IMPLICATIONS OF AFRO-COMMUNITARIAN ETHICS FOR SOCIALLY RESPONSIBLE BEHAVIOUR IN THE INFORMAL SECTOR: A CASE OF AKAN SOLE TRADERS IN

CAPE COAST, GHANA.

By

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Declaration of Authorship

I, Bernie D Asher, hereby declare that this thesis and the work presented in it are entirely my own. Where I have consulted the work of others, this is always clearly stated.

Signed: Bernie D Asher

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Abstract

In the same way that small businesses were left out of the drive towards corporate social responsibility (CSR), they seem to have been excluded from the business human rights (BHR) agenda as well. Both CSR and its more recent outgrowth, Business Human Rights (BHR), emphasize the need for business organizations to engage in responsible and socially beneficial activities. What is clear from the literature is that, like CSR, BHR has primarily focused on businesses in the formal sector, particularly Transnational Corporations (TNCs), with only minimal attention paid to Micro, Small, and Medium Enterprises (MSMEs), particularly sole traders, operating within the informal economy. This lack of attention has resulted in a scarcity of empirical investigations into whether informal micro-enterprises, such as sole traders, undertake socially responsible behaviour beyond the well-documented economic contributions they make. As this study will show, informal sole traders do undertake some CSR activities, particularly philanthropic activities, which also fulfil some business human rights obligations. In line with this, the following research questions were crafted: What socially responsible actions, particularly philanthropic responsibilities, do informal sole traders undertake? How do these actions fulfil some business human rights obligations as laid out in the United Nations Framework for Business Human Rights? And what motivates such socially responsible behaviours?

Fanti sole traders living and operating in the Abura community of Cape Coast, the capital city of the Central Region, Ghana, were selected as the research context. The study followed an inductive pathway of inquiry and employed semi-structured interviews and non-participant observation. Thirty sole traders involved in various petty trades, such as second-hand clothes sellers, food vendors, and iced-water sellers, were interviewed. This was supported with data collected through non-participant observations, all in line with the qualitative nature of the study. Collected data was manually analyzed using thematic analysis. In terms of a theoretical framework, a modified version of Integrative Social Contracts Theory (ISCT) was used. This theory provides a blueprint for how informal sole traders can

make socially responsible business choices and decisions in the conduct of their business, which also fulfills some business human rights obligations. This is especially beneficial in the absence of a prescriptive and conclusive set of directions on how such businesses are to act responsibly by agreeing on a set of normative rules in the form of micro-social contracts towards stakeholders—something the authors of ISCT attribute to the bounded rationality of economic morality. In the present study, it was proposed that the norms inherent in Afro-communitarianism, reputed to be the authentic African ethic, constitute the content of micro-social contracts.

According to ISCT, if local community members (such as informal sole traders) freely subscribe to these norms and retain the right to exit the community, they attain legitimacy. Furthermore, if legitimate norms harmonize with hypernorms, a key example of which is the provisions in the UDHR, then they become authentic norms. The study provides an empirical contribution to the area of small business social responsibility by showing that despite their apparent illegality, informal business communities made up of sole traders do exhibit some socially responsible behaviour, some of which neatly overlaps with certain BHR obligations. The study contributes to theory by introducing the concept of "superfluous norms" — explained as authentic norms that significantly surpass hypernorms instead of merely meeting the minimum threshold of hypernorms.

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BHR   Business Human Rights

CSR   Corporate Social Responsibility

ESC   Extant Social Contracts

GDP   Gross Domestic Product

IMF   International Monetary Fund.

ILO   International Labour Organisation

ICLS   International Conference for Labour Statisticians

ISCT   Integrative Social Contracts Theory

MSME   Micro, Small, Medium Enterprises

NGO   Non-governmental Organisation

OECD   Organisation for Economic Co-operation and Development

OHCHR   Office of the United Nations High Commissioner for Human Rights

SME   Small and Medium Enterprises

SRSG   Special Representative to the Secretary General

TNC   Transnational corporations

UDHR   Universal Declaration of Human Rights

UN   United Nations

UNCTAD   United Nations Conference on Trade and Developmen

Chapter One: Introduction

1.0 Introduction

It is a truism that Corporate Social Responsibility (CSR) defies a single universal definition. Carroll (2015), for example, points to about thirty-seven different definitions and meanings of the term in the literature. Bowen (1953) provided a classic definition of the concept by referring to it as 'the obligations of businessmen to pursue those policies, to make those decisions, or to follow those lines of action which are desirable in terms of the objectives and values of our society' (Bowen, 1953, p. 6). The European Union, on its part, conceptualizes CSR as voluntary contributions made by business organizations towards creating a better society (Commission of the European Communities, 2001). The concept has also been seen as the 'moral or ethical responsibility for companies, entailing corporate responsibility for the social and environmental impact of their activities and for sustainable social and environmental development' (Buhmann, 2007, p. 331).

In tracing the evolution of CSR, Carroll (2015) points to two historical viewpoints: first, CSR was thought to encompass those actions which managers and organisations take to protect and improve societal welfare in line with the business owner's interest. This perspective restricted CSR to actions that harmonise with the business's interests. By emphasising the organisation's duty to 'protect and improve', this perspective emphasizes the avoidance of actions that impact negatively on society while also providing positive benefits for society. The second perspective, according to Carroll (2015), was that "companies not only had economic and legal obligations but also certain responsibilities that extended beyond those obligations" (p.90). It was to define these extended responsibilities which led to his four-part categorisation of CSR into economic, legal, ethical and discretionary aspects (Carroll, 1979). To him "economic and legal expectations were *required* of businesses; ethical responsibilities were *expected,* and discretionary/philanthropic actions were *desired* of business by society" (Carroll, 2015, p.90, italics mine). Thus, economic, and legal expectations

are mandatory while ethical and discretionary/philanthropic expectations are voluntary. By being desirable, discretionary/philanthropic CSR places moral obligations on businesses that complement their mandatory obligations. Discretionary/philanthropic actions here are in line with Bowen's view of CSR above which expects businesses to take courses of "action which are desirable in terms of the objectives and values of our society" (Bowen, 1953). Such desirable actions are of particular importance to this study's purpose as the business organisations under study are informal and so operate largely outside of the purview of the law or in the so-called shadow economy. Thus, legal responsibilities are essentially ruled out. Additionally, from an ethical viewpoint, such businesses can hardly point to a "full scope of norms, standards, values and expectations that reflect what consumers, employees, shareholders and other stakeholders regard as fair, just and consistent with respect for protection of stakeholders' moral rights" (Carroll 2016, p.90). Indeed, informal sole traders often have no employees; nor are there any formal set of ethical standards against which they can be judged.

Thus, in measuring the CSR efforts undertaken by informal sole traders, one primarily examines their economic and discretionary duties, as they remain largely in the shadows concerning legal and ethical dimensions. The economic contributions of informal businesses to the global economy have been abundantly and exhaustively documented (Charmes, 2000, 2007; Chen, 2007; Carroll, 2011; Harris-White & Sinha, 2007; Haug, 2014). However, what remains largely unexplored and undocumented are the discretionary and voluntary social responsibility efforts made by these businesses, which can be considered as part of their CSR practices.

Considering the preceding discussion, the primary objective of the current study is to investigate the CSR activities of informal sole traders, with a specific focus on their philanthropic responsibilities. The study aims to examine how these actions contribute to fulfilling important business human rights (BHR) obligations, representing another stage in the evolution of CSR. While informal sole traders may not have formal CSR structures comparable to corporations, they still maintain networks of stakeholders to whom they have social responsibilities. The study will demonstrate that in fulfilling

these responsibilities, informal sole traders often align with and fulfil certain business human rights obligations outlined in the United Nations Guiding Principles.

1.1 Micro CSR

Traditionally and historically, CSR has predominantly focused on the policies and actions that organisations, as a collective entity, implement to address social responsibility concerns. Such CSR efforts centre on the organizational or macro-level analysis of CSR (Matten & Moon, 2008). However, in recent times, a fast-growing perspective has emerged, which conceptualizes or analyses CSR from a different angle. This approach shifts the focus towards individual agents within the organization and their interpretations of and actions towards social responsibility (Spence, 2007).

This perspective is known as the micro level of analysis or micro-CSR (McWilliams et al., 2019). In line with this, Glavas and Radic (2019) classified CSR into institutional, organizational, and individual levels. Despite the growth in micro-CSR, this perspective lacks a precise definition, often being described simply as "CSR activities that are examined at the individual level" (Low & Spong, 2020, p. 268) or as that aspect of social responsibility efforts benefiting individuals (Newell & Frynas, 2007).

Low & Spong (2020) categorized micro-CSR into three aspects: employees attached to an organization, independent individuals not affiliated with the organization in question, and individuals who are part of the general public (p. 268). Their study focused on the first category, analysing employees attached to organizations as the unit of analysis. On the other hand, Al-bdour et al. (2010) also classified micro-CSR into five dimensions, specifically in their assessments of employee organizational commitment. These dimensions included training and education, work-life balance, workplace diversity, health and safety, and human rights.

Sole tradership CSR can rightfully be regarded as a form of micro-CSR since sole traders are inseparable from the businesses they operate, especially in terms of ethics and legal status. In assessing the CSR efforts of sole traders and how these efforts address Business Human Rights (BHR)

obligations, the study follows the approach of Low & Spong (2020) by focusing on sole traders and their inherent attachment to the businesses they own and manage as owner-managers. Additionally, the study incorporates the dimension of human rights from Al-bdour et al.'s (2010) classification of micro-CSR to comprehensively analyse the CSR practices of sole traders.

1.2 Business Human Rights (BHR)

As previously stated, Business Human Rights (BHR) represents an aspect of the broader CSR agenda. Debates surrounding the extent of human rights obligations for businesses have historically been the responsibility of states (Bishop, 2008). On one hand, some scholars present a business case for BHR, suggesting a cost-benefit analysis to assess the costs and benefits that businesses incur when adopting human rights responsibilities. On the other hand, other scholars emphasize the normative nature of the question of business human rights obligations, viewing it primarily as a moral or ethical consideration that cannot be adequately addressed solely through cost-benefit analysis (Baumann-Pauly & Nolan, 2016; Ozar, 1985; Donaldson, 1982).

The drive towards CSR, especially Business Human Rights (BHR), has largely centered on transnational corporations (TNCs) (Tilley, 2000; Hseih, 2015). This emphasis is partly due to the most publicized human rights abuses being linked to such multinational entities (Baumann-Pauly & Nolan, 2016). Additionally, their substantial global presence, vast resources, and influence have positioned TNCs as key actors capable of directly impacting the extent to which BHR, and other CSR benefits, can be realized by stakeholders (Nolan, 2016). Indeed, the title of the most authoritative and up-to-date BHR document, "Report of the Special Representative of the Secretary-General on the Issue of Human Rights and the Transnational Corporations and Other Business Enterprises" (UN Framework), appears to assign TNCs a more prominent role in the human rights agenda, often relegating non-TNCs to the status of "other." However, it is essential to recognize that the majority

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of businesses in the world are non-TNCs, encompassing Micro, Small, and Medium Enterprises (MSMEs). According to the World Bank (2015):

> "Formal MSMEs contribute up to 45 percent of total employment and up to 33 percent of national income (GDP) in emerging economies. These numbers are significantly higher when informal MSMEs are included in emerging markets, most formal jobs are with MSMEs, which also create 4 out of 5 new positions. Furthermore, it estimates that "between 365-445 million micro, small and medium enterprises (MSMEs) in emerging markets: 25-30 million are formal MSMEs; 55-70 million are formal micro enterprises; and 285-345 million are informal enterprises".

From this overview, several conclusions can be drawn. Firstly, there is a strong interest in the social responsibility of businesses due to their extensive impact on various stakeholders and society as a whole.

This is because businesses play a major role in the contemporary world as:

> "the major source of investment and job creation, and markets can be highly efficient means for allocating scarce resources. They constitute powerful forces capable of generating economic growth, reducing poverty, and increasing demand for the rule of law, thereby contributing to the realization of a broad spectrum of human rights" (United Nations Special Representative of the Secretary General, 2008, p. 3).

Secondly, MSMEs represent the predominant business model worldwide, particularly in the informal economy, accounting for over 90% of enterprises and constituting 50-60% of employment in developing countries (Kushnir et al., 2010; Fox, 2005). Given their prevalence and significance, any study of CSR, including BHR, should necessarily encompass these businesses to remain relevant and comprehensive.

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Thirdly, the substantial size and potential impact of the informal economy, particularly in developing countries, underscore the importance of including it in any meaningful analysis of the broader CSR agenda, including Business Human Rights (BHR) (Canagarajah & Mazumdar, 1997).

According to Vanek, et al., (2014), informal employment is made up of:

> "more than one-half of non-agricultural employment in most regions of the developing world – specifically 82 per cent in South Asia, 66 per cent in Sub-Saharan Africa, 65 per cent in East and Southeast Asia and 51 per cent in Latin America. In the Middle East and North Africa informal employment is 45 per cent of non-agricultural employment" (p.2).

The International Labour Organisation (ILO) data reveals that about three-quarters of non-agricultural employment in sub-Saharan Africa is derived from the informal economy (International Labour Office, 2002; Bonnet, Vanek & Chen, 2019). Given that the economies of many developing and emerging countries are predominantly driven by informal MSMEs, it becomes crucial to explore the role they play in CSR, including Business Human Rights (BHR). This exploration is particularly pressing as it is expected that "most of the jobs that will be needed to satisfy the labour market in the future have to be created inside the informal economy" (Haug, 2014, p. 2), making the informal sector an engine of economic development (Beck et al., 2006b). However, investigating how informal businesses undertake CSR and how these actions align with certain BHR obligations can be challenging. These businesses often lack fixed premises or formal structures that would provide clear reference points for analysis. Nonetheless, delving into these areas is imperative to understand and foster responsible practices within the informal economy.

Lastly, in response to calls for businesses to consider the responsibility to respect human rights as fundamentally 'ethical or moral obligations' (Cragg et al., 2012, p. 4), it is crucial to explore how the CSR activities of these businesses can effectively fulfil certain Business Human Rights (BHR) obligations, and the mechanisms by which this occurs. Such exploration can offer valuable insights

for advancing the global BHR agenda and promoting responsible business practices worldwide. Understanding how informal businesses, with their unique challenges and characteristics, engage in CSR activities that align with BHR obligations can contribute to shaping a more inclusive and sustainable approach to business responsibility.

1.3 Human Rights Impact of Informal Small Businesses

The existing literature on human rights and the informal economy has predominantly focused on the negative aspects of the informal economy and the promotion of decent work through formalization efforts (Miller, 2007; Amin, 2002; International Labour Organisation, 2002; Bacchetta et al., 2009; Osei-Boateng & Ampratwum, 2011; Schlyter, 2002/2003; European Commission, 2009; Chen, 2001; Narayen, 2007; Ramani et al., 2013; ILO, 1998; Barrientos, 2002; Bonnet, Vanek & Chen, 2019). In much of the existing literature, human rights abuses in the informal economy have been attributed to the lack of government oversight. Therefore, formalizing this sector and bringing it under government purview are implied as potential solutions to address the human rights issues within the informal economy (International Labour Organisation, 2002). The preceding discussion suggests that achieving decent work, which entails respecting the human rights of workers (Blustein, Olle, & Diamonti, 2016), is a challenging goal for participants in the informal economy unless formalization is accomplished. In response to this issue, this study aims to demonstrate through empirical investigation that, despite the existence of well-documented abuses, certain business organizations in the informal economy undertake socially responsible behaviour that also fulfils some human rights obligations. It is noteworthy that these business organizations often operate from behind a veil of ignorance concerning Business Human Rights (BHR) issues. The study seeks to shed light on these behaviours and explore how they contribute to addressing BHR concerns within the informal economy. The study seeks to explore the influence of indigenous cultural norms, particularly Afro-communitarian ethics, on socially responsible behaviour within the informal sector, focusing on sole

traders. Afro-communitarian ethics is considered an authentic black African ethical worldview prevalent in certain communities in Ghana. The study's specific objectives are to understand how Afro-communitarian ethics motivates socially responsible actions among informal sole tradership businesses and how these actions align with certain Business Human Rights (BHR) obligations.

The study focuses on three specific human rights provisions from the Universal Declaration of Human Rights (UDHR) as examples of Business Human Rights (BHR) standards that business organizations should strive to meet:

Article 1: "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood."

Article 16(3): "The family is the natural and fundamental group unit of society and is entitled to protection by society and the State."

Article 29(1): "Everyone has duties to the community in which alone the free and full development of his personality is possible."

1.4 Definition of Terms

1.4.1 Definition of Human Rights

Definitions of human rights abound in the literature, however in this study we adopt the definition by the United Nations Children's Fund which defines it as the "standards that recognize and protect the dignity of all human beings. Human rights govern how individual human beings live in society and with each other, as well as their relationship with the state and the obligations that the state have towards them" (UNICEF, n.d.).

1.4.2 Definition of Business Human Rights

The concept of business human rights can best be explained in terms of the rights and obligations that businesses have towards their various stakeholders. Thus, business human rights place a duty

on business organisations to "respect human rights and to refrain from breaching the human rights of others, as well as to address any negative effects with which they are involved (United Nations, 2011).

1.4.3 What is the Informal Economy

The informal economy is defined as the:

> The term "informal economy" refers to all economic activities by workers and economic units that are – in law or in practice – not covered or insufficiently covered by formal arrangements. Their activities are not included in the law, which means that they are operating outside the formal reach of the law; or they are not covered in practice, which means that – although they are operating within the formal reach of the law, the law is not applied or not enforced; or the law discourages compliance because it is inappropriate, burdensome, or imposes excessive costs (IILO,2002, p.25).

This is the definition of the informal economy that is adopted in this study. However there are many discussion about the definition of illegality in the literature (See for exmple Busso, 2012)

1.5 Justification of Unit of Analysis- why informal Sole traders?

In this study, sole tradership businesses are chosen as a unique type of enterprise to be studied. The rationale behind this selection is that sole tradership uniquely combine several important features from various business concepts that are relevant to the study's objectives. These business types encompass characteristics of self-employment, owner-manager, entrepreneurs, and small business ownership. To grasp how sole tradership amalgamate these features, a discussion of some of these concepts is appropriate.

1.5.1 Self-employment

The International Labour Organisation defines self employment jobs as:

"those jobs where the remuneration is directly dependent upon the profits (or the potential for profits) derived from the goods and services produced (where own consumption is considered to be part of profits).The incumbents make the operational decisions affecting the enterprise, or delegate such decisions while retaining responsibility for the welfare of the enterprise. (In this context "enterprise" includes one-person operations.)" (ILO, 1993).

Hodges and Budig (2009, p. 396) echo the aforementioned definition by describing self-employed individuals as "those who earn income from their trade or business, set the terms of how, when, and where they perform their work, and assume all the risks and responsibilities of their entrepreneurial activities." Self-employment differs from regular employment because it eliminates the master-servant relationship that typically characterizes employment (Deakin & Wilkinson, 2005). In a conventional employment setting, there is a clear distinction between the "boss," and employer, who directs the employees' functions (Mckeown, 2015, p. 105). Regarding the characteristics of the self-employed, Gindling and Newhouse (2014) conducted a study encompassing 100 countries worldwide and identified the following key features:

Age: Self-employment becomes more likely with increasing age. Older individuals are more inclined to engage in self-employment compared to younger individuals.

Gender: In sub-Saharan Africa, women are more likely to be self-employed than men, whereas in Europe, the Caribbean, South Asia, and Latin America, this trend differs, and men tend to have higher self-employment rates.

Education: Own account and agricultural workers who are self-employed generally possess lower levels of education compared to employers and employees.

1.5.2 Entrepreneurship

Entrepreneurship has eluded a universally accepted definition (Berthold & Neumann, 2008; OECD, 1998) despite numerous attempts to define and explain it throughout history. For instance, in the 1700s, Richard Cantillon described coping with uncertainty as the defining feature of an entrepreneur (Cantillon, 1755). Jean Baptiste Say, on the other hand, emphasized the ability to effectively combine factors of production under risk as the hallmark of an entrepreneur (Say, 1828). Schumpeter (1947) offered his explanation, defining the defining characteristic of an entrepreneur as "simply the doing of new things or the doing of things that are already being done in a new way (innovation)" (p. 151). These diverse perspectives showcase the multifaceted nature of entrepreneurship and the complexity of defining it in a singular manner. Schumpeter (1947) refers to the unique contribution that entrepreneurs bring to the business landscape as the process of 'creative destruction,' wherein new entrepreneurs displace old firms, introduce innovative production processes, and replace outdated products (p. 236-7). This concept highlights the transformative impact of entrepreneurial endeavors on the economic landscape.

Additionally, Shapiro and Sokol (1982) identified several key functions of an entrepreneur, which include: Consolidating resources: Entrepreneurs gather and combine various resources to initiate and sustain their ventures. Organizational management: Entrepreneurs are responsible for efficiently managing the operations and structure of their ventures. Taking initiative: Entrepreneurs demonstrate initiative by identifying opportunities, taking risks, and pursuing new business ventures. Autonomy in resource allocation and application: Entrepreneurs have the freedom to decide how to allocate and utilize resources to achieve their business goals. Risk-taking: Entrepreneurs willingly take on risks associated with their ventures, knowing that success is not guaranteed.

