What an ethics management program cannot sufficiently address in an African context: An Ethics Survey's results read through a Levinasian lens

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Abstract

Ethics management programs have become a popular first step for organizations to manage ethical risks and employee behaviors. However, such programs may fail to foster moral responsiveness or acknowledge broader societal issues. This paper contributes to this discussion through an analysis of qualitative data from an ethics survey of fifteen South African companies. Results indicate employees experience persistent unethical behaviors in the form of the disrespect, bullying and discrimination. Reflecting on these results, the paper explores the limits of ethical management programs, and whether a compliance approach undermines the transformative ethics that is most needed in organizations struggling with diversity and inclusion. Drawing on Levinas, the paper shows that openness to the face of the Other does not lend itself to instrumental orientations, nor to formalized, standardized responses. Instead, moral responsiveness to particular Others is required, and it is this aspect that may be absent from South African ethics initiatives.

Key words

Ethics management, moral responsiveness, organizational culture, ethics surveys, Levinas

Introduction

The benefits and disadvantages of a compliance-driven versus a values-driven approach to ethics management is well-trodden ground in the business ethics literature (Brenner 1992; Weaver, Treviño and Cochrane 1999; Krug 2004; Jones, Parker and ten Bos 2005; Stansbury and Barry 2007; Kaptein 2015; Painter-Morland 2015). What remains to be explored, however, is what falls through the cracks of even the most well-designed programs, especially in developing country contexts. Over the past two decades, various iterations of the King Report on Corporate Governance, first produced by the King Committee on Corporate Governance in South Africa in 1994, have set clear guidelines on how organizations should approach ethics. The reports recognize the dangers of box ticking and the fact that formal ethics programs do not necessarily produce ethical cultures (Institute of Directors Southern Africa 2016). In other words, formal ethics programs do not automatically ensure an organization's cultural dynamics fully express its ethical commitments (Stansbury and Barry 2007).

There is a sub-set of business ethics literature that critiques how ethics management strategies have been motivated, institutionalized and evaluated within organizations. This literature can be categorized in terms of three areas of critique: 1) the instrumentalist tendency of ethics programs (Painter-Morland 2008, 2015); 2) the inability to foster true moral responsiveness (Ibarra-Colado, Clegg, Rhodes and Kornberger 2006); and 3) the overall disregard for macro issues and the larger political economy (Jones, Parker and ten Bos 2005). We engage this literature through the philosophical work of Emmanuel Levinas, which helps to articulate the current blind spots in ethics programs that may perpetuate injustice in organizations. Levinas' (1998) understanding of ethics as an infinite responsibility for the Other offers a critique of essences, interests and instrumental purposes that sheds light on the disjuncture between ethics as institutionalized and ethics as practice. A purely managerial approach to ethics, i.e., the pursuit of instrumental purposes, undermines an ethics of justice that is only possible if the primary respect for the alterity of people permeates everything that

is said and done in the organization (Rhodes 2012, 1312). The paper contributes to this discussion by illustrating how this manifests in organizations in relation to diversity and inclusion.

In making this argument, the paper examines qualitative data from an ethics survey administered to employees of fifteen South African companies. The data suggest a fundamental respect for difference and responsiveness towards the particularity of others is missing from South African corporations. An inductive analysis reveals issues around diversity and inclusion, especially experiences of disrespect, bullying and discrimination, as main areas of ethical concern. Compliance-driven and instrumentalist strategies are inadequate for addressing such issues, which require a practice of ethics that holds respect for the Other, rather than adherence to codes and procedures, at its centre (Byers and Rhodes 2007). The final analysis considers how a less instrumental approach to organizational ethics may be able to do so.

The role and design of ethics management programs read through Levinas

The philosophical perspectives of Emmanuel Levinas have been receiving increased attention in the fields of business ethics (Bevan and Corvellec 2007; Rhodes 2019; Rhodes and Badham 2017; Painter-Morland 2010), organization studies (Tomkins, Hartley and Bristow 2020; Rhodes 2012; Jones 2014) and management education (Zhao 2014; Veck 2014). This broad reception of Levinas in rethinking ethics from an ontological perspective allows for the development of a comprehensive understanding of why ethics and compliance programs often fail in helping organizations to meaningfully address diversity and inclusion issues.

Why Levinas in the South African context?

It might seem strange to suggest that Levinas, a white male continental philosopher of the imperial North, offers a relevant framework to study a South African context. But it could be argued that his hermeneutic enables us to move away from a Eurocentric perspective and access other peoples' traditions and experiences, to "ferret out the universal from the particular" (Aronowicz 1990, xxi). This emerges from Levinas' approach which he described as translating from 'Hebrew' into 'Greek': explaining Biblical and Talmudic sources in the language of Western philosophy.

His approach was profoundly influenced by his own brutal experiences of racism. Many of his close relatives were murdered by the Nazis in Lithuania, and he personally spent five years in a Nazi prison camp in Germany. The dehumanization of this experience greatly influenced his subsequent writings on ethics (Hand, 2014). The rise of Fascism in Europe forced him to re-evaluate the relationship between the Jewish and European traditions, and to "reflect upon the necessity of discovering the specificity of Judaism" (Aronowicz 1990, xii). Through the admission of difference, "Jewish consciousness", he wrote, needed to rediscover "the certitude of its worth, its dignity, its mission" (Levinas 1982, cited in Aronowicz 1990, xii). For a "genuine human community" to emerge, Western wisdom was by itself insufficient. The point of Jewish difference was not merely a matter of cultural identity or ethnic loyalty. It was for the sake of a universality characterized not by "homogenous unity but a respect for each particular" (Aronowicz 1990, xxx).

