sector should voluntarily and visibly subscribe to a culture based on an applied philosophy of authentic concern, inspired by a critical and creative apprehension of the current and projected realities of HIV and AIDS.

Therefore, the conceptual scaffolding of this thesis has necessarily been formulated as a kind of essay in contemporary ethical eclecticism or alchemy: it constitutes a warp and weave of positive human predispositions that offer a mirror-image to the impetus of social negation both generated and laid bare by HIV/AIDS. As a notional integration of ethical models, it seeks to transfigure the attributes of each one (virtue ethics, modern communitarianism, the African philosophy of Ubuntu, and a feminist ethic of care) into a new whole that presents itself in service to the summons of the pandemic - from, within and for African societies.

Such a model requires a paradigm shift in the collective South African economic, cultural and social consciousness, and in the light of the King II

Report's recommendations, it urges for the business sector to lead in this regard, by inspiring:

- a) an understanding among its role-players that *profits and caring are mutual and inclusive*, and
- b) a consequent normalisation of synthesis and interdependence in action, to meet the demands of HIV/AIDS, throughout the wider public.

Both of these objectives could significantly advance the struggle against the stigma and discrimination associated with the spread of the pandemic, which, as companies have already reported, is undermining the efficacy of HIV/AIDS workplace programmes. Purely on this basis, corporate citizens need to see that they are dependent for their own sustainability upon the crusade for collaboration and change. Moreover, the true nucleus of this dissertation is the impulsion to confront signs of the broader levels and manifestations of stigma within the corporate sector, so as to develop and share an ethical means of vanquishing it.

The result is the prototypical formula for a multivalent theory, as described in Chapter One, which accords with and bolsters the auspicious practical model set by the King II Report, as described in Chapter Two. King II's account of HIV/AIDS in the South African business context - in terms of impacts and a code for interventional approaches based on Ubuntu - is solid without being imperious, and imparted with a nobility of spirit that embodies its content and direction. The King II model is not

mere proposition: it has been acclaimed as manifesting a valid global focus both on and for corporate business ethics.

The Report was produced by an elected entity (the King Committee on Corporate Governance, established by the Institute of Directors in southern Africa) comprising high-level representation of social forces normally associated with orthodox seats of material power. The text, therefore, is informed by an inimitable depth of expertise and credibility, and composed using this very peerage to address matters of organisational rectitude and integrated sustainability in a grounded and judicious manner.

Individual conscience is vital to ethical practice, and an Afro-European communitarian model cannot take root in social thinking without it. Because language is a vehicle of ideas, corporate citizens need to be made aware that the core phraseology currently used in their discourses, policy documents and programme designs - however unwittingly or well-intentioned - frames the pandemic's challenges in terms of money and power, not of humanism. Even amongst so-called leading-edge companies, the prevailing propulsion of management to adapt to more highly active and deeply connected forms of corporate social responsibility in the face of HIV/AIDS is, largely, monetary.

For example, texts produced and disseminated by large multi-nationals and business clusters about their community engagement strategies are flagged with references to tactics such as "market leverage". Even

SABCOHA's CEO has fallen into this trap (Mears, 2004 [a]:14) in an article that is otherwise salutary in its persuasiveness regarding the re-evaluation of the business agenda – and its affixed values – to address social needs: he urges for the recognition of South Africa's youth as the "future supply of labour". Human worth thus becomes classified in terms of value as a resource and not as intrinsic to the existence of every person. A similar aberration occurs in the closing paragraph of a subsequent Foreword (Mears, 2004 [b]:16):

If there is any message that we should be sending to our staff during the festive season, is [sic] that they should do everything to behave sensibly, and not place themselves at unnecessary risk, sexually or otherwise.

This unfortunate fragment is a (possibly subconscious) expression of a distinctively parochial and patronising mindset that typifies the voice of the leader-as-immune-dictator – the words "we" and "our" grouped as distanced and distinguishable from "they" and "themselves" being the telling signifiers of this voice. Here, Mears writes from a premise of leadership, in terms of both his own position as head of the coalescence of large corporations represented through SABCOHA, and of the reader audience targeted by the publication *Leadership in HIV/AIDS*.

Here again is the demarcation of "difference" rejected by the essential humanism of Ubuntu. Is this tendency to categorise one another in such alienating terms simply a human proclivity that ensures the survival of the fittest? In the context of AIDS and a post-apartheid ethos, it is veritably

inhuman to buttress these demarcations, for, ultimately, this only injures the body of society, through indifference and neglect.

To those born and raised as beneficiaries of the First Economy, the idea of solidarity smacks of rallies, strikes, boycotts and insurrection, and the words "an injury to one is an injury to all" resound as a threatening war-cry of insurgent malcontents. It is safe to generalise that very few corporate leaders, business owners and those empowered at lower ranks to make decisions of varying impact, as yet understand the kernel of Ubuntu as a universal philosophy, much less as a business ethic. To dismiss, discard and disregard others is, in the language of Ubuntu - since "I am because you are" - nothing short of *self*-neglect.