Many more recent studies have explored the essential features of entrepreneurs. Berthold & Neumann (2008), for example, postulated that entrepreneurs "create new products, new methods of production, open new markets on both the supply side and the demand side, and, moreover,

reorganize industries" (Berthold & Neumann, 2008, p.236). According to their perspective, entrepreneurs possess the following characteristics: they combine factors of production, bear risks, satisfy diverse customer needs, transform knowledge into saleable products and services, and aim for business growth.

Similarly, Filion (2021) highlights several defining features of an entrepreneur, including innovation, opportunity recognition, risk management, action, effective utilization of resources, and creating added value.

1.5.3 Small Business Ownership

Indeed, the term 'small businesses' lacks a single universal definition due to its contextual nature. Various definitions exist based on different criteria such as the number of employees, turnover, or balance sheet totals. In the late 1970s, the Small Business Act of the United States defined small businesses as "independently owned and operated and not dominant in their field of operation" (Small Business Administration, 1978). Since then, numerous other definitions have emerged. For instance, the EU Commission defines a small enterprise as "an enterprise that employs fewer than 50 persons and has an annual turnover and/or annual balance sheet total not exceeding EUR 10 million" (EU Commission, 2003). This definition has remained unchanged as of 2020 (EU Commission, 2020). Other definitions have described small businesses as enterprises employing 1-9 people (Van der Wijt, 1989) or those with fewer than 100 employees and a turnover of less than 15 million euros (Jordan et al., 1998). In the Ghanaian context, the number of employees is commonly used as a key indicator of a small business, with a maximum employee count of nine (Kayanula & Quartey, 2000). Due to these various criteria, small businesses can be characterized by their size, scope of operations, and level of independence, and there is no single, universally accepted definition that applies to all contexts.

1.5.4 Owner-managers

The term "owner-managers" refers to individuals who both found and own a business enterprise while actively playing the role of the manager. These owner-managers have a direct influence on the way the business operates (Lobuntiu & Lobuntiu, 2014). This concept is particularly useful in differentiating small businesses from large corporations, where a clear distinction is often made between shareholders, who own the business, and the hired managers who are responsible for running the day-to-day affairs of the business. In larger corporations, shareholders and management are considered separate entities, and management has a fiduciary duty to act in the best interests of the shareholders. However, in owner-managed businesses, the roles of the owner and manager are intertwined, and the owner-manager takes personal responsibility for the business's success and decisions.

1.5.5 Comparisons: Self-employed, Small Businesses Ownership and Owner-Managers versus Entrepreneurship.

1.5.5.1 Self-employment versus Entrepreneurship

Berthold and Neumann (2008) propose that "every self-employed person can be defined as an entrepreneur" since they earn their income by selling products or services that are unique in some way, even if it's just the selling place or time (p.237). This assertion is justified by the fact that self-employed individuals often exhibit characteristics that align with the typical definition of an entrepreneur. For instance: Bearing risks: Self-employed individuals take on the risks associated with running their businesses, which is a common trait of entrepreneurs. Identifying unique consumer needs: Successful self-employed individuals identify specific needs of their consumers and strive to adapt their products or services accordingly to meet these unique demands. Transforming knowledge into products or services: Self-employed individuals leverage their knowledge and expertise to develop innovative and marketable products or services. Combining factors of production:

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Entrepreneurs, including self-employed individuals, effectively bring together various resources and factors of production to create and offer saleable products or services.

One important difference between an entrepreneur and a self-employed is the issue of business growth. Berthold and Neumann (2008) identified business growth as a key objective for entrepreneurs. This may not necessarily be the case for a self-employed person who may focus on improving "their livelihoods rather than promoting… business growth" (Cho, Robalino & Watson, 2016, p.1).

1.5.5.2 Small Business Ownership versus entrepreneurship

Carland et al., (1988a) asked the question of whether small business owners were necessarily entrepreneurs. They reached the conclusion that the two are not the same. According to them, the differentiating factors between the two were the issues of growth and innovation. In a subsequent study, Carland et al., (1988b) posited that entrepreneurs were different from small business owners based on the venture strategies they deploy. Furthermore, they believed that entrepreneurship displayed significantly different personality and behavioural characteristics. Subsequently, Lobintiu and Lobonțiu (2014) also identified growth as an important feature of entrepreneurship. While small business owners may not have growth and expansion as their main goal, the pursuit of such growth is necessary for any businessperson to be classified as an entrepreneur. This reflects the position of Berthold and Neumann (1988). Of course, small business owners may also be entrepreneurs if, for example, they exhibit most of what Berthold and Neumann (1988) identify as the key characteristics of entrepreneurship, as laid out above. What the above suggests is that small business owners may possess characteristics that make them entrepreneurs.

1.5.5.3 Owner-Managers versus Entrepreneurs

Whether an owner-manager is an entrepreneur or not depends on whether they display the hallmarks of an entrepreneur as explained in the previous paragraphs. Conversely, an owner-manager may

merely be the owner of a business while also managing it but may not possess any of the defining characteristics of an entrepreneur. An example of this is when one inherits an unincorporated business venture such as a sole tradership and decides to manage it themselves. Such an heir may lack the essential features of an entrepreneur and yet be a bona fide owner-manager of the firm. Questions, however, remain as to whether an owner-manager can operate and succeed without displaying key entrepreneurial skills, since owner-managers must deploy strategies that ensure the survival, if not the growth of the enterprise. They must find ways of gaining competitive advantage which often necessitates the crafting and implementation of a strategic vision and be innovative both of which are key characteristics of entrepreneurs.

1.5.5.4 Sole Tradership: an umbrella term

The term sole trader effectively combines the features of all the organisation forms discussed above, and this is why it is chosen as the primary unit of analysis in the present work. The term can be explained as a business owned by an individual who bears personal liability for the obligations of the business; who has the authority to manage the business; and where the business ends with the owner's death or decision to end the business; with the ownership being transferable as any other personal property (Matheson, 2002). Sole traders are self-employed in that they work for themselves; they set the terms of how, when, and where they perform their work; as well as bear all the risks and responsibilities of their business activities. They bring their own capital, use their own skills and labour, and are entitled to all the profits as well as losses of the business (Maheshwari, 1989). At the same time sole traders often display behaviours that are characteristic of entrepreneurs. These include coping with uncertainty; effectively combining factors of production; as well as devising new and innovative ways of meeting the product and service needs of customers. Additionally sole traderships are the quintessential micro or small business, whichever way one defines such businesses. Such one-person businesses often have no employees and face severe financial constraints which makes them very small-scale in nature. Lastly, sole traders are self-employed in that they work for themselves;

they set the terms of how, when, and where they perform their work; as well as bear all the risks and responsibilities of their business activities.

1.6 Motivation for the Research

In view of the above issues, it is fair to assert that the next frontier in the business human rights, as part of a wider and evolving CSR agenda, is businesses in the informal economy, most of which are MSMEs. Presently there is a dearth of research into the extent to which such enterprises, undertake CSR responsibilities including business human rights obligations. Extant studies tend to focus on highlighting the human rights abuses that occur in the informal economy (Miller, 2007; Osei-Boateng & Ampratwum, 2011; ILO, 2002; ALRN, 2004; Mackeller, 2009; Collins-Sowah, et al., 2013; Canagarajah & Sethuraman, 2001; United Nations, 2022). While this study acknowledges such abuses, it takes the position that such businesses undertake some social responsibilities, particularly, philanthropic responsibilities, which fulfil some human rights obligations as enshrined in the international conventions. Crucially, the study identifies the role that indigenous ethical and moral worldviews play in helping such businesses undertake these obligations. One such ethical worldview- afro-communitarianism- is evinced and explained in terms of how it motivates and facilitates socially responsible behaviour including the fulfilment of some BHR obligations among informal sole traders. In encouraging businesses to respect human rights as part of a thrust towards socially responsible behaviour, John Ruggie, the Special Representative to the Secretary General (SRSG), admonished corporations (and other businesses) to avoid infringing on the rights of others and to take steps to address possible adverse effects that may occur (Human Rights Council, 2010). This, according to Ruggie, can be achieved by following a three-point due diligence process that assesses three factors:

> "the country contexts in which their business activities take place to highlight any specific
>
> human rights challenges they may pose; the human rights impacts business activities may
>
> have within that context - for example, in their capacity as producers, service providers,
>
> employers, and neighbours; and lastly, "whether they might contribute to abuse through

the relationships connected to their activities, such as with business partners, suppliers, State agencies, and other non-State actors" (SRSG, 2008, p.17).

The preceding due diligence processes are required of TNCs as well as all 'other' business forms. As a result, it would be correct to assert that any effort at studying the social responsibility of informal sole traders should also commence with a look at the above three due diligence factors- that is- the country context in which the business activities take place; the human rights impacts business activities may have within that context; and whether such businesses might contribute to abuse through the relationships connected to their activities.

In addition to being motivated by the above gap in the literature, enthusiasm for the study was also spurred on by my personal familiarity with the informal economy. Growing up in Ghana interacting with the informal economy becomes inevitable. Indeed, it is questionable if anyone can live what is commonly regarded as a 'normal life in Ghana without interacting with informal businesses. This is because many purchases of convenience such as buying a bottle of water, inflating a flat tire on a car, buying fruit, repairing a broken footwear, or buying local Ghanaian food, can often only be made (that is if convenience is sought) from informal entrepreneurs who make such products and services available at consumer's convenience. As a result, for a Ghanaian, the idea that the informal economy is a bastion for socially irresponsible behaviour including human rights abuses (as it has been characterised in the literature) is quite often alien. This study provides an avenue to explore the contributions that informal businesses make to the CSR and BHR agenda.

1.6.1 The Country Context

The West African country of Ghana is selected as the study context for two reasons. The first is that the term informal sector was coined from studies conducted in Ghana (Hart 1970). For this reason, it is not out of place that another pioneering work about the informal economy vis-à-vis CSR and BHR, should be undertaken in the same country. Returning to the roots of the concept has the potential to provide some deep insights that other places may not be able to bring to the study.

Second, the author hails from Ghana and so is familiar with both the informal economy within the country as well as the general culture and norms by which the Ghanaian people live. Now while this familiarity is beneficial because it means that the author has a certain degree of insider perspective of the issues being dealt with, there is the real risk of a loss of the element of objectivity that the study necessarily needs to be credible. To mitigate against this, the author was careful to ensure that all stages of the study had the credibility, dependability and transferability built into them. Specifically, prolonged engagement with the data and data triangulation was undertaken to ensure credibility (Lincoln & Guba, 1985). The author spent nearly eight years from start to finish of the thesis which involved copious amounts of engagement with the data, from collection, through analysis to discussion of findings. Triangulation was achieved using multiple methods of data collection including semi-structured interviews, non- participant observation as well as the use of a key informant. To ensure transferability, thick descriptions of data were given in the data analysis and discussion stages of the study to enable others decide on the applicability of the study findings to their own contexts (Lincoln & Guba, 1985). Dependability was ensured through the documentation of all processes and stages of the research process as well as ensuring that each stage of the study was audited by allocated supervisors and that justifications were provided all methodological, theoretical, and analytical choices (Koch, 1994).   This included keeping a record of all raw data, transcripts, and translations as well as a reflexive journal. Ensuring credibility, dependability and transferability in the ways outlined helped to achieve conformability of the study findings.

Ghana has a population of some 33,846,114 people (CIA, 2023). It has 16 administrative regions with the southern city of Accra being the political and administrative capital. The country consists of over 50 ethnic groups each with its own language, traditions, and customs (Levy & Wong, 2010). The main ethnic groups consist of the Akans who make up approximately 45 percent of the population; the Mole-Dagbon -15 percent; the Ewes- 12 percent; the Ga-Dangme- constituting 7 percent of the population as well as the Guan (Levy & Wong, 2010; International Business Publications, 2002). These groups encompass various other sub-ethnicities that have different sub-cultures, languages or

dialects but often share a common heritage, history, and origin (Nwanko & Ibeh, 2015). These ethnic groups tend to be concentrated mostly in particular geographical regions. For example, the Akan majority dominates the south-west and central areas of the country; the Ewes and the Ga-Dagme- the southeast coastal areas with the Mole-Dagbon concentrated in the northern region (Levy & Wong, 2010; Shillington, 2005).

1.6.2 The Economy of Ghana

One way of categorising Ghana's economy is to look at it in terms of formal and informal sectors. The formal sector encompasses a wide range of economic activities. Among these activities are banking & non-banking financial services, mining, construction, agriculture, forestry & logging, manufacturing, transport, trade, social & personal sectors" (Bank of Ghana, 2007, p. 18). Despite some growth in this sector, it still lags far behind the informal economy in terms of employment, contributing only 14 percent of employment in the country (Haug, 2014).

Parallel to the formal sector is the informal economy which dominates the Ghanaian business landscape and far surpasses the formal sector in size and employment (Osei-Boateng & Ampratwum, 2011; Charmes, 2000; Schurman & Eaton, 2012; Canagarajah & Mazumdar, 1997; Nyamekye, et al., 2009). It has been estimated that Ghanaian households earn approximately three fourths of their incomes from informal activities (Canagarajah & Mazumdar, 1997); with the sector contributing some 31 percent to GDP (Charmes, 2000); while employing some 80 percent of the Ghanaian labour force (Collins-Sowah, et al., 2013).

The sector's genesis has been traced to the development of colonial capitalism in the erstwhile Gold Coast (Osei-Boateng & Ampratwum, 2011). Rather than shrink with the growth of the modern economy post-independence, the sector expanded. Many factors account for this growth including large-scale retrenchment exercises undertaken by successive Ghanaian governments under various IMF- sponsored Structural Adjustment Programmes (SAP) and Economic Recovery Programmes (ERP) (Amissah & Gyeke-Dako, 2016). Other reasons include rural-urban migration (Haug, 2014);

low capital accumulation; low levels of education; inability of the private sector to generate jobs; and widespread poverty (Hart, 1970; 1973; Osei-Boateng & Ampratwum, 2011; Obeng Odoom, 2011). The sector in Ghana is "dominated by micro and small-scale enterprises" consisting of producers, wholesalers, retailers, traders, food processors, artisans and craft-workers and farmers (Osei-Boateng & Ampratwum, 2011, p. 5).

1.6.3 The Akan Culture

Before a description of Akan culture is provided, it is important to highlight the dangers of making generalisations about the numerous and diverse peoples with diverse sub-cultures that constitute the Akan meta-ethnic group. Despite the many similarities within this group, some differences do exist. In referring to Akan culture in the present work, attention is focused on the similar cultural traits at the meta-ethnic level. What is not being suggested is that all Akans have an identical culture. Akans have a homogenous political, social, religious, and customary practices and have some linguistic overlaps in the form of dialects (Juang & Morrissette, 2008). Akan culture, like many black African cultures, has been described as communitarian (Gyekye, 1997, 2011, Asher, 2017). Being communitarian means that black Africans have a unique and strong attachment to community (Gyekye, 1997) rather than to individual rights, as is the case in western ethics (Rawls, 1971). This is captured by the ubuntu dictum "a person is a person through other persons" (Behrens, 2010).

One important feature of Akan culture is that it is humanistic (Gyekye, 2011). This means that what is considered good or morally upright comprises of the "deeds, habits, and behaviour patterns considered by the society as worthwhile because of their consequences for human welfare" (Gyekye, 2011). Such good deeds include virtues such as kindness, honesty, forgiveness, compassion, respect, among others, all of which promote harmonious societal relationships and the common good. Thus, in Akan morality, what is morally valuable is determined by the consequences or repercussions for humanity (Gyekye, 2011).

Other features of Akan culture include communality and relationality (Gyekye, 1997; Metz, 2007, 2013; Metz & Gaie, 2010; Menkiti, 1984; Kenyatta, 1965; Krog, 2008). Communality means that positive or healthy communal relationships within and amongst community members represent the highest good. Therefore, in Akan culture, "moral principles and moral thoughts are fundamentally predicated on human well-being in the context of communal needs and interests" (Maqoma, 2020, p.2). Relationality means that Akan society is founded on relationships among people which provides the basis for moral duties and moral status (Muxe-Nkondo, 2007). Yet another key feature of Akan culture, like other black African cultures, is that Akans prize kinship (Mbiti, 1969). Kinship, also known as *mogya* or bloodline, is seen as the glue that binds people together in Akan society and provides the bedrock of social formation (Wiredu, 2009).

Akan culture is also characterised by solidarity and identity (Metz, 2007). Solidarity refers to the "enacted commitment to carry the costs (financial, social, emotional, and other contributions) of assisting others with whom a person or persons recognise similarity in a relevant aspect" (Prainsack and Buyx, 2017, p. 52). As a key tenet of Akan culture, solidarity connotes a shared responsibility about the needs and shortcomings of other members of one's community. Solidarity places a responsibility on Akans to sympathise with other members of the community and to extend help to them when they face difficulties. Identity, on the other hand, suggests being willing to share what one has with their brother or sister and trying to support them so that they can attain a similar standard of living to yours (Asher, 2017).

Forgiveness, reconciliation, and restitution are other important features that characterise Akan culture, (Krog, 2008; Louw, 2006). Forgiveness is important in this culture because it helps to heal victims after they have been wronged while reconciliation aims at restoring harmony in society after wrongs have been committed. Restitution, Akan culture, connotes compensating for harm perpetrated against other people which places a strain on the social fabric (Verheran, 2018).

The potentiality of personhood is yet another key feature of Akan culture (Gyekye, 2011; Wiredu, 1992; Menkiti, 1984). Potentiality of personhood suggests personhood is a status that is earned rather than attained at birth. The Akan (Fanti) word for 'person' which is *nyimpa* has both a literal meaning and a metaphorical one. *Nyimpa* literally means 'human being' but also refers to the moral status that a human being attains in society through their conduct. When an individual displays particularly virtuous behaviour such as honesty, kindness, honesty, empathy among others, they are often described as *nyimpa papaapa* or a 'person indeed'. Conversely when they are particularly vicious, they are often described as *'onnyɛ nyimpa'* meaning 'they are not a person'. Thus personhood, to the Akans, is not attained simply because one is a human being. One can, thus, be a human being without being a person indeed.

1.6.3.1 Akans and Business Enterprise

As already mentioned, the Akans are the largest meta-ethnic group in Ghana. Subgroups within the Akan include the Bono, Banda, Adanse, Assin, Twifo, Denkyira, Akyem, Wassa, Akwamu, the Ashanti, the Fanti, and a few others (Levy & Wong, 2010; Forster, 2013). The Ashantis and Fantis are the two largest subgroups (Juang & Morrissette, 2008). This ethnic group dominates the southern half of the country- especially the Central; Eastern, Ashanti and Bono, Oti, Ahafo and Western North and Western Regions. Like many Ghanaians, most Akans, particularly women (Lesthaeghe, 1989), undertake economic activities within the informal economy. Akans are, especially, noted for their strong entrepreneurial spirit and capabilities (Shillington, 2005; Acheampong, 2016; Hill, 1961).

Three factors come together that helps to make this project and its study context feasible and worthwhile. First, Akans constitute the largest ethno-cultural group in Ghana (Adinkrah, 2015; Shillington, 2005, Ghana Statistical Service, 2012). They are chosen as a unit of analysis because they have over the years developed a "rich conceptual system complete with metaphysical, moral, and epistemological aspects" (Wingo, 2006, p. 1)- a system some scholars have identified with afro-communitarianism (Gyekye, 1995; Wiredu, 1992). Furthermore, most Akans share enough cultural

traits as to be sufficiently homogenous. Additionally, throughout their history the Akans have displayed a notable entrepreneurial character (Shillington, 2005), mostly through informal enterprises. Indeed, industry in Ghana and among the Akans is dominated by informal activities, accounting for some 86.1% of employment (Ghana Statistical Service, 2012).

Second, small businesses, including sole traders, have received little attention vis-à-vis business human rights with the bulk of attention being focused on TNCs. Third, the informal economy contributes immensely to economic growth in the worldwide economy. In addition, the human rights deficiencies of the sector have been amply highlighted in the literature (Miller, 2007). Despite this, there is little by way of research that focuses on how, if ever, businesses within the sector make any contribution to the achievement of key human rights principles.

The above factors again come together in Cape Coast - the proposed town within which the study is to take place. It is the capital town of the Central Region. The town is predominantly Fanti - a sub-ethnic group of the Akan (Levy & Wong, 2010; Ghana Statistical Service, 2014). Like most other places in Ghana, residents of Cape Coast display a genuine sense of community (Briggs, 2014). The town is dominated by the informal economy in the form of micro-entrepreneurs and small-scale businesses which focus on petty trading, fishing and fish processing, food vending and food processing; dressmaking, auto mechanics and petty retailing (Kumi-Kyereme & Boachie Mensah, 2012; Kendie, 1998). Indeed, most households supplement their formal incomes with informal activities (Kumi-Kyereme & Boachie-Mensah, 2012). These business activities are firmly enmeshed within residential areas with very fine or no lines between business and private domestic life (Briggs, 2014).

1.7 Research Questions and Objectives

As already pointed out the broad aim of this study is to achieve an understanding of the implications that Afro-communitarian ethics have on CSR activities of informal sole tradership businesses, with

a particular focus on the fulfilment of some BHR obligations enshrined in the UN Framework. To achieve this aim, three research questions are posed: first, what socially responsible actions (particularly philanthropic responsibilities) do informal sole traders undertake; second, how do such actions fulfil BHR human rights obligations; and third, what motivates these actions.