Levinas' approach can be extended to the South African and other contexts. It offers a way of relating to different forms of wisdom and experience, respecting each one's "worth", "dignity" and indeed "mission" as part of their contribution to a "genuine human community" (Aronowicz 1990, xii-xiii). The application of Levinas to this context in this way contributes towards an "epistemological third space" (Seremani and Clegg 2015) that moves beyond the colonial-postcolonial binary and generates hybrid knowledge through the dialogue between

diverse perspectives. Although beyond this paper's scope, the relationality characteristic of Levinas' approach parallels that of the Southern African ethic and ontology of ubuntu (Pérezts, Russon and Painter 2019). Both dismiss the Cartesian subject and articulate subjectivity as emerging in and through relationality. This relational ontology has also been acknowledged as central to any meaningful conceptualization of the idea of 'sustainability' (Ergene, Banerjee, and Hoffman 2020).

Ethics management read through Levinas

Levinas' thinking offers important perspectives which can meaningfully enhance our thinking about diversity and inclusion, namely a critique of essences, interests, and instrumental purposes that results in a disjunction between what is 'said' or institutionalized, and real ethical practice ('saying', in Levinas' terms). Levinas' (1998) philosophy challenges us to think beyond 'essences' as representations of our subjectivity. By implication, this understanding of subjectivity also takes us beyond 'interests' by which we can represent, categorize and instrumentalize Others from our own perspective and for our own interests.

In the first chapter in *Otherwise than Being or Beyond Essence*, Levinas (1998, 11) grounds his understanding of our 'being' as that which can never be fully 'represented'. Most importantly, our ethical agency does not emerge from our own individual selves, as this would amount to egology, i.e., a logocentric understanding of others that always emerges through our own ego and its interests. Ethics instead emerges as a result of our responsibility towards the Other (Levinas 1998, 9). Levinas (1998, 7) insists on maintaining ethical responsiveness as an ongoing process ('saying'), which can never be collapsed into what is 'said'. Giving up on the idea that one's subjectivity can be characterized as possessing an 'essence', has clear implications for rethinking racial and gender stereotypes. No quota system, checklist or policy-compliance can satisfy the ethical demand of responding in unique and particular ways to the

Other on an ongoing basis. Ethics defies ontological accounts and as such, it defies a kind of programmatic instrumentalization.

The secondary literature on Levinas' contribution to business ethics develops these themes more explicitly. In the first place, Levinas challenges instrumental rationality in the pursuit of ethics, where ethics and justice are valued as means towards greater organizational performance (Rhodes 2020). On this basis, one could ask whether indeed 'formal rationality' of a calculative nature has replaced 'substantive rationality' in the formulation of ethics and compliance programs. Whilst the former would position ethics as a mechanism to enhance efficiency in the pursuit of organizational goals, i.e., profit, the latter would allow that such goals be subject to ethical critique.

Secondly, Levinas is committed to moral responsiveness towards difference and particularity in dealing with Others. What this might mean for organizational ethics can be understood through Rhodes' (2011) analysis of organizational justice and the distinction between distributive, procedural, and interactional justice. Rhodes (2011, 147) argues that an over-reliance on procedural justice theories is problematic because of the difference-effacing tendencies of logocentric thinking, i.e., it insists on consistency with ethical standards, freedom from bias, accuracy, representativeness of stakeholders, and correctability. Interactional justice, however, has to do with the respect that subordinates experience in their interactions with managers, and it is here that perceptions of unfairness manifest. Thirdly, Levinas (1969, 1982) offers cues for exploring what it would mean to accept our infinite responsibility towards the Other. We argue that relational reflexivity is central to ethics as a critical, transformative force, which allows us to challenge the status quo, especially in acknowledging specificity and difference in dealing with others.

That ethical concerns have been subsumed as rational mechanisms in the pursuit of organizational effectiveness (Rhodes 2020, 12) is evident in how organizations deal with ethics

and compliance initiatives. Organizations often establish formal ethics management programs in the wake of corporate scandal and in response to legal and regulatory requirements (Smith-Crowe, Tenbrunsel, Chan-Serafin et al. 2015). Such programs operate as mechanisms of control (Stansbury and Barry 2007) intended to manage unethical behavior and minimise risks (van Vuuren and Crous 2005; Weaver, Treviño and Cochran 1999). Measures usually include some combination of 'best practice' components, such as a code of ethics, a designated ethics officer, staff ethics training and mechanisms to monitor and report wrongdoing, e.g., an ethics hotline (Kaptein 2015). These components in principle function by raising awareness, assessing behavior and triggering disciplinary action. Although business ethics scholars recognize the challenges of dealing with tacit values in organizations, there are also high expectations for what a formal ethics and compliance system can achieve, including cultivating an ethical culture (Kaptein 2015). While a compliance approach may develop into a values-based approach (Joseph 2002), business ethicists remain critical of their instrumentalist foundations and focus on risk management (Krug 2004; Painter-Morland 2008, 2015).

The motivations behind an ethics program also influence how employees perceive it and how they use and engage with these systems. When the motivation is to avoid fines and other forms of legal sanction, employees might view it cynically as a 'check-box' exercise, done with the company's financial interest and reputation, rather than real transformation, in mind. If management enforces online ethics training in a top-down way as part of the organization's compliance system, employees may be hesitant to devote time and attention to such trainings, or complete it with a sense of cynical disdain.

Paradoxically, the central role of such formal elements and a check-box mentality will fail to stimulate the kind of moral responsiveness that is necessary for ethics to find its full force, especially in terms of procuring justice. Codes of conduct, though well-intentioned, have been critiqued for having a negative effect on employees' moral responsiveness (Painter-

Morland 2010). In attempting to exercise control (Stansbury and Barry 2007), such codes may lead to formalistic rule-following rather than discretion (cf. Jensen, Sandström and Helin 2015). The fact that a policy is in place does not necessarily mean that interactional practices change. Blind adherence to moral prescripts may support procedural justice (a sense that processes are administered fairly), but would neglect if not undermine interactional justice, i.e., how people are treated at the interpersonal level (Rhodes 2020).