Another hinge upon which this thesis has turned is the submission that legislation of King II's Code of Good Practice is inadvisable on the grounds that one cannot coerce compassion. The belief that actions can be ethical if they do not break a law provides the logic for its counterpoint: in some cases, legislation and legal practices are not ethical. "Ethics sets the bar higher than the law" (Axelrod, 2004). Since ethical policy development involves anticipating the consequences of decisions as they are likely to manifest for *all* stakeholders, this sense of inclusivity reverts, once again, to individual conscience, with the universal communitarian self as a new mould for business in society.

Judge Edwin Cameron (2005) has aptly described the state of inertia around HIV and AIDS in South Africa as "the dead hand" of denial and

division. This inertia is clearly evident in the private sector's response so far, which has been as "slow, partial and erratic" as that of the government (Dickinson, 2004:628). Significantly, in exploring the obvious paradox between the pandemic's threat to and response from the business sector over the last decade, Dickinson acknowledges - but diminishes - the standard explanations given for this inertia. These are that government's (and other social actors') reticence to act somehow precludes business from advancing the cause, and that business leaders underestimate and misunderstand the vulnerability of their enterprises.

He rejects these justifications as disingenuous, submitting that the very nature of entrepreneurship and organisational excellence lends itself to spearheading innovation strategies and responding swiftly to challenges. SABCOHA has reported (Ellis and Terwin, 2004) that large enterprises have considerable access to various types of resources and capacity which should be shared to provide support to medium-sized and small businesses in addressing HIV/AIDS. One would imagine, then, that in the spirit of truly productive competition, the blazing of a path towards the reduction of national HIV infection rates, and strengthening treatment and care initiatives, should excite and gratify business leaders committed to progress and sustainability. Viewed through this pragmatic and moral prism, there should indeed be ways to compete in business and advance the cause of AIDS without the one endeavour compromising the other.

UNAIDS Executive Director Dr Peter Piot (2004:32) endorsed this at the Closing Ceremony of the XVth International AIDS Conference in Bangkok,

by urging for new approaches to matters of "financing, development, trade rules" and by asking: "Are we really willing to change our institutional behaviours? ... with AIDS, we never gain time when we wait for action, when we are undecided, when we are divided".

The longer this inertia around AIDS in South Africa persists, the more it regenerates the HI Virus and its consequences, and the greater the likelihood that the pandemic will atrophy not only the workforce, but everything around and beyond it. As an issue of ethics, for business to countenance such negligence is, as Dickinson (2004:649) describes it, "publicly indefensible". As he points out, the current socio-economic fissures, riven through gender and race, "form part of an environment that business has historically helped to create and from which, to a degree, it continues to benefit". The plight of the mainly black South African children and both young and elderly women, who voluntarily constitute the informal structure of caregiving for thousands of terminally ill AIDS patients and orphans of AIDS, has been outlined as a case in point.

Hunter (2003:13) supports this perspective of a society in transition made perilous by HIV/AIDS, the role of poverty and sexuality in human affairs, and the need for rapid institutional and individual behaviour change:

Above all it requires ... the kind of change human beings find hardest to make, a change in our basic understanding of how things work, an acknowledgement of how deeply and intricately all systems of this earth are intertwined in much more subtle ways than our intellect is able to comprehend.

In her account, honesty and humility are crucial to this process of change.

South Africa's volunteer caregivers are exemplars for these attributes and for the transformation, both within business and beyond, that is essential to growth and development for all. If these caregivers, who have so little and no promise or prospects of any reward, can display such virtuous character, such high regard for human dignity, and such profound communitarian feeling in action, how can companies of *any* size abrogate their duties for responsive ethical conduct to government or other social players?

To break the intergenerational cycle of disease, degradation and division, investment must be made in human beings for their own sake, so that a new ecology of social conscience and concern can evolve through a focused learning of the best aspects of human character in heightened relief to the worst. Both HIV/AIDS and Ubuntu co-create a nexus for such learning, by demonstrating that division and exclusivity result in pathology of the body, mind and spirit.

This thesis closes its argument with the allegorical wisdom of cohesion inherent in African sensibility (Armah, 1978:178), as depicted in a therapeutic conversation between the healer Damfo and the warrior Asamoa Nkwanta about the unity of African people in ancient times:

"I also know the idea, but it goes so far back into the past," Asamoa Nkwanta said, "a mind going after it may get lost in the past."

"Minds don't stay in the past," Damfo said. "They can find the truths of the past, come back to the present, and look towards the future. That's not

getting lost. The present is where we get lost – if we forget our past and have no vision of the future.”

“If I let my mind go so far into the past, Asamoah Nkwanta said, “the journey confuses me. ... people were all connected before. But we are not now. What will it profit my mind to run back after things that are no more?”

“If the past tells you ... people were one in the past, perhaps it also tells you there is nothing eternal about our present divisions. We were one in the past. We may come together again in the future.”

Asamoah Nkwanta shook his head: “Thoughts like these paralyse me. They make the present look shabby and unbearable. They take away all energy.”

“Yet these same thoughts, followed into the future, may give us greater energy for work.”

“Perhaps,” Asamoah Nkwanta said. “Perhaps”.

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