To address these research questions, two propositions are developed. The first one presumes that informal sole traders in fact do take up some philanthropic responsibilities which also fulfil some BHR obligations, and second, they fulfil these obligations through following the norms specified by the unique culture to which they belong.   To address these propositions, the study will pursue the following objectives by selecting and investigating several informal sole tradership businesses to:

- Provide an overview of moral decisions selected informal sole traders in Ghana make that essentially amount to philanthropic CSR.

- Show how the above philanthropic CSR activities fulfil some BHR obligations such as those in Articles 1, 16(3) and 29(1) of the UDHR.

- Identify the socio-cultural norms that guide or motivate these activities.

- Draw empirical conclusions about the extent to which such socio-cultural norms serve as a means by which informal sole traders can fulfil some BHR obligations as part of a wider CSR effort.

The hope is that answers to these questions will reveal important contributions to the worldwide CSR and BHR agenda through revealing how indigenous cultural and ethical worldviews can be employed as vehicles through which CSR and BHR may be achieved by marginalised communities. Additionally, it extends the CSR, and in particular, the business human rights agenda to include informal sole traders as well as the informal economy - two areas that have received very little attention in the worldwide BHR agenda.

To address the above questions, relevant literature on the informal economy and worldwide business human rights will be reviewed with an aim to uncover gaps. Qualitative research methods are used,

undergirded by a socially constructed ontology, a subjective and interpretivist epistemology, and an ideographic approach to the research, which aims at gaining deep insights into the personal history, and the socially constructed world of respondents. In terms of theoretical frameworks, an amended version of the Integrative Social Contracts Theory (ISCT) (Donaldson & Dunfee, 1999); and afro-communitarianism (Gyekye, 2007; 2011; Metz, 2007; Wiredu, 1992) are synthesised to create a framework that guides the conduct of the study.

1.8 Study Layout

Chapter One of the study focuses on providing a synopsis of the entire research product including the research aims, research questions and study context.

Chapter Two concentrates on a literature review consisting of the development, content, and reasons for business human rights. It also focuses on the composition and contribution of the informal economy (MSMEs) to worldwide economic development. This chapter also covers the relationship between the informal businesses and business human rights. The overarching aim of the chapter is to uncover gaps that exist in the literature and how these can be explored to make relevant contributions to the worldwide business human rights agenda.

Chapter Three introduces a theoretical framework that addresses the research objectives. The chapter provides a detailed analysis of the Integrative Social Contracts Theory (ISCT). The focus here is on how micro-social contracts at the community level can enable the achievement of wider world level macro-social contracts. The chapter also explores the socio-cultural worldview of afro-communitarianism; its tenets and how these are reputed to be expressed by adherents. These two theories are synthesized to reveal a framework by which selected informal sector small business owners meet the business human rights obligations.

Chapter Four covers a discussion of the research process and the study methodology. Specifically, it discusses the research design including purpose, methods, techniques used in data collection and analysis and paradigm. With regards to the paradigm, ontological, epistemological methodological as

well as axiological (values and ethics) considerations are discussed culminating in a study position. In addition, the chapter will focus on describing the data collection process as well as documenting all reflexive actions undertaken at every stage of the study.

Chapters Five and Six focus on an analysis of the data. The aim is to identify and analyse pattens and themes in the data to reach conclusions. Identification here focuses on surface or explicit level manifest or semantic themes and patterns that hardly go beyond what participants have said. Additionally, the chapter extends beyond this into an interpretation of the latent themes where there is an attempt to theorise the meaning of the patterns and their broader connotations and implications (Patton, 1990).

The essence of this chapter has been to introduce the study and provide some background about the research area, topic, questions, and objectives. It also provided an overview of the country context within which the study is to be conducted, as well as providing an overview of the informal sector vis-à-vis BHR. The next chapter focuses on a comprehensive literature review on the areas of human rights in general, BHR, as well as the informal sector with a view to identifying gaps.

1.9 Summary of Findings and Contributions

As stated in the previous paragraphs, this study aimed to find out whether informal sole traders undertook some philanthropic actions under the rubric of CSR, which also fulfilled some business human rights obligations as laid out in the United Nations' "Protect, Respect and Remedy" Framework. This quest was especially important because the Framework was unambiguous about the fact that "The responsibility of business enterprises to respect human rights applies to all enterprises regardless of their size, sector, operational context, ownership and structure" (United Nations, 2011, p.16). Now, since micro and small business enterprises constitute the bulk of business organisations throughout the world, and about 60 percent of the world's population

participates in the informal economy, neglecting such enterprises from the CSR and BHR agenda goes against the call for all business organisations to exhibit socially responsible behaviour.

Among the main empirical contributions this study makes is that by using and relying on the norms inherent in afro-communitarian ethics and ethics of care, informal sole traders are able undertake philanthropic actions which qualify as CSR which also fulfil some of the business human rights obligations specified in the UN Framework. Another important contribution is that the study showcases the crucial role women play in the fulfilment of such human rights obligations as part of CSR at the informal micro business level. The study shows women sole traders, through their entrepreneurial efforts, are at the forefront of socially responsible behaviour in the informal economy within their communities. The data suggests that they undertake such behaviours by following norms specified by indigenous cultures, as well as those detailed by feminine ethics. This highlights the important role that women's entrepreneurship plays in business in general and particularly in patriarchal societies.

Yet another empirical contribution the study makes is that in undertaking socially responsible action, informal sole traders tend to fulfil positive human rights obligations rather than just the negative obligations of doing no harm. The importance of this lies in the fact that fulfilling positive rights obligations are much more demanding than negative rights, which can often be simply expressed as abstinence.

In terms of a theoretical contribution, the study extends the concept of hypernorms, which is a key standard in Donaldson and Dunfee's Integrative Social Contracts Theory (ISCT). Hypernorms are defined as overarching norms that sit in judgement of lower-level norms inherent in microsocial contracts (Donaldson and Dunfee, 1999). Within ISCT, hypernorms are meta norms that that legitimate norms must meet to graduate to become authentic norms. Legitimate norms on the other hand are those norms agreed by local economic communities (who freely subscribe to such norms and retain the right to exit such communities), to guide them in moral decision-making. ISCT

requires legitimate norms to merely meet or fulfil the negative duty of not breaching hypernorms to qualify as authentic norms. What ISCT fails to do is provide nuancing to the idea of authentic norms by specifying the extent to which legitimate norms meet or surpass relevant hypernorms. Thus, there is no difference between a legitimate norm that merely meets the hypernorm or does not breach a hypernorm and one that significantly surpasses a hypernorm. By introducing the idea of superfluous norms, the current study brings much needed nuancing to the idea of authentic norms and makes a meaningful contribution to ISCT.

Chapter Two: Literature Review

2.0 Introduction

This section begins with a review of the literature on human rights and the key features thereof. It proceeds to examine the literature on business human rights, traces its development, the reasons for its development, its extent and scope, as well as benefits. The section also discusses BHR as an aspect of CSR and explores the similarities and differences between the two concepts. Additionally, a discussion of the informal economy vis-à-vis CSR and BHR is undertaken, as well as a discussion of sole traders and the BHR agenda. Crucially, the section also identifies and defines the gaps in the BHR agenda, which motivated the present study.

2.1 Definition of Human Rights

Human rights have a historical importance for the individual, the nation as well as internationally because it aims to protect from political, legal, and social abuses. Back in the 1970s Feinberg (1973) defined it as "generically moral rights of a fundamentally important kind held equally by all human beings, unconditionally and unalterably" (p. 85). Sullivan (2003) defines it as "the fundamental principles allowing individuals the freedoms to lead dignified lives, free from fear or want, and free to express independent beliefs" (p.15). A more recent definition of human rights regards it as a

"subset of rights that are both moral and legal in nature… [which]… gives a person (a right-holder) a claim to the respect of a duty by another person (the duty-bearer) whose duty is directed to the right-holder" (Besson 2015, p.248). Wettstein et al (2019) also define human rights as the

> "inalienable fundamental rights to which a person is inherently entitled simply because she or he is a human being; they cover political, civil and socio-economic and cultural rights as defined by the UN Universal Declaration of Human Rights, and more broadly the International Bill of Human Rights and subsequent treaties" (p. 54).

2.1.1 Features of Human Rights

Nickel (2014) identified a set of defining features that characterise the contemporary understanding of human rights. These included the idea that rights are claimable; that they are plural; have high priority and are universal in nature. He further identified some features of human rights which although controversial may be added to the above. These include the idea of inalienability of rights; whether such rights should be seen from the minimalist viewpoint or not; whether human rights should include moral rights; and whether human rights should be seen as serving a political function. The Universal Declaration of Human Rights (UDHR) (1948) and related covenants are regarded as containing the standards and obligations that business organisations ought to meet as part of their BHR obligations. Three Articles in the UDHR namely Articles 1, 16(3), and 29(1) are examined in this study in terms of how the philanthropic CSR activities undertaken by informal sole traders, meet them. By way of features, Article 1 emphasizes that "All human beings are born free and equal in dignity and rights… and should act towards one another in a spirit of brotherhood". Article 16(3) identified that "The family is the natural and fundamental group unit of society and is entitled to protection…", with Article 29(1) stating that "Everyone has duties to the community in which alone the free and full development of his personality is possible" (UDHR, 1948).

2.1.2 Rights are Rights.

Insisting on the fact that rights are rights appears superlative on first blush but provides an important groundwork on closer examination. A right is a right means that "a right provides the rational basis for a justified demand for actual enjoyment" (Shue, 1996, p. 15). This means a right is a right to something and not merely the possession of knowledge that such rights exist (Shue, 1996). Thus, to have a right entails recourse or a claim to some benefit (Sen, 2004, Arnold, 2016). Consequently, a right demands action or protection in the form of duties or places a duty on relevant agents to act on the part of other individuals or the society (Nelson, 1990; Sen, 2004). It requires the existence or creation and performance of corresponding duties that aim at "protecting an essential exercise of human agency" (lgnatieff, 2000, p. 322). It makes claims of individuals and society at large by placing a duty on them to make the needed reciprocal arrangements to be able to meet such rights (Nickel, 2014). If indeed such a right holder has no avenues for placing duties on others for the fulfilment of their rights, such a right has no way of being fulfilled except the right holder is prepared to undertake the duties inherent in the rights themselves (Shue, 1996). In this regard it is universally accepted that citizens have a moral, if also legal claims against the government or state (Dworkin, 1994).

2.1.2.1 Plurality of Rights

Human rights encompass an ever-increasing draft of claims (Beitz, 2011). These claims encompass both civil and political rights (United Nations, 1948). Human rights also include socio-economic rights or so-called second-generation rights that include the right to property, right to housing, social security, and healthcare, among others (United Nations, 1966). The fundamental point regarding plurality is the idea of multiplicity of rights. It is important to stress that even proponents of a minimalist viewpoint[1] of human rights still accept the multiplicity of rights albeit they call for a

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[1] See lgnatieff, M., 2000. *I. Human Rights as Politics II. Human Rights as idolatry. The Tanner Lectures on Human Values. Delivered at Princeton University 2000.*

circumscription of the number of rights. Regarding plurality of rights, there are arguments concerning which rights should be included in any viable list of rights without risking rights inflation. It is proposed that priority should be given only to rights that have the utmost importance and that are basic rights in the sense that their deprivation inevitably affects the ability to attain all other rights (Shue, 1996). The idea of maintaining a minimalist outlook of rights has been mooted as a curb against rights inflation (lgnatieff, 2000). It is thus no surprise that the main human rights treaties are quite broad and thin and as such quite minimalist in nature.

2.1.2.2 Universality of Rights

Universality of rights connotes the idea of equal application to all people in terms of the rights claims they can make. That is, one has human rights purely on the basis that they are a human being, and such rights may be claimed wherever the person finds himself (Stern & Straus, 2014; World Conference on Human Rights, 1993; Beitz, 2011; Sen, 2004; Cranston, 1983). Universality of human rights is anchored in the idea that human rights exist independently of culture, ideology, and value systems (Rentein, 2013).

Rights are regarded as universal because "they define the universal interests of the powerless, namely, that power be exercised over them in ways that respect their autonomy as agents" (lgnatieff, 2000, p. 331). However, the idea of universality is moderated by several factors. For example, the right to vote is usually predicated on attaining the age of majority, while the right to free movement may be curtailed by the immigration laws of another country. Universality of rights has been critiqued on the basis that it conflicts with the wide variety of contradictory human behaviours and dispositions, ranging from out-and-out savagery on the one hand, and to saint-like altruism on the other (Nelson, 1990). It therefore comes across as dubious to allude to only virtuous aspects of human behaviour as the source from which human rights emanate when historical evidence points to vicious human tendencies. Moreover, it is the case that some provisions of various human rights

treaties conflict with some cultural norms of certain peoples and thus challenges the universality principle (Beitz, 2011). For example, Ghana's new anti-gay bill, namely, the Promotion of Proper Human Sexual Rights and Ghanaian Family Values Bill 2021, has been regarded as providing a recipe for violence by UN experts (United Nations, 2021). Universality has also been criticised for being premised on "a peculiar form of ethnocentrism insofar as [the] western ideas [on which they are based] are presumed to be ubiquitous" (Rentein, 2013, p.13).

2.1.2.3 Rights have High Priority

An important feature of human rights is that they all have high importance or are to be treated as such (Dworkin, 1994; World Conference on Human Rights, 1993). The point here is that since such rights underscore the dignity and equality of all persons, there is the need for duty holders to accord a sense of high priority to all such rights by ensuring that they are not breached or abridged unnecessarily. According to Sen (2004), "the importance of human rights relates to the significance of the freedoms that form the subject matter of these rights" (p.319).

The idea of priority of rights raises questions of whether all rights, including political, social, civil, economic, and cultural rights, should be prioritised at once. It is difficult to see how some economic and social rights may be enforced in the face of scarcity of resources faced by the duty holder without sacrificing other rights (Ferraz, 2008; Beitz, 2011). Indeed Cranston (1983) asserts that:

> "the effect of a universal declaration that is overloaded with affirmations of economic and social rights is to push the political and civil rights out of the realm of the morally compelling into the twilight world of Utopian aspirations" (p.12).

Echoing the view of Cranston (1983) much more recently, Quintavalla & Heine (2019, p.679 parenthesis mine) posited that "scarcity of resources…prevent[s] states from implementing all human rights at the same speed… often call[ing] for a prioritisation of human rights".

Counter arguments have been put forward in favour of including economic rights as bona fide claim rights. For example, even though the basic right to subsistence and other socio-economic rights have largely been ascribed a 'second-class status' (Coomans, 2006), they qualify as basic rights worthy of inclusion in any list or bill of rights because the attainment of subsistence constitutes the solid foundation on which the attainment of all other rights rest (Shue, 1996). At the very least, the duty holders of economic and social rights have the *positive* duty to create an enabling environment within which subsistence rights may be realised as well as the *negative* duty to desist from unnecessary interference in the ability of right holders to achieve such rights. One more argument in favour of the recognition of economic and social rights is the fact that the achievement of some political and civil rights, such as the right to participate in free and fair elections, also come at considerable cost to the state as a duty holder in organising elections. However, such costs do not, in the main, discourage states from staging such elections, and if such costs are justifiable, then the costs associated with socio-economic rights are equally justified (Shue, 1996; Cranston, 1983). The idea of prioritisation of rights based on human needs has also been put forward where the most basic human needs such as the right to life and subsistence are given priority over other rights (Quintavalla & Heine, 2019).

2.1.2.4 The Existence of Human Rights

Human rights are said to exist due to a variety of reasons. Firstly, due to its codification in both national and international law (Nickel, 1987, Reintein, 2013). Thus, human rights exist to the extent that they are enshrined in international conventions such as the Universal Declaration of Human Rights, which spells out a list of rights that ought to be accorded to all human beings. Signatories to these covenants - mostly nation-states represented by their governments - in turn enshrine their provisions in national constitutions in the form of civil and constitutional rights. Others have argued in favour of the idea of inherent human rights (Morsink, 2009). Morsink (2009), for example,

explains the doctrine of inherent human rights as having two parts, firstly, "a metaphysical part that says that all human beings have these rights inherently by virtue of their humanity" and secondly, "an epistemic or knowledge-based part that says that all human beings can come to know this by virtue of their own natural epistemic or (knowledge) equipment" (p.55).

The latter view echoes the idea of natural rights which takes the position that human rights is based on and characterised by features "that can be comprehended without reference to their embodiment and role within any public doctrine or practice" (Beitz, 2011, p. 50; Morsink, 2009). Examples of natural rights include the right to life, liberty and property (Locke & Macpherson, 1980). In describing what he calls the "conceptual space of natural rights" Beitz (2011, p.52) identifies four main characteristics. First natural rights possess a force which is independent of the moral conventions and positive laws of their society. Second, they predate institutions and the contents thereof existed in a pre-political state of nature. Third, natural rights are always possessed by all peoples everywhere regardless of the state of development of their societies, ethnicity, religious affinity, or political culture. Lastly, natural rights belong to human beings by virtue of their humanity. Williams (2004), on his part, identifies two separate and parallel natural rights traditions. He refers to an older tradition grounded in Christianity that sees man as created in the image and likeness of God and thus being worthy of certain kinds of rights. The second and more recent tradition grounded in British enlightenment anthropology postulate a natural state of antagonism among individuals and a natural right to self-preservation. In defending the natural rights foundation of modern international treaties, Morsink (2009) points to the fact that many modern human rights theorists have drifted away from the natural rights foundation of the UDHR albeit the founding text appears wedded to it. Nickel (1987), points to the existence of rights as being part of human moralities. That is to say that key human rights tenets such as the right to life and human dignity are shared values that occur in all human moralities. The problem with this is that there are 'no universally shared moral norms' upon which universal human rights can be hinged (Reidy, 2011, p. 28).

While some writers do agree that human rights are indeed the legacies of natural rights, they disagree that human rights are best conceived of as possessing the essential features of natural rights (Beitz, 2011). Reintein (2013), for example, considers natural rights as the most misleading source of human rights because it wrongly assumes that natural rights are self-evident; and that there is a common view of human nature and an agreed-upon ranking of priorities when it comes to human needs.

2.3 Development of Business and Human Rights

The relevance of human rights lies in the fact it has become the "major global approach to social justice" (Merry, 2009, p. 2). Traditionally, the state has been the duty-bearer of human rights (Ruggie, 2007, Conda, 2004, Brenkert, 2016). This means that it is duty-bound to protect the human rights of its residents, "by means of the laws and policies of that state" (Beitz, 2011, p. 122). It is regarded as the foremost duty holder in the implementation of rights, "the pre-eminent protector of human rights as well as pre-eminent violator" (Gunther, 1999, p.141; Santoro, 2015; Hseih, 2015); and "the guarantor of human rights" (Santos, 2002, p. 11). The state is the pre-eminent protector of rights because it wields the resources and the coercive powers of enforcement. Ironically, it is for the self-same reasons that states, and their agencies are often the main perpetrators of human rights breaches (Stohl, et al., 1986).

However, the mid-1990s witnessed a growing focus on the responsibilities of businesses in the form business human rights (Wettstein, 2012; Schrempf-Stirling, Van Buren, & Wettstein, 2022). Even though the growing "claim that corporations have human rights obligations... [has been] ... contentious and... fraught with confusion" (Arnold, 2016, parenthesis mine); it shifted the focus on the state as the sole duty bearer of rights (Verdirame, 2013). National and international Non-Governmental Organisations (NGO) (Korey, 2001; Chandler, 2003; Santoro, 2015; Stubbings, 2000); transnational corporations (TNCs), treaty-based regimes and individuals were increasingly seen as

'subjects of international law and bearers of responsibilities as well as rights' (Nolan & Taylor, 2009, p.433; Beitz, 2011).

As an aspect of the overall human rights agenda, BHR, thus, made a rather late entrance compared to other human rights movements such as the environmental movement (Chandler, 2003, Brenkert 2016). Even so it continues to grow as an area of practice and inquiry (Hseih, 2015); manifested in

> "(a) the introduction of business guidelines by multilateral institutions such as the United Nations, (b) the creation of domestic corporate human rights regulation, (c) corporate responses to human rights guidelines and regulations, and finally (d) the acceleration of BHR scholarship" (Schrempf-Stirling, Van Buren, & Wettstein, 2022, p.1285).

Its development can be traced to a set of factors. The first is the growth in globalisation (Mena, et al., 2010; Muchlinski, 2001, Brenkert, 2016), spurred on by increased free trade (Cragg, 2012); "free markets and deregulation and competitive pressure" (Bishop, 2012, p.121 Cragg, 2012; Sorrell, 2005); and the "internalisation of production and distribution and free movement of capital" (Patman, 2000, p. 12). These phenomena increased the power of TNCs giving them control over massive and unprecedented amounts of economic resources (Chandler & Mazlish, 2005; Haas, 2008; Hseih, 2015; Arnold, 2010, Donaldson, 1982; 1989; Mena, et al., 2010; Kobrin, 2009, Brenkert, 2016). Indeed, in some instances the power of multinationals, in terms of economic resources and global reach, far outweighed those of the state (Joseph, 2012; Chandler & Mazlish, 2005; Haas, 2008; Smith, 1994; Kinley & Tadaki, 2004; Hart & Zingales, 2017). Related to the above is the fact that several governments (especially those of 'burdened states'[2]) are far too weak and so have been unable to meet their obligations with respect to both positive and negative rights either through a simple lack of resources or inability through corruption (Haas, 2008; Sorrell, 2005; Mena, et al., 2010; Wettstein, 2015; O'Neill, 2001).