This is evident, for instance, in organizations' stated commitment to gender equality, which does not necessarily impact the lived experience nor career prospects of women (Clegg, Kornberger and Rhodes 2007). Inclusion policies that disaggregate people on the basis of particular traits obscures the other as a uniquely whole person and undermines 'interpersonal empathy' (Rhodes 2020, 117). For Levinas (1998, 151), such systematized framing reduces the alterity of the other person that demands moral responsiveness. As a result of the identity formation that codes and policies seem to be directed at, they may intrude on personal values, feelings and identifications, over which employees may feel management should have no legitimate claim (Kornberger and Brown 2007). Employees' perceptions that codes and policies are used as means towards the corporations' profit-making ends, and that the particularity of their own private lives and lived realities is overlooked, undermines perceptions of fairness in organizations.

The lack of acknowledgement of particularity and difference may also be explained by the fact that formal ethics management approaches are put forward as generic programs with universal applicability (van Vuuren and Crous 2005). Designed within the American context and institutionalized via the U.S. Federal Sentencing Guidelines, this model has been transferred to other contexts without sufficient consideration of local realities (Weaver 2001). Although an ethics program is not a one-size-fits-all (Andreasson 2011), due to globalization and the role that multinationals play in informing governance practices across various

countries, there has indeed been more standardization than differentiation. In the process, it seems inevitably the case that formal generic measures cannot address the unique circumstances of specific contexts, which are implicitly framed as static, predictable and controllable (Jensen et al. 2015). It is in this regard that Levinas' (1998, 7) insistence on not collapsing the ethical into the 'said', but rather maintaining a commitment to 'saying', as an ongoing responsiveness to the Other, offers an important critique against standardization.

A standardized approach to ethics does not work well in dealing with ethical issues that pertain to race and gender dynamics. Organizational theorists have long argued for a deeper understanding of the fluidity of gender dimensions (Linstead, Brewis and Linstead 2005; Linstead and Pullen 2006). Gender discrimination in the workplace persists despite corporate policies and procedures regarding diversity and inclusion, most likely because formal systems cannot accommodate the specificity that is required in acknowledging the multiplicity and difference that informs gender dynamics. These aspects of organizational life are perhaps difficult to measure, but of extreme ethical importance. If absent, these can have a huge impact on the working lives of employees, even if it does not feature high on an organization's legal risk radar. Or at least, this has been the assumption for too long. More recently, the #MeToo movement has made clear that ethical issues such as sexual harassment can have major implications for organizations and their leadership. Protests to elicit corporate action to prevent violence against women in South Africa (Karim and Mthethwa 2019) similarly indicate growing expectations that companies play their role in addressing such issues.

In his recent book, '*Disturbing Business Ethics*', Rhodes (2020) offers a thought-provoking analysis of the 'passive ethics' that seems to have come to dominate business ethics, drawing on Levinas in doing so. For Levinas, ethics disturbs selfishness and egoism. If neoliberal organizations institutionalize ethics too easily, and place ethics in the service of profit (i.e., putting profit before people), they cannot lay claim to organizational integrity.

Understanding ethics from a Levinasian perspective would entail acknowledging the role of relational reflexivity, in which the possibility of critique, change and renewal is central. It is precisely the presence of the other person, to whom one is infinitely responsible, that prompts critical reflection of what may be taken for granted, not least the notion that one could simply live one's life in free pursuit of one's own self-centred goals (Rhodes 2020, 52).

The South African corporate context

How are South African companies doing in this regard? Dealing proactively with diversity and inclusion as part of economic transformation is an important part of the King Report's guidance to South African companies (IoD SA 2016). Prominent business associations such as Business Leadership South Africa (BLSA) and Business Unity South Africa (BUSA) similarly place heavy emphasis on the need for diversity and inclusion and correcting historical wrongs. How this may be supported by an ethics management program has perhaps not been sufficiently explored.

This may be because, from an international business ethics perspective, ethics management programs tend to be internally focused (Jones et al. 2005), neglecting how structural arrangements contribute to ongoing exclusion and influence interpersonal relations. In a review of business ethics in Southern Africa, Smurthwaite (2011) found most research and practice focuses on corporate governance and CSR, i.e., meso-level or organizational issues, even though the greatest challenge for business and business ethics practice, she argues, sits at the macro-level.

Efforts to address historical injustices and ensure economic inclusion of the historically disadvantaged black African majority in South Africa have been formalized through the notion of Black Economic Empowerment (BEE) and the Broad-Based Black Economic Empowerment (BBBEE) Act of 2003. The Act aims to decrease income inequalities and

increase the number of black African people who have ownership or hold managerial positions in South African companies (Arya and Bassi 2011). Industry-specific targets measure employment equity, preferential procurement, enterprise and skills development, and social investment.

While inroads have been made to transform the social and political landscape, important ethical responsibilities to acknowledge and address the past escape such a policy solution. Writing on intersectionality and employment equity in South Africa, Warnat (2012, 90) argues that, "organizations must identify and acknowledge not only the individual prejudices that still exist, but also the systems of domination that perpetuate the stereotypes which fuel those prejudices". Motsei and Nkomo (2016) describe these dynamics in their study of bullying. Organizational rewards systems prioritize profits and individual performance that incentivize competitive behavior. A strained economy and high unemployment exacerbate work precarity and further fuel internal competition. Shifting power relations between social groups that is not accompanied by healing intercultural and interracial divides through collaboration and inclusion feeds into existing racial and gender stereotypes. This research suggests these dynamics may translate into, or exacerbate practices and experiences of workplace bullying. Diversity and inclusion is as much a matter of dealing with interactional justice and prejudices that permeate micro-practices in the workplace, as it is dealing with an exclusionary and exploitative political economy (Unterhalter, Epstein, Morrell and Moletsane 2004).