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[2] See Rawls. 1999a, p.63.

Coupled with this first point is the historical inability of the United Nations to set up a viable mechanism for monitoring and enforcing human rights abuses which created a human rights accountability gap[3] (Santoro, 2015; Kinley & Tadaki, 2004). The result was that human rights proponents and activists shifted their attention from the state (especially weak ones mostly in developing countries) as the sole duty bearer, to other non-state actors and mechanisms including Non-Governmental Organisations (NGOs) (Seppela, 2009); use of economic sanctions (Buergenthal, 2006; Baek, 2008; Wall, 1998); and then TNCs. The role of NGOs has been of particular importance (Korey, 2001; Weissbrodt, 2013; Buergenthal, 2006; Kinley & Tadaki, 2004) in highlighting gross human rights abuses; encouraging companies to use their influence and considerable economic power to influence the human rights agenda in host countries (Chandler, 2003), as well as "hold businesses accountable for their own direct human rights violations and impacts" (Santoro, 2015, p. 155).

A second reason is the enlargement of the BHR territory beyond supply chain labour rights, censorship, and policies of repression; and from the extractive industry to cover traditional corporate responsibility (CSR) issues such as the environment (Joseph, 2012; Bauer, 2011); as well as economic, cultural, and social rights (Nolan & Taylor, 2009). Essentially, as highlighted in Chapter One, BHR grew out of what is traditional CSR territory (Santoro, 2015); but raises the bar even above local and national law by making far-reaching demands that oblige business organisations to fulfil human rights obligations to all relevant stakeholders as stipulated by international law (Bauer, 2011).

In terms of a timeline, the draft UN Code of Conduct on Transnational Corporations (United Nations, 1983) was a pioneering effort at understanding the human rights obligations of TNCs (Hseih, 2015). This Code portended the coming shift in the 1990s from regarding private business' singular human rights responsibility as that of indirect legal responsibilities driven mainly by

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[3] The UN has since 2014 initiated a process to establish a binding instrument on BHR. See Business and Human Rights Resource Centre, Binding Treaty, Available at https://www.business-humanrights.org/en/big-issues/binding-treaty/

globalisation (Cragg, et al., 2012; Chandler, 2003). The United Nations Global Compact launched in 2000 pushed the issue of business human rights obligations farther onto the world stage. As an international voluntary initiative aimed at urging member companies to "embrace, support and enact ten principles" (Wood, 2012, p. 139), the Compact opened with the call for businesses to "support and respect the protection of internationally proclaimed human rights" and to ensure that "they are not complicit in human rights abuses" (United Nations, 2014). The following table provides a summary of the development of discussions on business human rights.

The establishment of a sessional working group by the United Nations Sub-Commission for the Promotion and Protection of Human Rights which focused on studying and reporting on human rights and business further solidified the coalescence of human rights and businesses (Cragg, et al., 2012). The report that followed in 2003 entitled 'Norms on the Responsibilities of Transnational and Other Business Enterprises with Regard to Human Rights' spelt out a list of human rights obligations that TNCs and other business enterprises were expected to adhere to (United Nations, 2003). Despite the lack of formal endorsement by the United Nations of the report, Cragg, et al., (2012) point to two significant developments that resulted from its release: first, a series of recommendations that led to the appointment of a Special Representative to take on the role of dealing with TNCs and other enterprises, and second, to bring three important questions to the forefront of the growing human rights obligations of business. These concerned the appropriateness of bringing corporations under the ambit of international law - an arena that had previously been mostly the preserve of states; whether corporations had human rights responsibilities that transcended their national and international obligations and, lastly the exact nature and content of business' human rights. The United Nations Human Rights Council's endorsement of the 'Protect, Respect and Remedy' Framework in 2011 submitted by Special Representative John Ruggie represented a high point in the bid to provide an 'authoritative focal point' on the business and human rights debate (SRSG, 2008, p. 4). Aimed at providing "effective protection to individuals

and communities against corporate-related human rights harm" this framework provided "a principles-based conceptual and policy framework intended to help achieve this aim" (p. 3). Specifically, the UN Framework, as it came to be known, covered the three main areas of a state's "duty to protect human rights; the corporate responsibility to respect human rights and a responsibility on the part of all actors to engage in due diligence" with a view to "identifying and managing responsibly the potential and actual human rights impacts of their activities" (Cragg, et al., 2012, p. 3). Added to the above are a myriad of other guidelines on business human rights responsibilities including the OECD Guidelines for Multinational Enterprises 1976 (revised in 2000); The ILO Tripartite Declaration of Principles Concerning Multinational Enterprises and Social Policy 1977, (revised in 2000); and The International Finance Corporation Performance Standards on Social and Environmental Sustainability 2006. In 2014, the Human Rights Council of the United Nations adopted a resolution which focused on developing a binding international treaty on business and human rights (Kirkebø, & Langford, 2020).

Alongside the above, legal practice increasingly focused on the human rights responsibilities of business organisations with the development of "detailed human rights case law in the United States under the Alien Tort Claim Act to mass tort actions in Canadian, English and Australian courts, and more recently civil law actions in French Courts" (Muchlinski, 2009, p. 148; Santoro, 2015; Haas, 2008). In connection with this is the increased reporting and disclosure obligations placed on businesses with regards to BHR.

Business scholars had in the meantime also backed the idea of businesses possessing human rights duties with arguments from contractarian perspectives (Donaldson, 1989; Cragg, 2009), as well as agent-based grounds (Arnold, 2010, 2016). Still others have mooted the idea that construing the moral obligations of transnational corporations in terms of human rights and making them the content of voluntary codes of conduct "opens the way for developing new enforcement mechanisms to increase compliance with the substantive goals of VCCs" (Campbell, 2006, p. 256). According to Santoro (2015), issues surrounding the academic debate on BHR seek to answer the

following questions: "on what basis, if any, can a business be said to owe moral duties regarding human rights?"; "how extensive are the human rights duties of business in situations where business has no direct or indirect connection to human rights violations by states" (p.155) ; "how might voluntary codes of conduct and other self-regulatory mechanisms serve to bring business behaviour into greater alignment with human rights duties" (p.156) and "what role should private law, state action, the United Nations or treaties play in promoting business adherence to human rights norms" (p.156).

The following table shows a timeline of the development of the discussion on BHR.

Table 1Timeline of BHR Discussions

1970s	• 1974: UN Draft Code and Center on Transnational Corporations • 1976: OECD Guidelines for Multinational Enterprises	Mostly CSR-oriented works with little or no specific focus on human rights
1980s	• 1984: Bhopal gas disaster • Controversy over Western businesses in apartheid South Africa	First academic works with a specific human rights perspective on responsible business
1990s	1995: Execution of Ken Saro-Wiwa in Nigeria • Various high-profile reports by prominent Civil Society Organizations on corporate human rights abuse • 1993: Abandonment of Center for Multinational Corporations and of UN Draft Code • 1998: Start of drafting of UN Draft Norms	More systematic inquiry particularly into legal human rights accountability of corporations, their status under international human rights law, and forms and foundations of corporate complicity
2000s	• 2000: Launch of the UN Global Compact • 2004: Abandonment of UN Draft Norms • 2005: Beginning of mandate of the UN Special Representative on business and human rights (SRSG)	Broadening the scope to non-legal foundations of human rights responsibility • Scholarship on the various human rights initiatives emerging during this time

2010s	• 2011: Conclusion of mandate of the SRSG and Publication of UN Guiding Principle on Business and Human Rights (UNGPs) • 2011: UN Working Group on BHR • Various home state initiatives; National Action Plans on BHR • 2015: Start of treaty negotiations in the UN Human Rights Council	• Emergence of BHR as an academic field involving various disciplines in law and non-law

Source: Wettstein et al (2019, p.55)

2.3.1 Corporate Social Responsibility and Business Human Rights

CSR and Business Human Rights (BHR) have been regarded as intertwined or 'close cousins' who both focus on companies engaging in responsible and socially beneficial activities (Carroll, 2016). There has been calls for the integration of the theory and practice of CSR with human rights ideas because of the following reasons: human rights spell out the fundamental human interests that ought to be respected to ensure human dignity (Campbell, 2012); it delivers a set of universal moral standards which business organisations can use to guide their conduct (Ramasastry, 2015); and finally, including human rights in CSR is likely to help propel CSR from being essentially voluntary towards being obligatory (Ruggie, 2013). Thus, BHR has been seen as a subset of CSR with the corporate responsibility for human rights captured under the responsibility for social issues (Buhmann, 2007). Indeed, as one of the most dynamic, relevant, and influential debates in CSR (Wettstein, 2015); BHR has been operationalised largely using extant CSR structures within businesses (Wettstein, 2021, Obara & Peattle, 2018, Baden 2016). This is because "both BHR and CSR start with the general proposition that business behaviour needs to change in some sort of way to be consonant with ethical obligations and social expectations" (Schrempf-Stirling, Van Buren, & Wettstein, 2022, p.1294). As such there has been calls for a closer engagement of CSR research with human rights (Carroll, 2021). CSR, however, has come under some criticism for its role in the

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domestication, co-optation, and confrontation with BHR (Wettstein, 2021); and for proving insufficient for inculcating human rights into the policies of corporations (Frankentel, 2022).

Despite their overlapping nature, there are some important differences between these two concepts in terms of their evolution and focus. Firstly, in terms of history, CSR grew out of the work of academics in the business field while BHR emanated largely from the work of academics with legal and human rights backgrounds (Ramasastry, 2015). Additionally, CSR was necessitated by the desire for businesses to share their wealth with society (Carroll, 2012). Second, in terms of focus, CSR concentrates on voluntary, philanthropic, and social actions that business organisations take in their capacity as social partners (Carroll, 1999). It encourages business organisations to undertake activities as responsible citizens who contribute their quota to social and economic development especially in situations where governments are unable to or fail to act. A core feature of CSR is its voluntariness, in contrast to it being obligatory, in as much as such duties are to be undertaken freely and without legal compulsion (Ronen, 2004).

As an offshoot of CSR, BHR retains a legal slant where organisations are required to benchmark "corporate conduct against universally recognized human rights principles embodied in a key set of treaties" (Ramasastry, 2007, p. 238). It transcends voluntary actions on the part of business organisations (Schrempf-Stirling, Van Buren, & Wettstein, 2022). It focuses on exacting accountability from corporations who have a duty to prevent or mitigate against any adverse impacts that their business conduct has on stakeholders (Ramasastry, 2015; Buhmann, 2007). Its focus has been on getting business organisations to comply with international human rights treaties and declarations which often form part of the legal codes of many countries around the world (Hannum, 1996). In sum, BHR as an outgrowth of CSR, stretches the whole CSR agenda from its voluntary connotations towards legal obligations under international law.

As the wider rubric under which BHR functions, CSR has some implications for BHR. Buhmann (2007), for example is of the view that CSR represents a way of "minimising negative impact of business on society" involving reducing "business violations or complicity in violations of human

rights" as well as the "negative impact on the enjoyment or fulfilment of human rights due to business exploitation or pollution of the environment" (Buhmann, 2007, p.341). Additionally, CSR presents a means by which the positive effects of business activities on society can be maximised through contributing to the fulfilment of human rights such as "rights to work and working conditions, education, health services and other elements related to living conditions" (Buhmann, 2007, p.341). Based on the preceding, the present study is focused on assessing some socially responsible actions that informal sole traders undertake in the conduct of their business which also meet some business human rights obligations as stated in international law.

The United Nations describes human rights to include, among other things, the right to life and liberty, freedom from slavery and torture, freedom of opinion and expression, the right to work and education that are inherent to all human beings, regardless of race, sex, nationality, ethnicity, language, religion, or any other status (United Nations, n.d). Under the auspices of the United Nations, human rights have been projected on to the world stage through a variety of international covenants and agreements. Key among these are the Universal Declaration of Human Rights and related covenants namely the International Covenant on Civil and Political Rights (1966) and the International Covenant on Economic, Social and Cultural Rights (1966). Also included are a myriad other agreements that cover a wide range of issues including women's rights, children's rights, and the rights of indigenous peoples. The state has historically been the primary duty holder of human rights (Conda, 2004). More recently, the worldwide human rights agenda has grown to encompass other non-state actors such as business organisations. This recent development stems from the massive expansion in the size and economic impact of transnational corporations (TNCs), coupled with a simultaneous decline in the ability of certain states to uphold such rights. These two factors have brought the issue of business human rights (BHR) into the limelight as a bona fide aspect of the worldwide human rights agenda.

The result is that BHR, like the overall CSR agenda, has focused almost exclusively on large organisations to the almost total neglect of other business forms. Indeed, even the most

authoritative document on the subject, the UN's Protect, Respect, Remedy Framework or UN Framework for short, appears to focus almost totally on large corporations with only cursory attention paid to other businesses. Nevertheless, majority of businesses in the world are small businesses (World Bank, 2017). What becomes clear is that for the worldwide BHR agenda to have its true impact and to be truly global, the role of other business forms, particularly MSMEs should be explored.

2.3.2 Moral Agency of Corporations

Whether a business corporation has moral agency is a fundamental question which underlies the issue of whether such corporations have human rights obligation. This is because the concept of a right is fundamentally a moral concept (Ozar, 1985; Perry, 2020, Arnold, 2016; Ethinson, 2018); which requires moral considerations from a moral agent. According to Donaldson (1982), "if corporations are moral agents as are persons, then we must demand that they assume the burdens of morality [including human rights obligations] just as people do" (p.18 parenthesis mine). He asserts furthermore that "if they are not moral agents at all… they must be directly controlled [by the government in order to] to prevent injury to society" (p.18 parenthesis mine). Arguments concerning moral agency can be categorised into the phenomenological and functionalist accounts (Toft, 2019).

The phenomenological account attributes moral agency to only human beings in as much as they are "embodied and have a conscience and the ability to empathize with others" (Toft 2019. p.4). Based on this, corporations cannot qualify to be moral agents. This view has some support in the literature. Writing in the early 80s, Keeley (1981) was of the view that the fact that corporations have rules, procedures and decision-making systems and structures do not necessarily depict what these rules, procedures and structures intend. However, "if one cannot point out the collective analogue to individual intent, organizations are strange looking persons. They don't look much like

metaphysical persons, and they don't look like moral persons" (Keeley, 1981, p.154). It has been contended that corporations are more like machines rather than moral agents (Ladd, 1970; Werhane, 1990) and by virtue of their formalised structures, it is philosophically inappropriate to see corporations as morally accountable (Werhane, 1990). Bakan (2004) calls the whole notion of corporate agency ludicrous while Kusch (2014) describes corporate moral agency as a contentious issue. Lampert (2016) also supports the view that a corporation is an "intentional system, but not a person… it is capable of 'acting', but not directly; rather, the corporation's 'actions' must be the actions of agents of that corporation on the corporation's behalf" (Lampert, 2016, p.88). Still more scholars including Hindricks (2014) and Hasnas (2018) have also argued against group moral agency on the basis that ascribing moral agentic status to groups means that they should also be allowed to exercise all rights including voting rights - something that is unworkable. Sepinwall (2017) equally refuses to ascribe moral responsibility to corporations on the basis that they lack the ability to express emotion - something that is a key condition for ascribing moral responsibility. Ronengaard (2015) also casts doubt on the ability of corporations to form intentions - which to him is necessary to ascribe moral responsibility.

The functionalist account regards corporations as moral agents based on the way they function or the role they play in society as agents. Agency, in this line of thought, is based on the ability to behave intentionally and since corporations are capable of intentional behaviour, they are moral agents (Donaldson, 1982). In this regard, Donaldson (1982) reasons that "if corporations are agents, then they are also *moral* agents, because anything which is an agent is also a moral agent" (p.20). French (1979) in his pioneering exposé about corporate morality asserts that "corporations can be full-fledged moral persons and have whatever privileges, rights and duties as are, in the normal course of affairs, accorded to moral persons" (p.207). This, according to him is because corporations have Corporate Internal Decision Structures (CIDs) through which they act intentionally. French (2015, 2017) still holds the view that corporations and corporate-like entities retain the ability to meet the conditions of being intentional actors and moral agents who can be held responsible for

what they do through their possession of CIDs and also an ability to provide self-narratives based on annual reports, advertisements, legal documents, internal and external statements of corporate culture, and in policies (French, 2017). By differentiating between synchronic (responsibility that is ascribed at the time of the occurrence of the action) and diachronic responsibilities (for an action at a time subsequent to the action), French (2017) is of view that corporations can be ascribed diachronic responsibility if the corporations CIDs remains the same as that which causally connected them to the past action. He further posits that corporations qualify as moral agents insofar as their narratives coheres with their past actions.

List & Pettit (2002) also put forward the discursive dilemma as a basis for why groups such as corporations and other such organisations are to be considered as autonomous moral agents in so far as the group, as an agent, retains the ability to regulate the actions of its individual members. In describing corporations as agents, List and Pettit (2011, p.20) regard them as systems which have representational states, motivational states, and capacity to process them and to act on their basis". Pettit (2017) is unequivocal about the fact that corporations fit the functional profile of agents and conversable agents who can speak for themselves under any variety of arrangements and ensure they live up to what they say. To him corporations ought to be held accountable to a responsibility deficit. Mulgan (2019) also provides some nuancing to the idea of group moral agency by proposing a continuum that ranges from individualism, through moderate collectivism to extreme collectivism. Under moderate collectivism, corporations can be regarded as having moral agency albeit not full moral persons in the same way human beings are. The extreme collectivist view on the other hand, according to Mulgan (2019), regards corporations as both moral agents and moral persons in the same way humans are - a stance that is controversial. Hussain & Sandberg (2017) add more nuancing to the functionalist approach by proposing what they call 'pluralistic functionalism, where a variety of collective agencies exist with different roles in wider society. In this view, "the collective agency of business corporations plays a role in a competitive market economy" (p.66).

Overall, there has been some agreement in the literature in the last two and half decades that corporations, albeit not totally identical to human persons or moral persons, can be regarded as possessing moral agency (French, 1996, 2015; Arnold, 2006, Ozar, 1985, Mulgan 2019; Pettit, 2017, List and Pettit, 2011, Arnold, 2016). This allows them to take on human rights obligations if they satisfy some minimum conditions as earlier laid out by Thomas Donaldson in 1982. These conditions include: "the capacity to use moral reasons in decision making"; and "the capacity of the decision-making process to control not only overt corporate acts, but also the structure of policies and rules" (Donaldson, 1982, p.30). Thus, if corporations are moral agents, then they are to be regarded as corporate citizens (Carroll, 1998; Crane & Matten, 2005); who have rights and obligations to fulfil.

Recognising corporations as legal entities with rights and responsibilities is a more straightforward issue than the issue of their moral agency. In the mid-1970s, Peter French argued that the moral personhood of an organisation needs to be established in the metaphysical sense as well as in the legal sense (French, 1976). Under the legal view, corporations have human rights obligations as a matter of legal requirement. As far as the law is concerned corporations are quite often seen as possessing moral agency (Donaldson, 1982), since the rights they have are usually established by the law (Bishop, 2008). Donaldson (1982) points to the inclusion of corporations as persons under the Federal Food, Drug and Cosmetic Act 1938; the recognition of bearers of natural rights under the Fourteenth Amendment in the American constitution; the decision of the US Supreme Court that upheld the right of corporations to free speech, as well as the right to promote political ideals as examples of how the law accords moral agency to corporations[4]. Friedman (2019) also points to criminal liability ascribed to corporations as evidence of why corporations are considered moral agents by law; while other authors insist that international human rights laws place obligations on corporations (Deva, 2013). Blair (2015) has documented a number of important U.S Supreme Court

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[4] See pre-argument comment of Mr. Chief Justice Waite in Santa Clara County v. Southern Pacific Railroad Company, 118 <u>US</u> <u>394</u> (1886)

decisions that have increasingly granted constitutional rights enjoyed by citizens to corporations ranging from the right to establish diversity jurisdiction; to be liable for criminal conduct; protection from unlawful searches and seizures; protection under double jeopardy Clause; right to a jury trial in certain circumstances; as well as being granted the right to freedom of speech. To Blair and Pollman (2015), such constitutional rights have been granted to corporations on the basis that corporations are associations of persons acting together rather than based on their recognition as protected persons under the constitution. Despite this, the controversy about the kind of moral agency corporations as legal entities possess, continues especially, because different jurisdictions have different views on the subject. Even the U.S Supreme Court failed to ascribe citizenship to corporations under certain circumstances[5]

2.3.3 Why corporations have human right obligations

Business corporations are deemed to have rights obligations due to exponential growth in the clout of TNCs as well as several philosophical reasons. These reasons are discussed in the following section.

2.3.3.1 Growth in clout and power of TNCs

TNCs in the contemporary era have evolved into powerful global entities with vast economic and political resources with which to influence global governance (Brathwaite & Drahos, 2000; Chandler & Mazlish, 2005; Jerbi, 2009; Scherer, et al., 2006; Kaul, et al., 2003; Palmer, 2001; Donaldson, 1982; Bishop, 2008); and to inflict harm or be a force for good (Weissbrodt, 2005). Using the four metrices of sales, profits, assets, and market value, the Forbes Global 2000 estimated the companies on its 2023 list to account for "$50.8 trillion in sales, $4.4 trillion in profits, $231 trillion in assets and $74 trillion in market value… with total revenue … [surpassing]… $50 trillion for the first time (Forbes, 2023). Such clout means that TNCs can exercise four different types of power when it

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[5] The Supreme Court did not treat corporations as citizens for the purposes of the application of the Privileges and Immunities Clause under Article IV of the Constitution in Virginia25; Pembina Consolidated Silver Mining v Pennsylvania; Bank of Augusta v Earle; Paul v Virginia.

comes to human rights, namely, "direct power over individuals' human rights, power over the materialities of human rights, power over institutions governing human rights, and power over knowledge around human rights" (Birchall, 2020, p.44).

Additionally, the breakdown in the strict separation between the private sphere (where TNCs operate) and the public sphere, which is the territory for governments, (Kobrin, 2009; Muchlinski, 2001, Krajewski, 2023) has facilitated the growth in the role of TNCs. Added to these is the fact that many states lack the resources and the democratic institutions to guarantee human rights or are simply unwilling to control and regulate corporations within their various jurisdictions (Cragg, 2012). Furthermore, the ability of states to control the international legal and regulatory environment within which international commerce operates has been further weakened by regional free-trade agreements (Cragg, 2000). Resulting from these TNCs have a new role which requires them to have rights obligations aimed at upholding human dignity as outlined in the Universal Declaration and related covenants (Cragg, 2001, 2004, 2012; Bishop, 2012; Arnold, 2010; Sorrell, 2004; Kobrin, 2009; Wettstein, 2010; Scherer, et al., 2006).

In addition, there has been some movement of major TNCs towards taking on social roles "through the adoption of corporate and industry-based codes of conduct" (Muchlinski, 2001, p. 37; UNCTAD, 1994,1999); some of which are embedded within supply chain contracts (Fridd & Sainsbury, 1999). Besides, the last three decades witnessed increasing legislation within national laws for corporate social responsibility (Hatchard, 1999). For example, in 2006, China inculcated corporate social responsibility into its statutes (Gonsi, 2006); followed by Indonesia, which amended its corporate statute to oblige companies dealing with natural resources to implement environmental and social responsibilities (Law of the Republic of Indonesia No. 40, 2007). In 2009, Mauritius enacted mandatory corporate philosophy laws (Li-Wen, 2020) while in 2014, India enshrined corporate giving into law which required businesses with annual revenues of 10 billion rupees or $105 Million to donate 2% of their net profits to charity (Afsharipour, 2017). Several international conventions also

called for TNCs to recognise and respect human rights (OECD, 2008; United Nations Human Rights Council, 2011). The literature also points to enlightened self-interest and instrumental reasons which ground the business case for adopting human rights obligations (Muchlinski, 2001; Cragg, 2012; Robinson, 1998; UNCTAD, 1999; Hoyos, 2000; William, 1999).

2.3.3.2 Philosophical Reasons for Business Human Rights

The other main way for addressing the question of why TNCs have human rights obligations is philosophical. Philosophical reasons for business human rights include deontological reasons (Arnold, 2010); utilitarian reasons (Sumner, 1987); social contractarian reasons (Donaldson, 1982, 1989; Cragg, 2001; Palmer, 2001; Gopalakrishnan, 2001).

Firstly, deontological reasons why businesses have human rights obligations hinge on the Kantian maxim of 'ought' implies 'can' (Stern, 2004); and flows from the moral agency of businesses. If transnational corporations have moral agency and are thus capable of intentional action then it follows that they can carry out human rights duties and obligations (Arnold, 2010). This line of argument conjures up questions of the extent to which corporations are the right kinds of moral agents as previously discussed.

Second, utilitarian grounds for justifying why corporations have human rights obligations hold the view that the exercise of such rights by multinational corporations will result in the greatest good for the greatest number of stakeholders. This flows from attempts by some scholars to ground all rights in utilitarianism (Sumner, 1987). Such a justification of business human rights obligations relies on being able to predict the impact of corporate actions - something that may not be so easy to undertake (Mitchell, 2009). It is, however, worthy of mention that in some empirical studies (for example, Fritzsche & Becker, 1984), utilitarian considerations have been found to motivate a considerable number of business ethics decisions including human rights considerations.

Third, according to Sumner (1987, p. 129):

> "all contractarian theories agree that the principles of morality, or at least the principles of justice, must be grounded in some procedure of collective choice. Beyond this broad area of agreement, however, different theories in the tradition are capable of diverging both in their methodology and in their content".

The preceding makes the categorisation by Neiman (2013) of social contract theories into three main approaches particularly useful. The first approach includes scholars that undertake to directly project "the social contract theory of a political philosopher to issues of business ethics" (Neiman, 2013, p. 75). Some adherents to this approach attempt to ground the justification for businesses having human rights in Hobbesian social contract (Horvath, 1995; Palmer, 2001). The underlying premise of this approach, according to Muchlinski (2004), is that:

> "it is in the rational interest of individuals to come together in a united common power that will ensure their mutual security in the face of the alternative of the state of nature in which [only] the most forcefully acquisitive will survive" (Muchlinski, 2004, p. 84, parenthesis mine).

With a view to prevent such a state of nature from occurring which will inevitably lead to decline in the self-interest of all, corporations, as rational agents, enter into social contracts with societies in which they operate and pledge to adhere to principles of good conduct in return for society's or state's provision of a regulatory and protective framework (Palmer, 2001). Other scholars have sought to apply Rawlsian rendition of the social contract to organisations (Bishop, 2008; Hartman, 1996). Bishop (2008) for instance, argues that corporations, in line with Rawls' fundamental principles of justice, have a responsibility to respect the freedom and human rights of all people, and to desist from interfering in government efforts to provide basic human rights.

The second approach adapts traditional "social contract methodology to the domain of business ethics" (Neiman, 2013, p. 75). Prominent among such scholars are Donaldson (1982, 1989); Bowie (1982, 1999); Gauthier (1986); Sacconi (2006) and Cragg, (2004, 2009). Adapting Hobbes's state of

nature to what he calls the "state of individual production" (p.44) and focusing on hypothetical situations much like Rawls, Donaldson (1982) cobbles together the terms of a domestic social contract that ought to exist between "employees and consumers" and by extension, society, and corporations. Within this social contract, the benefits of approving the existence and operation of productive organisations, at a minimum, ought not to outweigh the detriments of doing so. According to him, "corporations [within a social contract] considered as productive organisations exist to enhance the welfare of society through the satisfaction of consumer and worker interests, in a way which relies on exploiting corporations' special advantages and minimizing disadvantages" (1982, p.54). He later extends his social contract into the international arena by emphasizing that societies will be willing to pursue social contracts with productive organisations if the latter commit to "enhance the long term welfare of employees and consumers in any society in which the organisation operates"; undertakes to "minimize the drawbacks associated with moving beyond the state of nature to a state containing productive organisations"; and lastly, "that a productive organisation should refrain from violating minimum standards of justice and of human rights in any society in which it operates" (Donaldson, 1989, p.35). Bowie (1982) also points to the existence of a social contract between corporations and society. He identifies the terms of such a contract to include the benefits that corporations gain by way of society providing the means of enforcing contracts as well as providing the infrastructure that allows businesses to function. In return, corporations have a duty of beneficence to society (Bowie, 1999). Gauthier (1986) on his part focuses on contractual negotiations within markets and employs principles of economic rationality to explain situations where rational agents, in pursuit of their self-interest, bind themselves into moral commitments that infringe upon their self-interests in the short term but served a greater interest in the long term.

Recently, calls for renewed social contracts between business organisations and citizens have been re-ignited. For example, the Secretary General of the United Nations, António Guterres, in the wake of the COVID-19 pandemic, called for a new social contract "anchored in human rights" based on

three foundations, namely, "trust; (b) inclusion, protection and participation; and (c) measuring and valuing what matters to people and the planet" (United Nations, 2021, p.22). Specifically, he called for the rebuilding of trust in institutions which have largely broken down due to "both their real and perceived failures to deliver, be fair, transparent and inclusive, provide reliable information and make a difference in people's lives" (p.24) Such calls have been echoed by scholars in the field who have called for renewed social contract grounded in human rights, specifically workers' rights to ensure the protection of workers in the wake of various global crises (Frey et al, 2021); while others have still re-emphasized the social contractarian basis for the acquisition of the social license to operate by business enterprises (Demuijnck & Fasterling, 2016). International agencies such as the World Health Organisation (WHO) and United Nations Development Programme (UNDP) have also called for the application of social contract thinking to the relationship that pharmaceutical companies maintain with relevant stakeholders (Lemmens et al, 2022; Steiner 2020).

The third approach is characterised by an attempt to discover "extant, tacit, or micro-social contracts" through empirical investigation into "attitudes, behaviours and beliefs" (Neiman, 2013, p. 76). Adherents to this approach include Cragg (2000); Dunfee (1991)[6]; Keeley (1988). Cragg (2000) called for the fashioning of a new social contract to replace the post-war social contract within which "the private sector assumed primary responsibility for generating wealth, while the public sector accepted the responsibility for ensuring respect for human rights" (p.118). This new social contract, according to Cragg (2000),

> "includes the recognition on the part of the business community that they have an obligation to operate in all aspects of their operations within the framework of policies and codes that encompass respect for human rights and other values of fundamental importance" (p.118).

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[6] See Donaldson and Dunfee (1994) Integrated Social Contract Theory for a combination of the second and third approaches.

Keeley (1998) also puts forward a rendition of social contract theory that is quite relevant to the question of why businesses have human rights obligations. Arguing from a perspective which denies the moral agency of organisations, he does not accept the idea that organisations have overarching, unified goals such as 'survival'. Hence, he postulates the view that:

> "the social contract model denies that social collectives have social ends or welfares; only individuals are seen to be capable of preferring one state of affairs over another. Whatever properties collectives possess (and they may have many), welfare entailing properties-goals, needs, interests, etc.-are not among them" (Keeley, 1988, p. 49).

Thus, an organisation constitutes an arena in which participants endowed with certain rights, make a series of contracts in pursuit of their own individual goals rather than overarching collective, organisation-wide goals (Hartman, 1996). Though Keeley's lack of recognition of the agentic nature of organisations backs the consensus in the literature and has come under criticism (Mentzer, 1989), his attribution of personal blame to corporate executives for corporate wrongdoings has some support (Velasquez, 2003); and has important implications for the allocation of blame when corporations infringe on human rights of relevant stakeholders. Another of Keeley's implied notions is the fact that organisational "participants [or stakeholders] are endowed with certain inherent rights that supersede all other organisational behaviours, especially any alleged organisational goal" (Mentzer, 1989, p. 601, parentheses mine), can be construed as highlighting the primacy of basic human rights of stakeholders over parochial, profit maximisation goals of corporations.

There is some consensus in the literature about the existence of tacit social arrangements, if not contracts, between societies and businesses in the contemporary era, where businesses gain the social license to operate (Lassonde, 2003; McMahon, 1998; Nelsen, 2003, Frey et al 2021; United Nations, 2023) if they endeavour to conduct themselves in socially responsible ways by entering into social contracts which include human rights obligations hitherto reserved for the state (Boutilier & Thomson, 2011).

2.4 Content, Extent and Scope of BHR

This part of the study focuses on exploring the content, extent, and scope of the human rights obligations of businesses. In terms of content, it explores the specific human rights codes or articles which business organisations have an obligation to uphold. The extent and scope cover the question of "which human rights create human rights obligations' and "whose human rights corporations [and businesses] ought to consider" (Bishop, 2012, p. 124, parenthesis mine). Extent and scope in effect, explore the limits of human rights obligations that may be accorded to business organisations given that such organisations are not expected to assume all obligations for all human rights (Bishop, 2012; Hseih, 2015).

2.4.1 Content of BHR

The issue of content covers the question of what rights must be respected and protected. The Special Representative recommends, that in terms of content, careful attention be paid to the international Bill of Rights and the ILO core conventions since they are the "benchmarks against which other social actors judge human rights impacts of companies" (UNSRSG, 2008, para. 69). Indeed, the UDHR calls for "every individual and organ of society" to be engaged in the protection of human rights (UDHR, 1948). Generally, human rights standards in the contemporary era consists of the Universal Declaration of Human Rights (1948) and related covenants, that is – The International Covenant on Civil and Political Rights and The International Covenant on Economic, Social, and Cultural Rights (Buchanan, 2013; OHCHR, 2008). In many ways, the UDHR has become the "constitution of the universal human-rights movement" (Steiner, 1998, p.45). Steiner (1998) opines that:

> "Ever since its adoption on December 10, 1948, by the United Nations General
> Assembly, the Universal Declaration of Human Rights has retained its place of honour

in the human-rights movement. No other document has so caught the historical moment, achieved the same moral and rhetorical force, or exerted as much influence on the movement as a whole" (p.45).

As "Parent to the two major covenants that followed it and grandparent to the many specialized treaties in the field" (Steiner, 1998, p. 45); the UDHR has been established as the template of contemporary human rights (Winston, 2012), with many states having inculcated its tenets into their national laws (Hannum, 1996); Morsink, 1999, 2009; Glendon, 1998; Samnoy, 1993). It is arguably the de facto reference point for what constitutes human rights to many peoples around the world (Donnelly, 2003); and at the same time bona fide aspects of many a nation's law (Nickel, 1987). It is fair to say that subsequent treaties and conventions that specifically highlight the human rights obligations of business have the UDHR as a point of departure (Robinson, 2000).

Two important features of the UDHR demand critical analysis due to their relevance to this study. First, the opening preamble stresses the feature of universality of human rights by emphasizing that these rights are inalienable and "belong to all members of the human family" because of their inherent dignity and equality. Second, its reference to human dignity grounds it in natural law and Enlightenment thinking (Joseph, 2009; Morsink, 1984, 1999; Lang, 2007). The idea of universality appears to have two meanings: that the Declaration is targeted at all of humanity and that all people have an equal claim to all rights (Lang, 2007). The first meaning does (despite critique that it represents an attempt to project Western viewpoint whiles disregarding those of other cultures) represent the intentions of the authors of the Declaration (Beitz, 2011). The latter idea has previously come under heavy criticism from a variety of quarters not least from Jeremy Bentham in his 'Anarchical Fallacies' (Bentham, 1843). The idea that all rights are due all people everywhere is regarded as untenable and unachievable since "not everyone can enjoy every right always and to the full" (Lang, 2007, p. 179) and so human rights ought necessarily to be ordered according to importance as well as the ability of the duty bearer to fulfil such rights subject to the availability of

the necessary resources and relevance in particular contexts (Ruggie, 2009). Thus, in the business context, for example, organisations owe duties to respect to those with whom it may have relationships (Arnold, 2010). A counter argument has been put forward which insists that " a right is a human right, even if the rightsholders are not all but only some human beings" as long as the basic reason for the establishment and protection of that right is that any conduct that infringes on that right also infringes on Article 1 of the UDHR, which calls for all human beings to act towards each other in the spirit of brotherhood (Perry, 2020, p. 438).

Universality in the UDHR is important to the discourse on BHR because the UN Framework, the most definitive testament of business human rights obligations, points to the Articles of the UDHR and other covenants as capturing the substantive human rights and baseline norms which all businesses need to follow in all situations (Ruggie, 2009). If all businesses everywhere are to follow the UDHR, then it is important that it is recognised as "the baseline norm for all companies in all situations" (Ruggie, 2009, p. 14). The articulation of human rights principles in the UDHR's Articles have been extended and streamlined for business organisations in international instruments such as the draft UN Code of Conduct on Transnational Corporations, 1983; The United Nations Global Compact 2000; 'Norms on the Responsibilities of Transnational and Other Business Enterprises with Regard to Human Rights' 2003; as well as the 'Protect, Respect and Remedy Framework' 2011; or the UN Framework for short.

Currently, the latter instrument can be regarded as the definitive standard within which the human rights obligations of businesses are enshrined. Developed in response to the quest to "identify and clarify standards of corporate responsibility and accountability regarding human rights" and to shed light on the important, but ill-defined, concepts of 'spheres of influence' and 'complicity' (OHCHR, 2008, p.xii), the UN Framework has at its base, "differentiated but complementary responsibilities, and comprises three core principles" (OHCHR, 2008, p.xiii). These are the State's Duty to Protect against human rights abuses by third parties, including businesses; the Corporate Responsibility to

Respect human rights; and the need for more effective access to Remedies for victims of any human rights abuses that occur (SRSG, 2008).

Of relevance to BHR is the second pillar of the Framework, the Responsibility to Respect (Ruggie, 2009). It requires businesses "to respect human rights" of all relevant stakeholders, "or put simply, to not infringe on the rights of others" (Ruggie, 2009, p. 13). Key features of the Framework include the fact that it has near-universal recognition by all stakeholders. By near universal recognition, Ruggie (2008) refers to two things:

> "First, the corporate responsibility to respect is acknowledged by virtually every company and industry CSR initiative, endorsed by the world's largest business associations, affirmed in the Global Compact and its worldwide national networks, and enshrined in such soft law instruments as the ILO Tripartite Declaration and the OECD Guidelines. Second, violations of this social norm are routinely brought to public attention globally through mobilized local communities, networks of civil society, the media including blogs, complaints procedures such as the OECD NCPs, and if they involve alleged violations of the law, then possibly through the courts. This transnational normative regime reaches not only Western multinationals, which have long experienced its effects, but also emerging economy companies operating abroad, and even large national firms" (Ruggie, 2009, p. 14).

In addition, the Special Representative recognises the Responsibility to Respect as an international "social norm" (Ruggie, 2009, p. 13). He posited further that companies ought to implement four core elements of human rights due diligence including having a "human rights policy; assessing human rights impacts of company activities; integrating those values and findings into corporate cultures and management systems, and tracking as well as reporting performance" (Ruggie, 2009, p. 14).

For purposes of the present study, it is important to examine specific human rights within international treaties that ground the UN Framework as a whole and businesses' Responsibility to Respect in particular. In this regard the UDHR is selected in its capacity as the classic human rights document. In view of time constraints Articles 1, 16(3) and 29(1) are selected for consideration in this study. Article 1 stipulates that "All beings… should act towards one another in a spirit of brotherhood" (UDHR, 1948). This does not only require that individuals in society refrain from violating each other but goes on to demand that people everywhere act towards each other by respecting their dignity and worth as human beings and acting towards them in the spirit of brotherhood (Perry, 2013). It connotes taking active steps to build brotherly and sisterly relationships with all members of society; taking steps to help them as well as establishing mutually beneficial relationships wherever possible.

Article 16, paragraph 3, affirms that "the family is the natural and fundamental group unit of society and is entitled to protection by society and state" (UDHR, 1948). This aims to emphasize that the family is the basic and foundational unit of all societies despite the many differences in the concept of the family throughout the world (Lagoutte & Arnason, 1999; Morsink, 1999). This Article also describes the family as the "natural' unit, the most important aspect of "a society made up of human beings" and represents an anthropological theorisation of kinship" (Lagoutte & Arnason, 1999, p. 338; Saunders, 2013). The entitlement of the family to protection by the state implies establishing policies, juridical institutions, and law enforcement processes aimed at shielding the family from violation, as well as promoting family cohesion (Lagoutte & Arnason, 1999). Family protection by society places a responsibility on individuals as well as society as a whole to take steps to not "disregard domestic provisions concerning the family and not to interfere without a legitimate purpose in the development of the family" (Lagoutte & Arnason, 1999, p. 343). It can also be taken to mean that family members have a responsibility to take steps to promote the welfare of other family members in any way they can.

Article 29(1) asserts that "everyone has duties to the community in which alone the free and full development of his personality is possible" (UDHR, 1948). This represents the only place in the UDHR "where duties to the community are explicitly mentioned" (Winston, 2012, p. 433). This provision is to be understood "primarily, but not exclusively, as *moral* duties or *ethical responsibilities* one owes to other members of society" (Winston, 2012, p. 434). Crucially, Winston (2012) goes on to explain that:

> "Moral duties and ethical responsibilities differ from legal obligations in that they are not issued by a sovereign law-making authority, are not codified in "black-letter law," are not enforced by the police powers of state and are not normally justiciable in the way in which legal obligations to conform to statutes, contractual obligations, and case law are enforceable by courts. Moral duties are informal and are commonly enforced only by social sanctions such as moral disapprobation. Ethical responsibilities are also notoriously difficult to define and are subject to variable interpretations depending on one's background, philosophical and religious beliefs, one's culture, and the particular social expectations that are associated with roles and stations in society" (p.434).

The above points to the fact that seeking to achieve Article 29(1) is best undertaken through an ethical or moral framework rather than through legal means. Accordingly, if businesses are to translate such an obligation into concrete action, any chance of success is contingent on it taking place within a viable ethical and moral framework with a system of expectations and sanctions.

2.4.2 Scope of Business Human Rights

The scope and extent of business human rights obligations refers essentially to the "limits of human rights of corporate human rights obligations" (Bishop, 2012, p. 124; Deva & Bilchitz, 2013). Assessing the limits of business human rights obligations is important because "it is unlikely that corporations have all the rights obligations that governments have … [and what they have] … do

not extend to all people" (Bishop, 2012, p. 24); nor do they possess the resources to solve all human rights problems (Porter & Kramer, 2006).