Research design

The survey instrument

This paper draws on data collected through an ethics survey conducted in 2019 by an ethics think tank at a business school in South Africa. The survey was based on the Harvard Business School (HBS) Global Business Standards Codex, a research tool developed by HBS academics

(Paine, Deshpandé, Margolis and Bettcher 2005) to test whether companies adhere to global norms and standards around business conduct. The tool was adapted to South Africa to capture contextual issues, especially related to diversity, inclusion and correcting historical wrongs. It aimed to elicit anonymous feedback from employees so that participating companies could benchmark their 'ethical fitness' against others. Individual company results were shared with corporate leaders to encourage self-reflection and to provide clear targets and interventions for improvement, and were fed into discussions at C-suite, board and Exco levels.

The survey examined six categories of organizational ethical behavior, each of which comprised a series of survey questionnaire items used to operationalize the categories, summarized in Table 1 below. The questionnaire items for 'treatment of employees' included, for instance, "the organization embraces diversity and inclusion" and "the organization takes the concerns of employees seriously". Respondents also completed open-ended questions for each category, and this paper focuses on this qualitative data.

[Insert 'Table 1. Survey categories of behavior' here]

The sample

Fifteen leading South African companies participated in the survey. Participation was voluntary, and companies were identified through convenience sampling. A limitation of this study is that companies who take ethics more seriously may have been more likely to take part in the survey, creating a possible self-selection bias. Table 2 below gives an overview of the companies, their industries and presence of specific ethics management elements, according to available desktop information.

[Insert 'Table 2. Overview of participating companies' here]

At the time of the survey, only two companies (6 and 10) were not listed on the Johannesburg Stock Exchange (JSE), while one company (number 9) was listed on the LSE and NASDAQ but not the JSE. All other companies were either listed or were owned by companies listed on the JSE and can be expected to adhere to the principles of King IV. Most companies provide information on ethics-related codes, training, reporting mechanisms (e.g., whistleblowing hotlines), and policies. The latter included policies on conflict of interest and gifts, anti-bribery and corruption, diversity and inclusion, and health and safety. Companies offer different kinds of ethics training, from staff induction on the code of conduct to training for management and online ethics training for all employees. Only five companies have specific 'ethics officers,' with most incorporating the role under risk and compliance. A scan of the ethics sections of their annual integrated reports suggests a predominant focus on transformation understood as BBBEE.

The survey was administered electronically to the fifteen companies, with an approximate response rate of 50% from each. Over 8,000 employees filled in the survey partially or completely (with 6,012 completed surveys). Data were also used from the partially completed surveys.

Data analysis

Results from the quantitative data pointed to issues around employee treatment, diversity and inclusion, and prompted an inductive analysis of the qualitative data. The data were first analysed in raw data form per company, with a focus on the sample as a whole (approximately 600 pages of text). Preliminary sorting organized the material according to the behavioral categories of the survey. Important verbatim quotations that illustrate perceptions relating to each of the categories were identified. This was followed by a first cycle of analysis that involved inductive coding of meaningful qualitative units (Chenail 2012) and quantification to

display the diversity of action and support pattern identification (Maxwell 2010). In a second cycle of analysis, codes were refined and further categorized.

Although the data enabled pattern identification, the aim of this paper is not to provide generalizations across the written statements but to respond to the specificity of experiences voiced in those statements. Survey data may seem irreconcilable with a Levinasian perspective. However, in reflecting on this qualitative material, it became clear that the written responses provide narratives of embodied experiences of not being heard or of being treated unfairly. These experiences and the inductive codes emerging from this data resonated with Levinas' understanding of the encounter with the Other as an embodied confrontation with the Other's face. Such experiences would not be observable in quantitative survey data. And even though the survey did not assess the effectiveness or impact of companies' ethics programs, we contend that these narratives offer insights into the kinds of pressing issues that may indeed fall beyond the purview of standard ethics management programs.

The Levinasian questions, which the data raised, prompted an examination of Levinas' work to identify overlaps as well as new codes. In doing so, we were able to use a Levinasian lens to discuss our findings in terms of its implications for 1) avoiding essentialist stereotypes 2) steering clear of instrumentalism in dealing with Others, and 3) remaining responsive as an infinite and continual process, rather than a program with targets that can be completed (maintaining 'saying' rather that the 'said'). This iterative process yielded narrative congruence around key themes.

Findings

The qualitative findings from the Ethics Survey depict a corporate context with many improvements but also worrying trends. The content analysis of written responses shows respondents were predominantly concerned with issues related to the treatment of employees

followed by organizational culture and values, unethical behavior, and management behavior. Of particular interest in this paper is the extent to which respondents highlight experiences of disrespect, bullying, discrimination and exclusion. These are interpersonal matters that also carry the trace of historical injustices. Read through a Levinasian lens, disrespect, bullying and unfair treatment manifest as the effacing of the Other, objectifying and reducing the Other to organizational function and static categories of difference (e.g., race and gender). The data also suggest a lack of substantive rationality on the part of individual managers and organizations to critically reflect on and question the prioritization of organizational goals and individual self-interest.

Experiences of disrespect

In exploring comments related to the treatment of employees, the overall picture that emerged indicated a perceived lack of respect and concern for employee wellbeing. While the comments suggest certain general perceptions and patterns of behavior, it is in the specific embodied experiences shared in individual comments that are most interesting from a Levinasian perspective. Experiences of disrespect went beyond encounters of rude or dismissive behavior, but were felt by respondents to challenge their human dignity. One respondent described it as a lack of care and an expression of 'ownership' by managers.

> Managers think that they own XYZ and forget that we are all employed and have staff numbers. Managers do not care about their employees.

For Levinas, the ethical encounter and responsibility to the Other is an imposition on the self – the self is accused and called to this responsibility as constitutive of the self (Levinas 1998). Treating the other as an object denies the ethical response that the other's existence demands.

How such an experience of objectification manifests in companies is exemplified in the following quote:

> [The company] treats the employees as objects not human beings. In this company we [are] promised good working relationship[s] but when you are inside you will see true [the] colors of the management, e.g., shouting in front of a customer, doing five jobs at a time, threatening you with warning, and so on and on.

In these specific encounters and behaviors, an ethical concern for staff is felt to be neglected in the interest of the company. This was echoed by another respondent:

> Same leaders arrange meetings which have to be attended in person outside of office hours (because in their mind your personal life is of less importance than work) – plus derogatory comments are made if concerns are raised, [for] example: "if you cannot be here at 6am, maybe you should not be in the role", or emails are sent on Sundays and replies are expected on the same day – if not, laziness comments are publicly made.

These comments highlight the way actions and instructions that may be construed as 'part of the job' and part of management carry an ethical weight, the weight of infinite responsibility to the Other. Yet as the data reveals, employees experience these efforts to manage as a dehumanizing instrumental rationality that reduces their presence and value to that of objects in service of company goals. This was captured succinctly and profoundly by one respondent who wrote: "[The company] will save cost on the broken backs of their employees."

This instrumental rationality is not easily balanced out by formal ethics management tools in the organization. Some respondents alluded to managers acting in their own interests despite clear policies:

Although our values and policies are clear on how to treat employees, some members of

management do things their own way.

My direct manager does things according to what suits him and him only. Never

considers others' feelings. He doesn't always live up to the company values when it

comes to treating people fairly.

Another respondent spoke of the display of company values on office walls while the practice

of those values remains questionable:

I wish integrity was more than just a colorful poster hanging on the walls of the same place

where integrity is very far. The people [are] supposed to push and drive staff to excellence

on day-to-day basis, but instead it's about wearing suits that cover up a multitude of "sins".

This experience alludes to how formalized codes can have a distancing effect that transfers and

dilutes one's ethical responsibility into a consideration of the Other as an object of the code.

Experiences of bullying and intimidation

Respondents raised several concerns around bullying and intimidation as prevalent practices in

their organizations. In many ways, experiences of bullying resonated with perceptions of

disrespect and objectification, as indicated in the following quote:

We are not happy [with] the way our management treat[s] us or speaks with us.

Sometimes they have to be reminded that we are here to work, not to be bullied. We are

also human beings as staff, we also have our own problems at home, but we don't bring

it at work. We as the staff, we are asking for respect from management as we also respect them.

Experiences of bullying also illustrate how egoistic interests and company profit motives can coalesce and reinforce one another. The following quotes show how bullying is experienced as a manifestation of such interests:

The company should do more to protect workers against bullying. As long as the bully is important enough and brings in enough money, he/she is protected and untouchable.

[The company] does tolerate bullying, it depends on who are you... we have witnessed several bullying in our store and assault, but nothing has been done for the actions.

With these statements, the respondents understand the failure of their companies to address bullying practices as proof that the company prioritizes profit-making and protects those who serve those company interests. The second quote also points to company unwillingness to critically reflect on and resist such behaviors. In fact, some comments suggested companies protect bullies and victimize those who speak up against it:

Victimization is rife at [the company], especially if you stand up for what you believe in. Management will go to extreme lengths to get rid of that person.

Even a high turnover rate, suggestive of internal dissatisfaction, may go ignored:

> Leaders have a bully attitude. A round table was held with no change whatsoever. Leaders are tyrants and think they have free reign to belittle staff to the point that they resign. No one questions why the labor turnover is so high.

These findings may be indicative of organizational cultures that reward personal ambition and social compliance over critical interrogation of practices. Building on the previous section, experiences of disrespect and bullying thus can be seen as expressions of the objectification of employees and the neglect of critical questioning, i.e., relational reflexivity.

Experiences of discrimination

What also emerged from the data were perceptions of unfair or preferential treatment, which can be understood as an effacement of otherness and diversity. According to the quantitative results, the second most observed misconduct over the last 24 months was racial discrimination (reported by 20% of respondents). This included 6% who said they had seen it occur often. Black African, Indian and coloured respondents had significantly less favorable views about how their companies treat employees compared to their white counterparts. Respondents also raised concerns with discrimination in the qualitative data, although it was not clear to which population groups these respondents belonged. Some of them may well have been white respondents expressing a backlash against transformation. According to one respondent:

> The issue of discrimination due to race is still the big problem to be addressed. I have once seen a situation where work was presented by [a] black person with no support, then later presented by a white person (even worse the same work) then was taken/supported.

These experiences bring to the fore the fundamental difference between Levinas' ethics of alterity and the reduction of otherness into stable categories of difference. Essentializing

identities under categories of race reduces the uniqueness of each person to a group and stereotypes of that group. Another respondent perceived race-based discrimination in the form of 'white backlash' similarly rooted in racial categories:

> I have seen someone telling a white not to apply for a job because they will only appoint
>
> black candidates. This is in line with BEE but not the right way to do it.

This type of comment raises questions about how the organization communicates, articulates and pursues normative intentions around black economic empowerment. The sense of unfairness around appointments concerns matters of justice. That there is a 'right way to do it' may speak to the salience (and lack) of both procedural and interactional justice.

In addition to racial discrimination, examples from the qualitative data point to the subtle, and sometimes not so subtle occurrences of gender-based discrimination:

> Male employees are called on their first names in meetings, females are all called
>
> "madam". […] Males conveying a point passionately are called "passionate and
>
> committed"; women are called "having an emotional outburst" and they need to "calm
>
> down". Males losing their temper (justifiably) are called "taking no nonsense" - women
>
> are called "unstable and hormonal". Underhanded comments about "having her period"
>
> [are] shared as joke between some men.