Bishop (2012) explores a useful set of approaches that have been used to define the limits of business human rights obligations. The first is the legal perspective, which posits that a business's human rights obligations cover those that are in the law. The implication is that by obeying the laws in a particular jurisdiction, a business would inevitably fulfil its human rights obligations. To be sure, the role of the law (especially international) in bringing certainty and practicality to human rights is well-known (Donnelly, 2006). However, the legal approach appears quite minimalist in its scope and echoes Friedman's shareholder-centric opinion that the responsibility of a corporate executive or corporation is to "make as much money as possible while conforming to their basic rules [laws] of the society" (Friedman, 1970, parentheses mine). Three assumptions underlie this view- that the legal regime under which businesses operate at any point sufficiently encapsulates the human rights obligations of businesses; that governments have the wherewithal in terms of both resources and will to enforce the law; that those businesses can be obliged to comply with the law. Three logical posers then are: what if the extant legal framework does not sufficiently capture these rights; what if the state lacks the resources and the will to sufficiently enforce the law; and what if businesses possess more power in terms of resources than the state, and are able to bring such power to bear on its dealings with it? Answers to these questions have led to the rejection of this approach in defining the extent and scope of human rights obligations for businesses. This is because firstly, not all countries in the world have ratified all human rights treaties and made them aspects of their national laws. Furthermore, international human rights instruments such as the UDHR are generally not legally binding. Even where such instruments are binding (such as in the case of the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights), and states have ratified and codified them into national law, they may lack the wherewithal or the political will to enforce them (Mishra, 2006). Thus, to limit the human rights obligations to mere obedience of the law represents a myopic view of business human rights

obligations. By near-universal consensus, the legal approach which sees business human rights obligations as solely inhered in the prevailing legal regime, is rejected in the literature on the basis that "the moral claims embodied in human rights always potentially reach beyond the positive rights and duties already established in given laws" (Lane, 2004, p.146; Cragg, 2000, 2004; Sorrell, 2004; Arnold, 2010; United Nations, 2008; Woodiwiss, 2006; Freeman, 2012; Muchlinski, 2004).

The second approach, according to Bishop (2102), limits BHR obligations to those which can be fulfilled given limited rights (Bishop, 2012). This position results from the fact that placing obligations on businesses to perform a particular function necessarily implies according to them with the rights to that function. Thus, asking a business to provide security accords them the right to raise and fund an army of sorts (Bishop, 2012). By implication therefore, limiting the number of corporate legal rights will help serve as a check against human rights abuses (Bishop, 2012). Flowing from this, corporate human rights obligations should be limited to perfect duties to meet bona fide rationally justifiable claim rights that are urgent (Sorrell, 2004); and highly important (Dworkin, 1994; World Conference on Human Rights, 1993); which can be urged, pressed, or rightly demanded (Nelson, 1990; Sen, 2004; Feinberg, 1973; Dworkin, 1994).

Such obligations should be minimalist (lgnatieff, 2000), that is, it should take the form of basic (rather than aspirational) rights of liberty, physical security, and subsistence rights (Arnold, 2010); and should promote minimally just institutions in accordance with the 'Principle of Assistance' where it operates, especially when the existing state lacks the means or will to fulfil its obligations. In addition, it should aim at helping burdened societies become well-ordered societies (Hsieh, 2004, p.650; O'Neill, 2001; Rawls, 1999b). However, such duties should not amount to arbitrary interference; and neither should they be more than the amount of benefit that the business accrues from operations in a particular area or jurisdiction. Also, it should not be "more than the amount that [a shareholder of a TNC] would be obligated to contribute in their capacity as a citizen of a well-ordered society if her government were in fact fulfilling the duty of assistance to [a] burdened society" (Hseih, 2004, p. 651). Moreover, it should include actions that uphold human agency and

autonomy of right holders (Lane, 2004; lgnatieff, 2000); be directed at those with whom business organisations have relationships (Arnold, 2010); and who are impacted by the activities of the business (Sorrell, 2004; United Nations Human Rights Council, 2011) and who are, by definition, stakeholders and are acting as stakeholders (Bishop, 2012).

The third approach by Bishop (2012) defines the extent of BHR obligations by distinguishing between positive and negative obligations and asserts that while the state has both positive and negative responsibilities, corporations have a responsibility to respect negative rights (Bishop, 2012). This is because giving to political rights obligations to multinationals (given their control of enormous resources and wealth) risks upsetting the power balance that is essential in a democracy (Copp, 2000); and that this may pose a threat to human rights (Mayer, 2007; Ostas, 2007). According to Lane (2004), discussions of corporations and human rights have focused "solely on the 'negative' civil rights such as freedom from torture, or if 'positive' economic and social rights are raised at all, these are primarily labour rights" (Lane, 2004, p. 152).

Following from this is the idea that requiring businesses to undertake positive rights will lead to the problem of free riders. This is where business organisations who refuse to take on positive responsibilities unfairly benefit from the positive obligations assumed by other organisations (Vernon, 1999). Here again this approach has been heavily criticised on the grounds that a separation of negative (welfare or social and economic) rights from positive (liberty or political and civil) rights is often fallacious (Shue, 1996); since the attainment of many liberty rights such as the right to freedom of speech rest on the basic right to subsistence, participation, and security (Archard, 2004; Shue, 1996; Arnold, 2010; Bishop, 2012). This being so economic and social rights ought to be treated with the same priority as political and civil rights (Robinson, 1997) since they are inextricably linked (Griffin, 2004).

As elsewhere discussed, the UN Framework distinguishes between the primary duty of the state to protect human rights and a "responsibility of companies… to respect human rights" (SRSG, 2008,

p.16). One interpretation of this is that the state has a duty to create the regulatory and legal framework within which rights can be exercised while businesses have a responsibility to adhere to regulations. According to Arnold (2010) "a duty to protect invokes a moral or legal obligation, whereas a responsibility invokes accountability for praise or blame" and so the separation of duty and responsibility may be taken as "states… have moral and legal (or constitutional) duties to protect human rights, whereas TNCs and other business enterprises may be blamed or criticised for failing to respect human rights with possible negative consequences for the TNC" (Arnold, 2010, p. 378).

The UN Framework's separation of state's duty to protect and business' responsibility to respect also appears to reinforce the negative and positive rights debate. Requiring businesses to "avoid infringing" (SRSG, 2008, 9.14) on human rights presupposes a negative duty to avoid harm, a position supported by some scholars (Donaldson, 1989; Hsieh, 2009). Despite this negative rights connotation, the Framework's call on businesses to undertake *positive actions* such as "due diligence through "assessing actual and potential human rights impacts, integrating and acting on findings"; demands positive actions from corporations rather than mere passive respect (Salcito, et al., 2015). John Ruggie further postulates that "doing no harm" is not merely a passive responsibility for firms but may entail positive steps" (p.17-26). However, such positive actions with their related costs echo the view put forward by Shue (1996) that assuming positive and negative rights are inextricably linked.

To the Special Representative, "the scope of the Responsibility to Respect is defined by social expectations" (SRSG, 2008, p.6); as different from the government's focus on defining the scope of legal compliance. He emphasizes that TNCs have a "baseline [human rights] responsibility" that transcend compliance with national laws and whose breach "can subject companies to the courts of public opinion - comprising employees, communities, consumers, civil society, as well as investors - and occasionally to charges in actual courts" (p.16, parentheses mine). This highlights the non-binding nature of the Framework. Related to this point, he emphasizes that given the baseline nature

of the responsibility to respect "a company cannot compensate for human rights harm by performing good deeds elsewhere" (p.17). He also points out that Responsibility to Respect exists independently of the state and thus refuses to be drawn into the complicated business of distinguishing 'between "primary" State and "secondary" corporate obligations' (p.17).

This separation of the state's duty and business' responsibility appears to reinforce the separation of the private from the public sphere while also preserving the Westphalian order where the state retains the primary and singular claim to sovereignty and the protection of the rights of citizens. However, as has been pointed previously, there has been a "shift from state-centric to multi actor system with the emergence of a transnational world order [which] has fragmented political authority and blurred the once distinct line between the public and private spheres" (Kobrin, 2009, p. 353, parentheses mine). Also, many states in the contemporary era are 'burdened' (Rawls, 1999b), and so lack strong democratic and regulatory institutions, as well as the economic resources needed to effectively protect human rights (Arnold, 2010).

There is a consensus in the literature around the idea that businesses do indeed have human rights obligations (Arnold, 2010; Campbell, 2006, Cragg, 2010) albeit such obligations are generally secondary to those of the state (Kinley & Tadaki, 2004; Hseih, 2015; Arnold, 2010). These obligations have been summarised as consisting of obligations to prevent human rights abuses; provision of the means and mechanisms for human rights compliance; and to promote understanding, appreciation, and application of human rights standards. Furthermore, these obligations apply to the conduct of businesses as well as to the conduct of those with whom the business has dealings (Kinley & Tadaki, 2004). Such obligations encompass both positive and negative duties (Vogel, 2005; Ulrich, 2001; Wettstein, 2010; Ratner, 2001; Bishop, 2012); and require businesses to ensure that they are not (silently, directly, indirectly or beneficially) complicit in human rights violations (Wettstein, 2010; Clapham & Jerbi, 2001; Ramasastry, 2002; Clapham, 2006; Kline, 2005; Ratner, 2001; Brenkert, 2009; Hoffman & McNulty, 2009); or that they do not maintain

dealings with governments or others (such as suppliers) whose actions violate human rights (Hseih, 2009, 2015; Wettstein, 2012). Furthermore, businesses are required to establish in-house standards, facilities, procedures, and processes as well as the extension of such services to places outside the organisation (Kinley & Tadaki, 2004; United Nations Human Rights, 2011; Haas, 2008; Robinson, 2000; Arnold, 2010; O'Neill, 2001; Bishop, 2012). They are also required to provide social amenities that contribute to social justice including helping to train state security personnel, providing health care and educational facilities to local communities (Kinley & Tadaki, 2004; Arnold, 2010; Sorrell, 2004; O'Neill, 2001; Bishop, 2012).

2.4.3 Benefits of Business Human Rights

The benefits that accrue from businesses taking up human rights obligations come under the rubric of the benefits of corporate social responsibility to both society and businesses. For businesses, there is support in the literature for the idea that taking up human rights within their wider CSR obligations will yield benefits in the form of good reputation (Fombrun & Shanley, 1990; Garberg & Fombrun, 2006; Brammer & Pavelin, 2006; Stanaland, et al., 2011; KPMG, 2016); shared value (Porter & Kramer, 2006) and easy acquisition of social licenses to operate (Lassonde, 2003; McMahon, 1998; Nelsen, 2003; Demuijnck & Fasterling, 2016). For society, the benefits can be summarised as the attainment of sustainable development where the material, social and financial, and well-being needs of citizens are met through employment, remuneration, fulfilment, and employee welfare, etc. in the present without compromising the ability of future generations to meet their own needs (World Commission on Environment and Development, 1987).

2.5 Informal Economy and CSR

The informal economy defies a single definition not least because the sector is heterogeneous and immensely diverse. However, for purposes of this study the definition of the informal economy

provided by the International Conference for Labour Statisticians (ICLS) in 1993 is adopted. It defines the sector as made up of:

> "units engaged in the production of goods or services with the primary objective of generating employment and incomes to the persons concerned. These units typically operate at a low level of organization, with little or no division between labour and capital as factors of production and on a small scale. Labour relations – where they exist – are based mostly on casual employment, kinship or personal and social relations rather than contractual arrangements with formal guarantees" (ICLS, 1993).

Historically, growth in the size of the informal economy, particularly in the developing world, has been attributed to various issues including the lack of job opportunities in the formal sector that force workers into this sector; rapid rural urban migration and the creation of a dual economy[7] (Geerts, 1963; Peattie, 1987; Fields, 1975; Mazumdar, 1976; Vekemans, et al., 1970; Blunch, et al., 2001; Sethuraman, 1997); rampant corruption (Dutta, et al., 2011); as well as to the dynamic micro-entrepreneurial nature of informal sector activity (Hart, 1972; Henley, et al., 2008; Cunningham & Maloney, 2001; Pisani & Pagan, 2004). More reasons for growth in the sector have been attributed to the desire to "avoid taxes and social contributions or compliance with standards and licensing requirements", reliance on the sector as safety net; lack of education and skills needed for formal employment, or the inability to access public and financial services due to poverty (IMF, 2020, p.54). Key characteristics of the informal economy, according to the International Labour Organisation, include ease of entry, reliance on local resources, family ownership, small-scale operation and dominance of small businesses, labour intensive and the use of adapted technology, unregulated and competitive markets, skills acquired outside the formal education system, and the fact that the sector

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[7] The Dualist perspective has received heavy criticism- see Bromley (1978) Introduction – The Urban Informal Sector: Why Is It Worth Discussing? Pradhan (1995) Formal and informal sector employment in urban areas of Bolivia; Pradhan (1997)- Household labor supply in urban areas of Bolivia

deals in untraded goods (Bromley, 1978, IMF, 2020). This sector covers a host of activities including subsistence farming, small-scale enterprises, as well as illegal activities (Henry & Sills, 2006). It is also dominated by small businesses because most of the activities that occur in the sector is "typically carried out in small units, microenterprises, established, owned and operated by one or a few individuals" (Fluitman & Oudin, 1991, p. 1; Henley, et al., 2008, Charmes, 2000; Lubell, 1991; IMF, 2020; Shinozaki, 2022). This domination has, however, not been highlighted in entrepreneurship research. This lack of coverage has been attributed to efforts by the field of entrepreneurship to preserve the well-manicured image of the entrepreneur as a hero (Burns, 2001), which forces the exclusion of all forms of enterprise existing and operating outside this pristinely cultivated image (Williams & Nadin, 2012). Nevertheless, there is some evidence to support the notion that a sizeable number of enterprises start their ventures initially in the informal economy (Aidis, et al., 2006; Evans, et al., 2006; Llanes & Barbour, 2007); and that even formal sector entrepreneurs quite often fail to declare some or all their transactions to the authorities (Valenzuela, 2001; Ram, et al., 2007). Essentially, informality is a common feature in small businesses whiles small businesses dominate the informal sector.

As a result of the domination of the sector by MSMEs, discussions about the informal economy and CSR are essentially discussions centred on the CSR activities of MSMEs. This is not to suggest that all MSMEs have identical features. As the literature on small business enterprises shows, these businesses, despite their similarities, also have some important differences. In terms of approach to CSR, micro enterprises for example, portray key differences in comparison to small and medium-sized enterprises (Russo and Tincati, 2009). For one thing, micro enterprises dominate the MSME sector, which makes it necessary to give them a disproportionately larger focus in terms of CSR than small and medium enterprises (Russo and Tincati, 2009). Yet, micro firms, are more likely to "implement responsible behaviour toward specific categories of stakeholders" while also tending to maintain different and more personalised relationships with relevant stakeholders based on their personal ethics and moralities (Russo and Tincati, 2009, p.347). An effective way of assessing the

CSR actions of informal sole traders is to use the four-part categorization of CSR by Carroll (2016) into economic, legal, ethical, and philanthropic responsibilities.

2.5.1 Economic Responsibilities and the Informal Economy

There is no doubt that informal MSMEs undertake economic responsibilities. MSMEs in general represent about 90 per cent of businesses and more than 50 per cent of worldwide employment. Formal MSMEs contribute 40 percent to the GDP of emerging countries with that figure ballooning when informal MSMEs are included (Kituyi, 2020). There is a large body of literature that focuses on the informal economy's (dominated by MSMEs) immense contribution to the worldwide economy and particular countries in terms of employment and revenue generation (Agenor & Montiel,1996; Harris-White & Sinha, 2007; ILO, 2002; IMF, 2020); providing a lifeline for the poor and an avenue for avoiding the excessive and cumbersome regulation that stifle business activities (Misati, 2010); fostering skills development as a means for achieving decent livelihoods (Palmer, 2007); its relationship with the formal sector (Palmer, 2004; Gerry, 1978; Tokman, 1978a,b), and the nature of the occupations that characterise the sector (Birkbirk, 1978; Hart, 1973 ; Mead & Morrisson, 1996). As at 2013, informal employment "exceeds 50 percent [in most reporting countries], and in about one-third [of the countries surveyed] informal employment accounts for at least 67 per cent of non-agricultural employment" (ILO, 2013, p.xi parentheses mine). By 2019, informal employment was estimated at 2 billion or 61% of the global employed population (ILO, 2018). The sector has also been seen as having the capacity to contribute to urgent transformation in socio-economic and environmental systems that can ensure improvements in the social health, environmental awareness, and the overall well-being of peoples everywhere (Sultana, Rahman & Khanam, 2022).

The preceding is not to say that informality presents no problems. Indeed, several studies have covered the economic as well as other costs of informalisation (De Soto, 1989), the link between the sector and poverty (Kar & Marjit, 2009), as well as the informal economy and corruption (Dutta,

et al., 2011). The sector has been further criticised on the basis that it creates a type of economic organisation which disrupts formal coordination and planning by distorting factor, resource, and product markets (Briasoulis, 1999). Informality has been blamed for difficulties in accessing credit, increased risk for investors, ineffective tax, and licensing systems (Estevao, Lopes & Penela, 2022). Still other studies focus on how the sector breaches international conventions on employment, welfare rights and decent work (Amin, 2002/4; International Labour Conference, 2002; Bacchetta, et al., 2009; Osei-Boateng & Ampratwum, 2011; Schlyter, 2002/2003; European Commission, 2009; Estevao et al 2022; Dell'Anno, 2018) as well as the rights of children (Trebilcock, 2004; ILO, 2014; Kadonya, et al., 2002).

2.5.2 Ethical Responsibilities and the Informal economy

The informal economy is however found wanting when it comes to ethical responsibilities, defined as the "norms, standards and practices that even though they are not codified into law, are expected nonetheless" (Carroll 2016). Indeed, "in seeking to explain the persistence of the informal economy, scholars often focus on instrumental economic factors rather than the moral uprightness of that sector (Abid et al, 2023). So even though the sector has been praised for playing a role in some areas such as environmental ethics[8], through its use of waste materials generated by the formal sector as raw materials for production (Chirisa & Bobo 2018; Huynh, 2020); **it** has mostly come under criticism for being immoral or unethical (La Portia & Shleifer, 2014). This has even led to calls for consumers to be conscientized to boycott goods and services coming from the sector (Hamelin, Nwankwo & El Hadouchi, 2013; Davidson, Nepomuceno, Laroche, 2019). Additionally, it has also been cited for the ubiquity of human rights abuses that characterise employment within it (Miller, 2007; Tanga, 2007; Akorsu, 2013; Obeng-Odoom, 2011), how it breaches international conventions on employment, welfare rights and decent work (Amin, 2002/4; International Labour Conference,

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[8] See for example Abid, Bothello, Ul-Haq, S., & Ahmadsimab, 2023. The Morality of Informality: Exploring binary oppositions in counterfeit markets.

2002; Bacchetta, et al., 2009; Osei-Boateng & Ampratwum, 2011; Schlyter, 2002/2003; European Commission, 2009; Estevao et al 2022; Dell'Anno, 2018), while also breaching the rights of children (Trebilcock, 2004; ILO, 2014; Kadonya, et al., 2002).

Miller (2007,) for example, describes the sector as a veritable:

> "impediment to fulfilling nearly every significant human right including, inter alia, rights regarding: political participation, judicial remedies, protection from arbitrary or unlawful inference and attack, equal protection, slavery, freedom of movement, access to services, adequate standards of living, women's and children's rights, social security, education, and marriage" (p.133).

The negative impacts of the sector on women in the sector is also highlighted by other scholars (Sharma, 2012; Mohapatra, 2012; Kalpagam, 1987; Geetika, et al., 2011, Chen, 2001; Narayen, 2007; Ramani, et al., 2013; ILO, 1998; Barrientos, 2002).

2.5.3 Legal Responsibilities and the Informal Economy

Carroll (2016, p.3) defines legal responsibilities as comprising the responsibilities that business organisations have to follow, the laws and regulations which reflect society's view of "codified ethics" because they "articulate fundamental notions of fair business practices as established by lawmakers at federal, state and local levels". Clearly, it is in legal responsibilities that the informal economy comes under the most criticism. The sector is considered mostly illegal (Mead & Morrisson, 1996; ILO, 1972; Sutter et al. 2017; Godfrey (2015), because it includes criminal activities, as well as "legal activities with deliberately undeclared sources of income (tax evasion), to legal activities with transactions that have no legal tax obligation (tax avoidance)" (Schneider, 2002, p. 4). Illegality in the present study is defined as business activities largely undertaken outside of government regulation or taxation (Adeola, Eigbe, & Muritala, 2019). Such illegality means that the sector essentially undertakes no legal responsibilities such as business registration, paying taxes, and registering for the payment of pension contributions. This has triggered calls for the sector to be

formalised through the introduction of regulations that enforce market exchange and intellectual property rights (De Andrade et al, 2016), increasing the benefits of formality (De Mel, McKenzie, Woodruff, 2013), as well as lowering the costs of business registration (Benhassine et al, 2018).