Like the reduction of otherness to static categories of race, differential treatment based on one's gender does similar objectification work. Stereotypes about gender operate as an imposing knowledge that violates and controls. The kinds of jokes and comments described in the quote above (and below) have a totalizing effect: to make otherness into sameness rather than allowing the uniqueness of Other to reveal itself:

Not overt, subtle enough that if one would report it, the reporter would appear "petty" or one that "cannot take a joke" - often takes the form of "jokes" or misguided "compliments" like whistling. It is not so much what is said, but HOW it is said. It is a subtle way to humiliate / unsettle female employees and to highlight gender differences.

Notice also how, in the first quote, 'underhanded comments' are 'shared as a joke between some men', i.e., the totalizing effect also acts on men, conveying a sameness that takes for granted that other men share such gender stereotypes, neglecting the uniqueness of each man too. Although these experiences and findings cannot be generalized across the companies, they warn of the potential normalization of such behavior in organizational practice.

Experiences of historical wrongs

A key section of the survey sought to understand whether employees believed their organizations had embraced transformation as an ethical imperative, or merely regarded it as a regulatory requirement or tick-box exercise. Introduced as 'correcting historical wrongs', the survey asked about transformation beyond its characterization as BBBEE. This included corrections made through the selection of suppliers, hiring and promotion practices, skills development, land/property ownership, community development, and equity ownership. From the quantitative data, employees overall held positive views that their companies were correcting historical wrongs. However, employees of colour, and in particular African employees, were less positive. In fact, the qualitative data revealed a strong 'vocal minority' with deeply negative views particularly at managerial levels.

Comments related to correcting historical wrongs invariably illuminate issues of justice and perceptions of unfair practices:

Correcting historical wrongs includes fair promotion of competent employees and not just favorites, which tend to be white employees.

I feel that [the company] still has that cappuccino effect when it comes to advancing black talent up the corporate ladder - more can be done. A huge percentage of the black labor force is still primarily occupying non-managerial positions.

The above quotes suggest that, despite policies committed to fairness, promotion practices may still fall short in realizing this intent. In other words, what is 'said' and institutionalized through policies, does not automatically translate into real ethical practice that responds to the unique Other, or what Levinas (1998, 7) calls, 'saying'. The next quote illustrates this point further, and shows how black economic empowerment (BEE) achievements can be seen as something done simply because it is in the company's interest:

[The company] is very behind when it comes to diversity. Yes, your hiring strategy has largely changed to include those of colour (only in junior positions of course which invariably gets you a "nice" BEE score and tax benefits by using BEE vendors). Yet the management of [the company] is still very threatened by those of colour, and it shows in how people are rewarded and promoted in this company which still boasts largely archaic values.

According to this respondent, the company is unwilling to reckon with the past. Instead, the company instrumentalizes BEE policy goals while maintaining the status quo. Implicit in the statement is a sense of management fear and distrust. Lack of transformation at 'the top' reinforces such perceptions, as the next two quotes show:

I will be open, honest and hope my comment will not be complex to comprehend. Africans are not included in the decision-making positions. "Inclusion" is a myth to me, because it merely means he/she is a CEO without the power of making solid decisions.

That transformation efforts do not go far enough resonate with Levinas' argument that the past eludes representation and thematization. Reckoning with the past, as part of the responsibility to the Other, is therefore never wholly concluded. Meeting the targets of a BEE quota-system, checklist or policy-compliance would be inadequate its own.

Discussion: Beyond formal ethics management

The qualitative material presented above offers a view into employees' experiences of the ethical shortcomings in South African companies. These experiences highlight what falls through the cracks of standard approaches to 'manage' ethics, namely issues of respect and fairness. These findings converge with Levinas' (1998) critique of essences, interests and the disjunction between what is institutionalized (or 'said') and the ongoing practice of infinite ethical responsiveness ('saying'). This analysis contributes to the extant business ethics literature that criticizes the instrumentalization and standardization of ethics management strategies (Painter-Morland 2008; Ibarra-Colado et al. 2006; Jones et al 2005). It does so by locating these blind spots in relation to an embodied, interpersonal ethics of responsibility to the Other, and showing how this manifest on matters of diversity and inclusion.

Beyond essence

Levinas' (1998) philosophy reminds us that subjectivity does not possess an 'essence' but emerges in relation to particular Others. The Other is unique and singular, their identity irreducible and unrepresentable in any generalized way. Efforts to 'know' or 'manage' the

Other through social categories and traits reduces their alterity and essentializes identity (Muhr 2008; Levinas 1998, 151). This is relevant for corporate policies that employ categories such as race and gender to address diversity and inclusion.

Paradoxically, companies (and researchers such as ourselves) may apply such categories to address injustices, but this form of institutionalizing moral responsiveness that targets generalized traits also ignores the person as a unique whole (Rhodes 2020, 17). Corporate policies and even an ethics code that essentialize identities in these ways are in fact 'distancing techniques' that anonymize and dehumanize corporate life (Bevan and Corvellec 2007, 217). This is evident in the stereotypical ways in which people talk about others and themselves. It is especially problematic if such targets are pursued as the sole or primary articulation for addressing diversity and inclusion. The risk is that meeting diversity and inclusion targets becomes the measure of justice, and of success in reversing apartheid's legacy for instance. The specific experiences of the unique Other cannot (and need not) be accounted for. (Even a quantitative survey instrument assessing ethical practice would not capture such experiences well).

Levinas (1998) of course recognized the difficulties of achieving justice, which enters the ethical relation with the other through the presence of what he calls 'the third', i.e., the fact that there are innumerable others to whom one is responsible. In the unavoidable and difficult process of deciding between applicants, of comparing "incomparables" (Levinas 1998, 16), one must 'thematize' and decide. This is where interactional justice and moral responsiveness to individual Others in everyday interpersonal interactions becomes so important. An ethics program intended to address diversity and inclusion in the workplace must go beyond meeting particular target ratios. It must recognize the incompleteness of such an approach, and the incompleteness of the 'knowledge' of the Other contained therein. This requires, at minimum,

acknowledging and critically interrogating how stereotypes and prejudices manifest in everyday interactions and relationships between colleagues.

Beyond interests

Employee experiences of disrespect and bullying also point towards the infiltration of instrumental purposes on corporate cultures and interpersonal relationships in the workplace. The imposition of business goals such cost efficiency and profit-making portrays others as objects and means towards those ends. Even the business ethics scholarship has been criticized for being developed and consumed as "knowledge for the management and for the companies and not for the Other" (Aasland 2007, 222). Levinas helps us to understand how interests undermine ethical practice. Our ethical agency and responsibility for the other cannot emerge from our own individual ego and its interests: it "cannot have begun in my commitment, in my decision" (Levinas 1998, 10). Even in the comparison between multiple others that justice demands, the self remains (or ought to remain) 'passive' (1991, 15) in the sense that the ethical subject awaits direction from the Other in terms of what is required to be ethically responsive. In a real sense, one is held hostage by the Other, rather than being able to 'manage' the Other. As such, Levinasian thinking poses challenges towards the notion of ethics management as such.

The corporate context, however, seems irreconcilable with such disinterested responsibility for the Other (Bevan and Corvellec 2007). The bureaucratic structuring of roles and functions, the regulation of conduct through policies, incentive structures and performance measures largely encourage calculative and self-serving behaviors. Even measures to address diversity and inclusion as matters of justice become circumscribed by the contribution to organizational success (Rhodes 2020, 44). Of course, compliance programs do not foreclose the possibility of ethical agency in organizations (Bruna and Bazin 2018). Studies in the 'sociology of compliance' (Khaled and Gond 2020) have shown how abiding by regulation is

less about blind obedience than individual interpretation and embodied experiences (Pérezts and Picard 2015).

However, the survey findings alert us to the still-present danger of a policy-compliance approach when it comes to matters of diversity, especially where the essentialization of identities around race and gender need to be disrupted. This is necessary for interactional justice but is also jeopardized when deeply held tacit beliefs about the Other circulate within a competitive and individualizing environment that shapes affective, interpersonal experiences. This is what the South African context illustrates. This resonates with extant research on employment equity (Warnat 2012) and bullying (Motsei and Nkomo 2016) in South African companies, and the importance of addressing exploitative structural relations as well as interactional justice.

Of course, the fact that executives from the participating companies participating in the survey agreed to do so suggests an awareness and interest in their ethical performance, and willingness to critically reflect on organizational culture and practice. For some, the exercise may be yet another calculative step taken in the interest of the company by leveraging the reputational capital gained by appearing to take ethics seriously. For others, however, it may reflect a genuine concern with how employees believe the company is doing. In discussions with leaders on the survey findings (facilitated by one of the co-authors), some findings corroborated what they already knew while other findings were received with shock, clearly indicating certain blind spots. Some leaders were also sceptical at first of the value of understanding employees' lived realities. Companies also varied in their willingness to explore practical interventions in response to the findings. Here lurks the discursive power of formal, standardized ethics management programs, and the risk of resorting to the usual methods of actively 'managing' and institutionalizing ethics.

Beyond the 'said'

The standard approach to ethics management is to institutionalize one's commitment to ethics via policies, structures and processes. But this does not automatically translate into an ethical culture and real ethical practice (Stansbury and Barry 2007). Levinas' distinction between the 'said' and 'saying' offers a way to understand the disjuncture between the institutionalization of ethics and ethical practice as an ongoing process of responsiveness. More than what is 'said' (the ethical intent conveyed in policy), what matters is what is done ('saying'). Any programmatic instrumentalization to address diversity and inclusion and address historical wrongs – whether through a black economic empowerment quota system, a code of conduct or any form of policy compliance – is insufficient. Realizing justice and correcting historical wrongs is about finding ways to account for the past. Setting specific targets and putting people into posts to meet those targets might be a quick fix towards procedural justice but neglects the ongoing (indeed infinite) responsibility towards the Other.

Although Levinas (1998, 46) acknowledges that 'saying' inevitably leads to 'the said', to thought and systematization and essence, the past still eludes representation and thematization (Levinas 1998, 122). This infinite responsibility is important to consider in the South African corporate context. What Levinas helps us to see, and the survey findings illustrate, is that it is not enough to acknowledge once and for all the injustice of the past. The proximity of the Other is a haunting reminder that there is always something owed, that 'you're not done'. Responsibility for the Other holds one hostage, as Levinas (1998, 15) describes vividly in *Otherwise than Being* in terms of the subject's susceptibility and vulnerability to responsibility:

vulnerability, exposure to outrage, to wounding, passivity more passive than all patience, passivity of the accusative form, trauma of accusation suffered by a hostage to the point of persecution, implicating the identity of the hostage who substitutes himself for the others.

Being held hostage by this responsibility for the Other therefore calls for continual effort to find new ways to respond, new iterations of responsiveness towards reckoning with and committing to addressing the past. It is also for this reason that standardized approaches to corporate ethics developed in Western countries and merely transferred to other countries becomes so problematic. Although beyond the scope of this paper, this practice can also be understood in light of emergent postcolonial critiques of management scholarship and practice (e.g., Nkomo 2011, Banerjee and Prasad, 2008) that perpetuate the projective Westernization of the world.

Concluding thoughts and recommendations

The survey findings highlight perceptions of unethical behaviors and unfulfilled promises that manifest primarily in the interpersonal level. Efforts to manage ethics within organizations may exacerbate rather than allay these kinds of challenges, as elucidated via Levinas' ideas around essence, interest and the difference between 'saying' and 'said'. How then can companies mitigate the tendency towards essentialization, instrumentalization and institutionalization?