2.5.4 Discretionary/Philanthropic Responsibilities and the Informal Economy

The last of Carroll's CSR, responsibilities – philanthropic responsibilities – is defined as all forms of business giving and includes all voluntary and discretionary activities which businesses undertake (Carroll, 2016). As stated in Chapter One, the present study focuses on the philanthropic activities that informal sole traders undertake; and how these activities fulfil some business human rights obligations under the UN Framework for business and human rights. Even though there is a well-documented history of philanthropic actions or entrepreneurial philanthropy undertaken by wealthy entrepreneurs (Harvey et al, 2011; Fleishman, 2007; Bishop and Green, 2008; Handy and Handy, 2006; Callahan, 2017; McGoey, 2015); there is a dearth of information on the philanthropic activities that micro enterprises such as informal sole traderships undertake that constitutes CSR. Even scarcer is the availability of studies on how such philanthropic activities fulfil human rights obligations ascribed to business organisations under the worldwide BHR regime. Even so, such an absence, cannot be construed as a lack of entrepreneurial philanthropy on the part of informal sole traders or MSME entrepreneurs. A possible reason for this dearth of information is that such actions lack the clout and razzmatazz associated with large and headline- grabbing philanthropic actions undertaken by well-known entrepreneurs connected to large TNCs. As a result, modest philanthropic actions undertaken at the micro levels of society by micro entrepreneurs may not be as noticeable as those by their larger, richer, and more flamboyant counterparts who found and control large TNCs A second possible reason may be that since micro enterprises are usually unincorporated, owner-managers are therefore considered one and the same as the business organisations, it is easy to see why such philanthropic activities may be construed as voluntary actions undertaken by well-meaning members of society rather than bona fide socially responsible

actions undertaken by business organisations. After all, the moral and ethical decisions made by small businesses is quite often said to mirror those of the owner-manager (Vyakarnam, et al., 1997; Fisscher, et al., 2005; Sarasvathy, et al., 1998). This is not the case with capital rich, hyper-agents (Schervish, 2003, 2005); who undertake such actions mostly out of personal wealth and who are legally separate from the TNCs they founded. Thus, while entrepreneurial philanthropy undertaken by micro entrepreneurs can be classed under the CSR efforts of the micro business organisations they own and manage, those of capital rich, hyper agents such as Bill and Melinda Gates[9] cannot be considered as part of the CSR efforts of the corporations they founded.

Entrepreneurial philanthropy is seen as even more important now than when the term was first coined by Andrew Carnegie in the late 1800s mainly because it helps to curb the excesses of the 'winner takes all' capitalism (Giridharadas, 2019) that has faced a severe backlash in modern times (Schieffer, 2022). Such importance can be even more highlighted when the philanthropic actions of micro entrepreneurs such as the sole traders under study in the present work are researched and highlighted as part of the CSR efforts of micro and small businesses.

2.5.5 Women in the Informal Economy and CSR

Any discussion of the philanthropic activities undertaken by informal sole traders as part of their CSR activities highlights women's role in the CSR. This is because women dominate the informal economy especially in low-income countries where 92.1 per cent of employed women are in informal employment as against 87.5 per cent of men (ILO, 2018). The sector, in the developing world and especially sub-Saharan Africa, is disproportionately dominated by the female workforce with women accounting for approximately 95% in countries such as Chad, Benin and Mali; and 9 out of 10 of women working outside of agriculture in India and Indonesia (Chen, 2001, ILO, 2018) and 80% in Ghana (Carroll, 2011). Thus, any discussion of the CSR activities, including business human rights of

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[9] See The Giving Pledge Foundation. Available at https://givingpledge.org/pledgerlist

informal businesses, is gendered and has wider implications for women's rights and well-being in general.

2.6 Small Businesses and Business Human Rights

For small businesses, especially the micro-enterprises that dominate the informal economy, moral and ethical decisions quite often reflect those of the owner-manager (Vyakarnam, et al., 1997; Fisscher, et al., 2005; Sarasvathy, et al., 1998). Arguments surrounding the moral agency of large corporations have much less relevance to micro business organisations such as sole traderships since they more closely approximate the decision-making of the owner-manager (Donaldson, 1982). The result is that any investigation into the CSR, including BHR efforts of micro sole traders within the informal economy becomes a quest to "determine the predominant ethical perspective that guides his or her thought" and actions (Srinivasan, 2010; Dawson, et al., 2002, p. 303). Such an endeavour is useful, because morality is an important mechanism that links the private sphere with the public, and small business entrepreneurial outcomes have an impact on society in general (Anderson & Smith, 2007).

Even though CSR issues, including those of business human rights, is a concern for all businesses irrespective of size (Longenecker, et al., 2006), small business enterprises appear to have been largely ignored in the BHR agenda (Payne & Duhon, 1990), much in the same way they were initially left behind in the corporate social responsibility movement (Spence & Pointer-Morland, 2010). Where they have received attention, they have often been wrongly treated as scaled-down versions of large corporations requiring scaled-down versions of ethical perceptions of large corporations (Vyakarnam, et al., 1997). However, since MSMEs such as sole traders, are different from large corporations, it is to be expected that they have practises and approaches to CSR that are different from those in large corporations (Longenecker, et al., 1989; Jenkins, 2006; Tilley, 2000). While there are few but a growing body of literature that addresses the specific issue of business human rights

of small firms[10], there is quite a sizeable body of research on the ethics of small businesses in general. A good number of these studies have undertaken quantitative studies aimed at measuring attitudes of small business owner-managers to questionable ethical behaviour in business conduct (Horsby, et al., 1994; Longenecker, et al., 1989; Chrisman & Fry, 1982; Brown & King, 1982; Humphreys, et al., 1993) as well as investigate the ethical outlook of owner-managers (Dawson, et al., 2002).

Indeed, even the UN Framework appears to place the bulk of the burden of its 'Responsibility to Respect' on transnational corporations with only a cursory look at small businesses. As mentioned in Chapter One, the title of John Ruggie's report, namely: "Report of the Special Representative of the Secretary-General on the Issue of Human Rights and Transnational Corporations and *other Business* Enterprises' [emphases mine]' clearly confines all other businesses that are not TNCs to the status of the 'other' as far as the UN's BHR agenda is concerned. To be sure, the report attempts to remedy this apparent relegation of other businesses (besides TNCs) to a secondary status by stressing that "the responsibility to respect human rights is a global standard of expected conduct for *all business* enterprises wherever they operate"; and that "The responsibility of business enterprises to respect human rights applies to all enterprises regardless of their size, sector, operational context, ownership and structure" (Ruggie, 2008, p.15). In explaining the preceding the UN Framework states that:

> "The means through which a business enterprise meets its responsibility to respect human rights will be proportional to, among other factors, its size. Small and medium sized enterprises may have less capacity as well as more informal processes and management structures than larger companies, so their respective policies and processes will take on different forms. But some small and medium-sized enterprises can have severe human rights impacts, which will require corresponding measures regardless of their size. Severity of impacts will be judged by their scale, scope and irremediable

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[10] As an exception see 'My Business and Human Rights by European Commission (2012)

character. The means through which a business enterprise meets its responsibility to respect human rights may also vary depending on whether, and the extent to which, it conducts business through a corporate group or individually. However, the responsibility to respect human rights applies fully and equally to all business enterprises" (p.16)

What the UN framework fails to emphasize is that though small business are limited by size and capacity considerations when looked at individually, when looked at collectively, at least in terms of number of employees, if not market share and capitalisation, such businesses dominate the global business scene in both developed and developing countries (Koellinger & Thurik, 2012; Van Stelk, et al., 2005; Audretsch, et al., 2006). At the same time the sector acts as a panacea against unemployment by providing jobs (Shane & Venkataraman, 2000; Ayyagari, et al., 2011; Hart & Oulton, 2001); helping to improve living standards and prevent social marginalisation (European Economic and Social Committee, 2008).

The implication is that MSMEs have an important part to play in the worldwide CSR agenda, including BHR, since they collectively have a huge impact on the private and social lives of countless people throughout the world (Staniewski, et al., 2015). It is therefore no surprise that there have been increasing calls for such businesses to receive more attention in the business ethics literature (Spence & Rutherford, 2003; Carr, 2007; Wilson, 1980; Chrisman & Fry, 1982; Brown and King, 1982; Longenecker, et al., 1988). The literature, however, points to the fact that small business owners are guided by different ethical issues than those faced by large corporations (Longenecker, et al., 1989). The issues have been broken into internal (personal factors) and external or situational factors (Longenecker, et al., 2006).

In terms of personal factors there is evidence in the literature to support the view that small business entrepreneurs face dilemmas that emanate from the numerous ethical choices which characterise the act of entrepreneurship itself (Morris, et al., 2002; Longenecker, et al., 2006). This is especially so when confronted with competitive contexts or during negotiations with other businesses and

governmental agencies (Brenkert, 2009). Furthermore, externally imposed legal and regulatory considerations are not the foremost considerations for small business owners when making ethical decisions (North, et al., 1998; Brown & King, 1982; Spence, 1999; Painter-Morland & Dobie, 2010; Srinivasan, 2010). Instead, they are confronted with social costs emanating from increased overlaps between personal and business relationships (Brass, et al., 1998); pressures from local community norms (Brown & King, 1982); and highly regard business and personal reputation as worthy of moral consideration when making ethical decisions (Mayo, 1991; Vyakarnam, et al., 1997). Moreover, there is some evidence in the literature that small business entrepreneurs are affected by the level of cognitive moral development at which they operate (Kohlberg, 1969; Trevino & Youngblood, 1990; Teal & Carroll, 1999); that owner-managers regard small businesses as having ethical responsibilities within society (Brown & King, 1982) which they often regard as being higher and more demanding than those of large corporations (Longenecker, et al., 1989; Dawson, et al., 2002; Bucar & Hisrich, 2001).

Also, the relatively strong internal locus of control (Hegarty & Sims, 1978; Shaver & Scott, 1991) and high need for achievement (Begley & Boyd, 1987), as well as a strong 'action bias' (Bhide, 1996) means that they are more likely to make hasty decisions on the basis of personal convictions of the owner-manager; and may be also driven by Machiavellianism (Morris, et al., 2002; Longenecker, et al., 1988 ; Brenkert, 2009; Carr, 1968b) or excessive ambition. At the same time high ambition in entrepreneurs has also been shown to motivate higher ethical standards (Glover, et al., 1997). Other studies that focus on personal factors emphasize that differences among entrepreneurs may be more profound than differences between them and non-entrepreneurs (Gartner, 1985); that entrepreneurs hold diverse ethical views (Dawson, et al., 2002), as well as possessing differences in their sensitivity to moral issues (Reynolds, 2006); and may also be influenced by their socio-cultural backgrounds (Sommer, et al., 2000).

In terms of external factors, small businesses are affected by less formalised procedures for ethical behaviour than large corporations (Robertson, 1991; Spence, 1999). They have serious cash reserve and finance problems (Keasey & Watson, 1993; Boyd & Gumbert, 1983; Spence & Painter Morland, 2010); which impact their ethical decisions (De Clercq & Dakhli, 2009). They have limited market share (Morris, et al., 2002); adopt more informal methods of management and must deal with and manage multiple tasks at once (Spence, 1999). Additionally, they are vulnerable to competitive attacks and uncertainty (Wynarczyk, et al., 1993) as well as having issues concerning agency effects on ethical perceptions (Longenecker, et al., 1989; Spence, 1999; Vyakarnam, et al., 1997). In addition, the fact that such businesses are often developed in response to personal, familial and community needs, and play important roles in personal, familial and community development (Painter-Morland & Dobie, 2010), means that owner-managers often develop and maintain personal relationships with key stakeholders including employees (Kitching, 1994).

As mentioned in Chapter One, whether a non–human entity such as a business organisation has human rights obligations depends on the extent to which that business can be regarded as possessing moral agency and the ability to act rationally and intentionally. As already pointed out in this chapter, difficulties that surround the moral agency of large corporations have less weight in the case of MSMEs. This is because MSMEs, specifically sole tradership businesses, are often totally owned, controlled, and directed by a single person whose ethical and moral stance drives the entire enterprise. Therefore, MSME business ethics are often the ethics of the entrepreneur (Staniewski, et al., 2015). Indeed, the legal view of sole tradership businesses reflects this. In law, sole tradership businesses are by nature unincorporated entities whose legal status are conflated with that of the owner-manager. Basically, sole tradership businesses can only act through the decisions and actions of the owner-manager. Since the owner-manager's culture (including their background, as well as the social norms and value systems inherent in the culture) have an impact on such personal factors as internal locus of control, the need for achievement as well as many other personal factors (Ogbor, 2009); culture has a critical role to play in the decision making processes of entrepreneurs in relation

to business human rights obligations (Horsby, et al., 1994; Painter-Morland & Dobie, 2010; Hegarty & Sims, 1978).

2.7 Gaps in the development and scope of BHR

The discussion of the development, content, and scope of business and human rights, as an outgrowth of CSR, reveals at least two gaps. Firstly, it appears to focus almost exclusively on TNCs to the almost complete neglect of MSMEs (Tilley, 2000). This is because majority, if not all, of the extant literature, including the UN Framework itself focus, to a large extent, on the transnational or multinational corporation (Hseih, 2015; OHCHR, 2008), much in the same way the CSR movement initially focused on large corporations. Even though the corporate responsibility to respect under the UN Framework is purported to apply "to all enterprises regardless of their size, sector, operational context, ownership and structure" (SRSG, 2008, p. 15), the multiple references to 'the corporation' therein suggests that it is tailor-made for TNCs with other organisations only as appendages. Even though the Framework points to the existence of TNCs as well as MSMEs, it says very little besides admitting that "When it comes to means for implementation … one size does not fit all" (SRSG, 2008). There is very little else provided on how the special features of MSMEs are likely to affect the ascription of rights and their implementation. Yet such a provision is key because, as Hseih (2015) points out, "the circumstances of an organisation …shape the form of its obligations" (p.220). This omission flies in the face of the fact that most businesses are in fact MSMEs contributing approximately 33 percent of employment in developing economies (Kushnir, et al., 2010).

Secondly, despite the recognition of businesses as duty-bearers, the state is still regarded as the primary duty bearer of rights to the extent that it is expected to create the overarching legal and regulatory framework within which business organisations are to exercise their human rights obligations (SRSG, 2008). The UN Framework, and the Universal Declaration on which it rests, imply the state to be the duty-holder against which rights may be claimed. By its references to

"freedom of movement and residence within the borders of each state" and many such postulates, the Declaration points to the state as the primary agent of justice (O'Neill, 2001). Thus, the allocation of the Duty to Protect to states and the Responsibility to Respect to businesses appears to draw a clear distinction between the more important *Duty* to protect as against the seemingly weaker *Responsibility* to Protect. Such a statist view of human rights in these two all-important documents, appear to suggest that they are targeted at or most suited for formal sector businesses as it is such organisations that fall directly under the regulatory remit of the state. In addition, the call in the UN Framework for business to "have in place policies and processes appropriate to their size and circumstances" (UNHR, 2011) implicitly excludes organisations in the informal economy who often have no such formal policies or procedures. Other assertions such as:

> "the corporate responsibility to respect is acknowledged by virtually every company and industry CSR initiative, endorsed by the world's largest business associations, affirmed in the Global Compact and its worldwide national networks, and enshrined in such soft law instruments as the ILO Tripartite Declaration and the OECD
> Guidelines" (Ruggie, 2009, p.13)

and,

> "violations … are routinely brought to public attention globally through mobilized local communities, networks of civil society, the media including blogs, complaints procedures… and possibly through courts" (Ruggie, 2009, pp.14-15)

clearly target formal sector businesses since there is no way to verify whether informal MSMEs do acknowledge and endorse such ideas. In fact, the evidence points to the very opposite (Miller, 2007; De Soto, 1989). By their nature of operating apart from government oversight, MSMEs within the informal economy often do not have complaints procedures, recourse to law nor do they play active parts in civil society. This challenges the all-important issue of universality and reinforces the earlier point that the UN Framework is tailor-made for large businesses in the formal sector. While this

reliance on the state is not erroneous, it presupposes two fallacies: first that the state knows about and, indeed, regulates the existence and operations of all businesses that operate within its territory and secondly, that the state has the wherewithal to "prevent, investigate, punish and redress such abuse through effective policies, legislation, regulations and adjudication" (SRSG, 2008, p. 3). Such assumptions bring the issue of the informal economy to the fore and raise questions about how human rights are to be monitored therein given the sector's hallmarks of lack of regulation and informality (Portes, 1983; Miller, 2007).

Perhaps it is in recognition of the preceding risk of exclusion that John Ruggie subsequently described the Responsibility to Respect as a 'social norm' (Ruggie 2008). This, he explained to mean that, the Responsibility to Respect "exists over and above compliance with laws and regulations" and also exist "independently of the state's ability or willingness to fulfil their own duties" (Ruggie, 2013, p.91). Furthermore, Ruggie (2013) posits that "noncompliance with social norms can affect a company's license to operate" (p. 91). This has crucial implications for the human rights obligations of businesses in general but also for informal businesses who operate outside the law. As will be explained later in this study, casting the Responsibility to Respect as a social norm is a viable avenue by which informal small business can be included in the business human rights agenda. Being a social norm points to the fact that the Responsibility to Respect constitutes a set of "common guidelines for social action" (Sharma & Malhotra, 2007) that regulates "social relations among rational agents" (Voss, 2001, p. 105; Hechter & Opp, 2001). Hechter and Opp (2001) point to two types of norms, firstly – "a behaviour that people believe ought (or ought not) to be performed regardless of its outcome for the agent" (p. xiii) (oughtness norm). According to Horne (2001) "oughtness norms" represent internalised norms or values that specify behaviours which individuals and agents come to value. Such "oughtness norms" that do not depend on detection to trigger sanctions is often better at controlling behaviour due to its dependence on internal sanctioning through feelings of guilt or shame (Hechter & Opp, 2001; Coleman, 1990; Elster, 1989).

The second type of norms known as "regularities norms" entail 'behaviour regularities that create social expectations without any moral obligations' (Hechter & Opp, 2001, p.xiii ; Coleman, 1990; Horne, 2001; Scott, 1971; Parsons, 1967). Conformity or deviation from norms in this sense "results in costs [rewards or punishments] being imposed on the agent" (p.xiii, parentheses mine). A discussion of sanctions is important to any discussion about social norms because without some enforcement mechanism they can be scarcely realised (Horne, 2001). To be sure role expectations and sanctions and the reciprocal, if also complementary relationship that should exist between them has popular support among scholars (Parsons, 1967; Durkheim, 1903). Now if the business Responsibility to Respect is indeed a social norm, for it to stand any reasonable chance of succeeding, its inherent values need to be internalised by businesses. Also, there is the need for some kind of sanctions associated with any breach of these norms. However, as we have already seen, the possibility of legal sanctioning is virtually non-existent in the case of the informal economy. Accordingly, reliance on a system of non-legal internalisation and social sanctioning appears to be the most plausible method by which human rights obligations of small businesses within the informal economy can have any realistic chance of success.

The existence of an indigenous moral or ethical framework with a system of role-expectations and non-legal sanctions thus presents a good vehicle for fulfilling business rights obligations, as part of CSR. This is because social norms, something the Responsibility to Respect supposedly is, are best achieved when "grounded in widely acknowledged moral prescriptions" (Arnold, 2010, p. 383). The contention in the present study, is that such an indigenous moral and ethical framework already exists in the form of afro-communitarian ethics. As an ethical perspective that is said to be prevalent in many places in sub-Saharan, afro-communitarian ethics contains value systems as well as a system of sanctions upon which informal sector small business human rights can be firmly grounded.

2.8 Conclusion

What this chapter has done is to undertake a review of the literature on business human rights, its development, scope, and content. It has also focused on discussion the relationship between CSR and BHR. Two important gaps have been identified which include the fact that the BHR agenda has focused almost exclusively on TNCs to the almost total neglect of small businesses. An additional gap identified was the lack of inclusion of the informal sector in the BHR agenda despite that sector's overwhelming importance to the economies of many countries. What has also been identified is that due to their rapid expansion and continued operation outside state purview, any attempt at getting informal economy business to comply with BHR in a formal way is likely to fail. The best chance to get such businesses to take up the Responsibility to Respect is to recognise this responsibility as a social norm- something John Ruggie was explicit about. Now if this responsibility is indeed a social norm, then it makes sense to investigate whether it harmonises with extant ethical and social norms inhered in local cultures. Where such harmony exists, then a framework can be developed by which such local norms can be brought into conjunction with the Responsibility to Respect in the UN Framework. The next chapter focuses on developing such a framework.

Chapter Three: A Theoretical Framework for making Business Human Rights Decisions in the Informal Sector.