Levinas' thought on ethics does not represent a normative system with recommendations for teaching or practice. Scholars have recognized that responding to the call of responsibility is not something that can be taught or managed, as doing so would merely bring it into a knowledge framework centered around the self (whether individual or organizational) (Aasland 2007). But it can be encouraged. And although corporations cannot experience the face of the Other (because they lack physical bodies) or escape their own self-interest, they can provide an "arena for ethical practice" (Bevan and Corvellec 2007, 213).

Despite bureaucratic structures and rules that dictate relations in the workplace, the ethical impulse towards the Other is never fully erased (Bruna and Bazin 2018). Thus, the question is how to enable organizational members to take on their infinite responsibility towards others.

This paper contributes to thinking about this 'arena' in relation to, but also beyond the tools of a standard ethics management program. One may even consider whether 'ethics management' is the best way to phrase an organization's commitment to moral responsiveness. Using language that is more process-orientated, such as 'our commitment to ethically responding, repairing and supporting', may be closer to the kind of ethics that Levinas would have envisaged, and to support organizational practices that make this possible.

One point of entry is to create opportunities for people across the organizational hierarchy to interact with one another at an interpersonal level. In short, spaces to get to know one another as human beings to encourage but not prescribe affective connection and empathy. Spaces for conversation, for conversing without any ulterior purpose except to see and hear the Other, can also be integrated into organizational practice. This can take the form of appreciative interviews between colleagues at the start of meetings. In a context like South Africa where essentialized identities have been reinforced through social, cultural and spatial boundaries, such interactions have potential to disrupt persistent stereotypes. This would open up a space for openness to the face of the Other and the ethical ambiguity this brings (Kjonstad and Willmott 1995; Loacker and Muhr 2009).

Ethics trainings that elicit one's personal sense of values can also counteract the articulation of ethics from above via codes and policies. More relational, embodied and practice-based approaches (Loacker and Muhr 2009) that draw on relational philosophies such as Levinas' thought or that of ubuntu (Woermann and Engelbrecht 2019) can help problematize assumptions of homo economicus which underpin mainstream thinking in business schools and ethics management (Painter-Morland 2015). Drawing on perspectives such as intersectionality

(Hill Collins and Bilge 2016) could also offer important insights into how social identities are socially constructed to produce differential experiences of inequality and forms of oppression.

At a leadership level, the challenge would lie in reiterating a commitment towards ethical responsiveness as an ongoing task and responsibility. This has implications for how one deals with the organization's past, its current reality and its future. How can leaders communicate an ongoing willingness to engage with Otherness? How can they mentor and support those not like themselves? How can more inclusive futures be envisaged in terms of succession planning and empowerment? Acknowledging the past injustices is a controversial topic, but more recently we have seen business leaders stepping up in this regard. In 2018 for instance, the fast-food restaurant chain, Nando's, launched the #rightmyname campaign to challenge the tendency of software spellcheck programs to mark African names as a spelling mistake (ENCA 2018). The campaign counters the 'othering' of the Other as a colonial and apartheid legacy. This is just one example of how leaders have engaged with the particular lived experiences of the Other in this context.

At the organizational level, companies should recognize the incompleteness of any institutionalized tools and policies, especially around diversity, inclusion, transformation and corporate responsibility. An ongoing, open practice of internal review would cultivate a critical yet healthy relational reflexivity across the organization. The findings of this paper implicate performance management policies and incentive structures in particular. Performance measures to include employee wellbeing understood not in numbers but in embodied experiential stories would be important. Also, establishing a track record for rewarding employees and managers who manage to sustain relationships with a variety of stakeholders, could be another suggestion.

But these are, of course, suggestions for moving beyond ethics management as such. This paper has pointed out the blind spots of standard corporate ethics programs, particularly

in relation to how organizations approach diversity and inclusion through categories like race and gender. And further, the paper has argued that this ultimately betrays the relationship to the Other as the source of our ethical agency. Cultivating an 'arena' for ethical practice and moral responsiveness that holds respect for the Other at the center, requires a 'passive' orientation. and attention to. It will ultimately be up to individual leaders and managers, but also scholars shaping management thinking and practice, to continually respond to the specificity and lived realities of organizational members that ethics demands.

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Tables

Table 1. Six categories of behavior measured in the Ethics Survey

Survey categories of ethical behavior	Number of questionnaire items per category
Treatment of customers	5
Treatment of suppliers	3
Treatment of employees	12
Organizational culture and practices	16
Engagement with broader society	12
Avoidance of misconduct	20

Table 2. Overview of participating companies

Company	Sector	Ethics code	Ethics officer	Ethics training	Ethics reporting mechanisms	Ethics-related policies
Company 1	Mining	✓	Ethics	✓	✓	✓
Company 2	Banking	✓	Ethics	✓	✓	✓
Company 3	Insurance	✓	Ethics	✓	✓	✓
Company 4	Financial services	✓	Compliance	✓	✓	✓
Company 5	Financial services	Not available	Legal and compliance	Not available	Not available	✓
Company 6*	Legal	Not available	Compliance	Not available	Not available	Not available
Company 7	Property	✓	Not available	✓	✓	✓
Company 8	Property	✓	Internal audit; Transformation	Not available	✓	✓
Company 9**	Financial services	✓	Compliance	✓	Not available	✓
Company 10*	Leisure	Not available	Not available	Not available	Not available	Not available
Company 11	Financial services	✓	Ethics	Not available	✓	✓
Company 12	Banking	✓	Risk	✓	✓	✓
Company 13	Retail	✓	Risk and compliance	✓	✓	✓
Company 14	Leisure	✓	Risk and audit	✓	✓	✓
Company 15	Financial services	✓	Ethics	Not available	✓	Not available

*Not listed on JSE
**Listed (LSE and NASDAQ) but not JSE