3.0 Introduction

The focus of this chapter is to showcase a theoretical framework for analysing how informal sole traders undertake socially responsible actions (particularly philanthropic activities), which also fulfil some BHR obligations using the norms that characterise their culture. The literature review in the previous chapter makes clear four main points. These are the lack of research concerning the socially responsible actions undertaken by MSMEs, which also fulfil some business human rights obligations; that the focus of the worldwide Business Human Rights (BHR) agenda has been mostly on TNCs to

the neglect of MSMEs in the same way the CSR movement initially did; and that the informal economy has largely been regarded as a laggard in the BHR agenda. Indeed, the sector has been condemned as being a veritable avenue for the abuse of human rights (Miller, 2007). However, given the importance and impact of MSMEs and the informal economy to the worldwide economy, it is fair to assert that these two areas represent the new frontier in the BHR agenda. This study aims to show that informal sole traders are enmeshed in socio-cultural communities that subscribe to indigenous cultural norms. Such norms amount to extant social contracts (ESCs) (Dunfee, 1991) or microsocial contracts as described in Integrative Social Contracts Theory (ISCT) (Donaldson & Dunfee, 1994). Such micro social contracts, it is argued, provide informal sole traders with the normative leanings that enable them to fulfil philanthropic responsibilities, which also fulfils some BHR obligations such as those stated in Article 1, 16(3) and 29(1) of the Universal Declaration of Human Rights. ISCT synthesizes extant social contracts (Dunfee, 1991) with hypernorms within the framework of a hypothetical macro social contract. ISCT has important ramifications for the fulfilment of philanthropic responsibilities by informal MSMEs, which also enables such businesses fulfil some BHR obligations. This is because it bridges the gap between normative and empirical aspects of business and ethics and employs them in rendering ultimate value judgments' (Donaldson & Dunfee, 1994).

3.1 Integrative Social Contracts Theory (ISCT)

ISCT aims to lay down a series of steps by which economic actors can make ethical decisions. The theory commences with a thought experiment in line with classical contractarian theories such as those of Locke and Hobbes (Donaldson & Dunfee, 1999). It envisions a set of imaginary global actors or contractors who meet to deliberate on the ethical rules that should be developed to guide the conduct of economic activity. These rules make up the contents of a macro-social contract. The rules are thin, broad, and are made deliberately since "a detailed code for ethical behaviour would necessarily compromise cherished preferences on the part of large groups of people" (Donaldson &

Dunfee, 1999, p. 37). From the onset ISCT lays down a set of presumptions which global contractors will accept in their bid to craft a practical set of steps to be used in making ethical economic choices. These include the following: first, such actors are considered rational, that is, they exhibit logical consistency and awareness of the set of broad rules that are to be agreed on. They possess minimal objectivity and do not subscribe to extreme moral relativism that allows for unencumbered exercise of moral freedom. Second, these actors are ignorant of the economic communities that they are part of (Donaldson & Dunfee, 1994). In other words, they are not aware which economic unit they are stakeholders of or affiliated to. For example, they are not aware if they are employed by company A or company B or that are self-employed within a particular industry. Third, they are unaware of their level of personal wealth that is whether they are wealthy, poor, or somewhere in-between (Donaldson & Dunfee, 1994).

Fourth, these actors are aware of their economic and political preferences. This is unlike the Rawlsian demand that contractors stay ignorant of their economic and political preferences by being confined behind a veil of ignorance (Rawls, 1971, cited in Donaldson and Dunfee, 1999). Crucially, however, the person who undertakes the thought experiment, is not aware of the economic and political preferences of the actors. Fifth, the actors in the experiments come to the deliberation table with an awareness of basic moral principles of right and wrong. Donaldson and Dunfee (1999) describe these basic principles of right or wrong as 'settled understandings of deep moral values' or "hypernorms" (p.27). Hypernorms are overarching, vague, non-community specific rules that are adopted by rational world actors as limits to moral free space (Hartman, 2009). These are in line with the effort of communitarians such as Walzer (1992) to "establish a 'thin' or 'minimalist' morality that is universal, and cuts across cultural boundaries where "thick" or 'maximalist' moralities take root" (Curtler, 1996, p. 175). Hypernorms also resonate with the concept of hyper goods as postulated by Charles Taylor which, according to him, represents the highest good, often challenging and rejecting other recognised goods in society (Taylor, 1989). Building on the preceding ideas of Walzer (1992) and Taylor (1989), Donaldson & Dunfee (1994) define hypernorms as "principles so fundamental to

human existence that they serve as a guide in evaluating lower-level moral norms or micro social norms" (Donaldson & Dunfee, 1994, p. 265).

Sixth, these actors are driven to achieve the elements of a foundational morality by which their actions may be guided. In other words, they are not content to exist in a state of anarchy or Hobbesian state of nature (Donaldson & Dunfee, 1994). This is even more the case for economic actors since the conduct of economic activity depends on the existence of such a foundational morality, if also a well-developed social and political set of institutions - to regulate business conduct.

Seventh, the nature of ethical behaviour in economic systems and communities determines the efficiency and quality of economic interactions (Donaldson & Dunfee, 1999). That is, a community that has a well-developed system of values and ethics and which prizes such things as honesty, trustworthiness and due process is likely to have a more efficient and high-quality economic system than one that does not have such values. Eight, economic activity that is in harmony with cultural and social norms and values as well as philosophical and religious attitudes of economic actors is preferable to those that are at variance with such norms and attitudes (Donaldson & Dunfee, 1999). This is because such economic activities are harmonised with such norms and attitudes. Lastly and crucially, all human beings, including the rational global actors are faced with strongly bounded moral rationality (Donaldson & Dunfee, 1994). This is a vital assumption under ISCT. This means their ability to decide the best course of ethical or moral action to undertake when confronted by ethical dilemmas is severely constrained. Such a constraint stems from three factors. To begin with, human beings are, by nature, limited in their ability to discover and process all morally relevant facts needed to take a particular course of action when faced with ethical dilemmas. As a result, bounded moral rationality is exhibited in the fact that when human beings are confronted with ethical decisions, their ability to take a particular course of action is limited because at any given time they are unlikely to possess all the facts about the decision.

Strongly bounded rationality further stems from the conflict between long standing ethical theories and common-sense knowledge or settled moral opinions in everyday life (Donaldson & Dunfee,

1994, 1999). As a result, economic actors cannot always seek resolution of ethical dilemmas from established ethical theories because quite often such theories are not in harmony with the common-sense course of action that any reasonable person would take. However, moral rationality is not just bounded but *strongly* bounded (Donaldson & Dunfee, 1994, 1999). This is because business organisations are artificial creations created by different groupings of individuals from diverse backgrounds. As such it is impossible for one set of ethical rules to apply to all business organisations in all circumstances. Thus, business ethics will almost always be shaped by the local customs and peculiar cultural values and norms of organisational participants. Consequently, it is virtually impossible to agree on any course of action that can be universally adopted in solving all ethical dilemmas in all contexts.

With the preceding in mind, when world-level contractors face ethical dilemmas about the ethical choices to be made during the conduct of economic transactions in all situations (such as the question of whether businesses have BHR obligations or not), it makes sense for such contractors to adopt a set of thin and generalised principles that will govern economic morality; and these set of principles were named as the macro social contract. Within this macro social contract, various participant local groupings or communities are allowed the freedom to freely choose sets of ethical rules that reflect their peculiar, shared goals, values, and norms. The caveat, however, is that such a freedom is not absolute. That is, albeit communities have such a 'moral free space' within which to craft ethical rules, these rules need to be authenticated by its acceptance by a majority of the members of a particular community (Donaldson & Dunfee, 1994). It is only such an acceptance that make such ethical rules *authentic* and therefore obligates all members of the community to follow. To the extent that dissenting members of the community stay within the community and do not exit, they are required to follow the rules or norms therein. Donaldson and Dunfee (1999) define a community loosely as 'a self-defined, self-circumscribed group of people who interact in the context of shared tasks, values, or goals and who are capable of establishing norms of ethical behaviour for themselves' (p.39).

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Community membership is forged through a formal contract or informally through "participation in a group and being acknowledged by others as a member" (p.41).

Based on the above, the first clause that macro-social contractors will adopt will be:

- to permit local communities the moral free space within which to generate community-relevant ethical norms best suited for their circumstances through micro-social contracts. To Douglas (2000) this "reinforces the demand of particularity by orienting itself around the concrete decisions of actual communities" (p.103).

- The second clause stipulates that micro social contract ought to be grounded in consent and the ability of participants to voice out their opinions and choose to exit as and when they deem necessary.

A norm that meets the above two provisions becomes an *authentic* norm. It is authentic because it has the consent of all members of the community and is buttressed by the right of exit. However authentic norms ran the real risk of degenerating into a situation where local community members have the free space to choose any norm regardless of its impacts. For example, a community could agree to accept a vice such as bribery as an authentic norm that guides business conduct in as much as all community members consent to it and acknowledge the right of exit. To mitigate such risks ISCT requires that authentic norms attain *legitimacy* which happens when such norms meet extant hypernorms as defined above. Essentially meeting hypernorms mitigates against the risk of the acceptance of unencumbered moral relativity and the license to agree on whatever ethical principles any community wishes to adopt.

Donaldson and Dunfee introduce the idea of priority rules as the last stage of ISCT. These rules are aimed at addressing the issue of when there is inter community conflict. Thus, in case of a clash between one legitimate norm from one community and that of another, priority ought to be

established through applying the rules that are consistent with the spirit and letter of the macrosocial contract. Priority rules, according to Donaldson and Dunfee (1994) include the following:

1. Transactions solely within a single community, which do not have significant adverse effects on other humans or communities, should be governed by the host community's norms.

2. Community norms indicating a preference for how conflict-of norms should be applied, so long as they do not have significant adverse effects on other humans or communities.

3. The more extensive or more global the community, which is the source of the norm, the greater the priority which should be given to the norm.

4. Norms essential to the maintenance of the economic environment in which the transaction occurs should have priority over norms potentially damaging to that environment.

5. Where multiple conflicting norms are involved, patterns of consistency among the alternative norms provide a basis for prioritization.

6. Well-defined norms should ordinarily have priority over more general, less precise norms.

Hypernorms and priority rules are designed to be used in resolving inter-community conflicts (Douglas, 2000). Functioning at a much general level, hypernorms and priority rules balance 'the particularity of authentic norms derived from microsocial contracts (Douglas, 2000, p. 104). The present study stops short of assessing areas of conflict between authentic norms.

3.2 Why ISCT is Appropriate.

Two reasons can be put forward for why ISCT is a suitable framework for assessing how informal sole traders undertake socially responsible activities which also fulfil some BHR obligations. Firstly, classical ethical theories such as deontology and utilitarianism are confronted with serious limitations that inhibit their application to the very peculiar circumstances that confront businesses within the informal economy. For example, in trying to get informal MSMEs to undertake socially responsible behaviour that conform to the Responsibility to Respect, deontology can provide some direction by "establishing clear duties, often based on some rational criteria or assumptions regarding the nature of humanity" (Dunfee, et al., 1999, p. 16). Such duty-based theories will require that informal MSMEs act in accordance with the principle of the Responsibility to Respect regardless of outcome and context because it is their moral duty. Consequently, such businesses will have the same levels of responsibility as those that TNCs have. Now clearly such a responsibility is implausible to the extent that informal businesses are fundamentally different. In fact, the Ruggie himself alludes to such a difference by positing that "the scale and complexity of the means through which enterprises meet that responsibility may vary" and "so their respective policies and processes will take on different forms" (p.15). In addition, and as stated by (Dunfee, et al., 1999) sometimes the "recognition of duties is dependent on unknowable facts" (p.16). For example, the informal economy in Ghana is dominated by trading activities that is largely considered illegal or outside of the purview of state-regulation.

Furthermore, the Ghanaian informal economy is dominated by persons with very limited levels of education (Manuh, 1994); which limits their ability to familiarise with formal CSR requirements and structures as well as the BHR obligations provided in the UN Framework. In this regard the question of knowing what their BHR obligations are, as part of a wider CSR agenda, is a moot one. The bulk of participants in the informal economy are likely to be oblivious to responsibilities under CSR or obligations relating to BHR. They simply get on with their work! Dunfee et al (1999) also point to

the fact that duty-based theories sometimes produce conflicting obligations without a clear-cut means of reconciliation. For example, how is the issue of a duty to cater for one's family to be reconciled with the duty to follow state laws regarding taxation?

Utilitarian theories which focus on attaining the greatest good for the greatest number also face problems when applied to business human rights obligations for informal MSMEs. For example, in a society such as Ghana where the informal economy is largely created due to lack of prudent state policies, rampant corruption and poverty, it is difficult to persuade participants to register and pay taxes to the state when state officials are seen to be irresponsible with taxpayer funds.

In contrast to the above classical theories, ISCT is well-placed to answer the question of how informal MSMEs undertake philanthropic responsibilities which also fulfils some BHR obligations. This is because it provides a suitable framework for achieving a convergence between local cultures and CSR responsibilities as well as some BHR obligations. This is undertaken using extant, community-specific microsocial norms generated at the local level which motivate socially responsible actions on the part of such businesses, which also meet some tenets set out in world-level normative and hypothetical BHR regime. Such microsocial norms 'derive from shared goals, beliefs and attitudes of groups or communities of people' (Dunfee, 1991, p. 32). By subscribing to existing social and cultural norms within informal communities, participants can be well-placed to meet some, if not all, philanthropic responsibilities, which also address some BHR obligations This is particularly crucial for participants in the informal economy who operate in the 'shadow economy'.

3.2.1 ISCT, Informal Micro-Entrepreneurs and the BHR Agenda

In seeking to apply ISCT to how informal MSMEs make socially responsible decisions which then meet some business human rights obligations, Donald and Dunfee's thought experiment is made more concrete by drawing parallels with the deliberations among world actors that culminated in the

UN Framework. Reference is made to the deliberations that world-level rational actors undertook in crafting the Protect, Respect, Remedy Framework which consisted of a thin and broad set of human rights rules that will regulate business conduct. These actors included transnational corporations, national governments, pressure groups, NGOs who have been engaged in setting the BHR agenda etc. It is important to note that informal micro enterprises were unrepresented at these deliberations.

In view of the strongly bounded nature of moral rationality especially in the informal economy the architects of the UN Framework (as part of the macrosocial contract) effectively left the modalities by which MSMEs fulfil their BHR obligations vague by asserting that "Small and medium-sized enterprises may have …more informal processes and management structures than larger companies, so their respective policies and processes will take on different forms" (UNSRG, 2008, p.15). The Framework is thus largely silent on these 'different forms' by which MSMEs should carry out such obligations clearly because of the complexity associated with small business conduct. This bounded rationality stems from four sources: First, these actors are limited in their ability to discover and process all the relevant facts needed to take a particular course of action when faced with moral dilemmas. For example, is the issue of child labour in the informal economy to be outrightly condemned even in the face of some evidence that such labour contributes significantly towards poverty alleviation (Bourdillon, 2017; Hesketh, Gamlin, Woodhead, 2006). Secondly, they may be conflicts between what they prescribe under business' responsibility to protect and common-sense knowledge or settled moral opinions in the everyday lives of small business owner managers in the informal sector. Here again the above example of child labour is relevant. If a family is on the brink of starvation and children in the family can help the whole family to earn a living alongside their education, why should they not help in his way? Third, the fact that informal MSMEs are artificial creations by different groupings of individuals from diverse backgrounds suggests that it is impossible for one set of ethical rules to apply to all business organisations in all circumstances. John Ruggie himself acknowledges this fact in the Framework as stated in Chapter Two of this study. Fourth, the fact that the informal sole traders in this study operate outside the purview of the state means that

they quite often do not benefit from the state's duty to protect, nor can they be held accountable concerning their own responsibility to respect. They are often excluded from formal processes by which the state protects human rights.

3.2.1.1 The First Clause

In view of the strongly bounded nature of moral rationality especially in the informal economy, it is no surprise that the way in which informal MSMEs are to undertake philanthropic responsibilities is largely unspecified. In addition, it makes sense that strongly bounded rationality also leads the architects of the UN Framework (as part of the macrosocial contract) to be vague on how MSMEs are to fulfil BHR obligations. In fact, the Secretary- General posited that "Small and medium-sized enterprises may have …more informal processes and management structures than larger companies, so their respective policies and processes will take on different forms" (UNSRG, 2008, p.15). The Framework is largely silent on these 'different forms' by which MSMEs should carry out such obligations. It is not too far-fetched to speculate that world-level contractors in charge of the BHR agenda will allow members of local communities (such as Fanti informal sole traders in Abura, Cape Coast) the moral freedom to generate rules that reflect their peculiar cultural, ideological, and religious backgrounds that govern economic morality in their operations. This is to reduce uncertainty about what is to be done when such communities face moral dilemmas regarding philanthropic CSR activities and the ethics of human rights; and increase efficiency with which moral decisions are made. Bearing in mind that the covenants such as the

Articles of the UDHR are the bedrock of the whole BHR agenda and the UN Framework, it means essentially that local communities will be permitted to craft local norms that guide them in their moral decision making regarding how they undertake socially responsible activities which also addresses the Articles in the UDHR. For purposes of the present study and in view of time limitations, three articles of the UDHR, namely Articles 1, 16(3) and 29(1) are selected for analysis.

Community in this case consists of informal sole tradership businesses, owned by Fantis, and operated within Abura community in Cape Coast, Ghana. These communities are informal in their organisation and 'evolve out of the marketplace as… [they]… interact and form various relationships' (Donaldson & Dunfee, 1994, p. 39). As pointed out in Chapter One, the Akans, including Fantis, make up the largest ethno-cultural group in Ghana (Adinkrah, 2015; Shillington, 2005, Ghana Statistical Service, 2012). Throughout their history, the Akans have displayed a knack for starting micro enterprises in the informal economy (Shillington, 2005). They are chosen as a unit of analysis because they possess a 'rich conceptual system complete with metaphysical, moral, and epistemological aspects' (Wingo, 2006, p. 1)- a system some scholars have identified as afro-communitarianism (Gyekye, 1995; Wiredu, 1992; Salm & Falola, 2002). Thus, it is presumed that the norms generated by the community to guide their economic activities will be in harmony with the socio-cultural norms and values of the wider Akan community to which they belong – who are presumed to subscribe to afro-communitarian ethics (Gyekye, 1997; Wiredu, 1992; Metz & Gaie, 2010'; Menkiti, 1984).

3.3 Afro-communitarianism

Afro-communitarianism has been described as a sense of humanness felt by black Africans which can be captured in the dictum "a person is a person through other persons' (Behrens, 2010) or the phrase 'interconnectedness-towards-wholeness" (Krog, 2008, p. 355). This worldview has been explained as a unique attachment that sub-Saharan Africans have towards community, expressed in the form of solidarity, harmony, and the identification with others (Metz, 2010; Mbiti, 1969; Gyekye, 1997). As Menkiti (1984, p.180) posited, the sub-Saharan African viewpoint "asserts an ontological independence to human society" and represents a movement from society to individuals while the Western approach travels in the opposite direction- that is- from the individual to society. Indeed, afro-communitarianism has been sharply contrasted with the typical Western worldview characterised by individualism, rights, and justice (Hailey, 2008; Dandala, 1996). Two versions of afro-communitarian ethics are said to exist- radical and moderate. According to Gyekye (1997) radical communitarianism diminishes the freedom and autonomy of the individual by conceiving "the person as wholly constituted by social relationships" and arrangements (p.37). These relationships and arrangements "whittle away the moral autonomy of the person - making the being and life of the individual totally dependent on the activities, values, projects, practises, and ends of the community" (p.37). Moderate communitarianism (the version espoused herein), unlike the radical form, "acknowledges the intrinsic worth and dignity of the individual human person and recognizes individuality, individual responsibility and effort" as key features of the 'naturally social being' 'embedded in the context of social relationships and interdependence" (p.41). Four key features of afro-communitarianism include - the prizing of kinship and family (Mbiti, 1969); a commitment to community and relationality (Gyekye, 1997; Metz, 2007, 2013; Metz & Gaie, 2010; Menkiti, 1984; Kenyatta, 1965; Krog, 2008); promotion of solidarity and identity (Metz, 2007); the idea of the potentiality of 'personhood' (Gyekye, 2011; Wiredu, 1992; Menkiti, 1984).

3.3.1 The Family and Afro-communitarianism

Afro-communitarianism models "moral norms on familial relationships" (Metz, 2013, p. 83) and influences a person's perceptions of the family. Mbiti (1969) opines that "for African people the family has a much wider circle of members than the word suggests in Europe or North America" (Mbiti, 1969, p. 106). Indeed, the term 'family' mostly invokes the idea of kinship or extended family in African communitarianism rather than the Western idea of "a nuclear two-generational group with parents and children sharing the same household" (Aldrich & Cliff, 2003, p. 578; Shutte, 2001; Muiruri, 2013). Wiredu, (1992, p. 346) describes kinship ties as being of the highest importance in the Akan worldview and in African communitarianism since "it is the basis of the sense of belonging which gives the individual much of his psychological stability". Indeed, the extended family system plays the role of the social welfare system prevalent in most Western countries (Njoh, 2006).

Wiredu (1992) goes on to define a person's kin, among the Akans of Ghana, to include those of her immediate matrimonial household such as the "mother and his mother's children, his mother's sisters and brothers, the children of the mother's sisters and, at the top, the grandmother"; followed by the lineage- consisting of a "person's grandmother and her children and grandchildren, together with the grandmother's brothers and sisters and the children and grandchildren of her sisters" as well as the "grandmother's maternal 'cousins and their descendants". The last layer in this kinship circle is the clan, made up of "the set of all the people descending from one woman" (p.346). For purposes of the present work, the view by Wiredu (1992) that the matrimonial household and the lineage have the most significance and relevance in terms of the duties and obligations is adopted. As such family is so circumscribed.

3.3.2 Solidarity, Identity & Personhood in Afro-communitarianism

Afro-communitarian ethics requires the display of features such as *solidarity*, which according to Metz (2011, p.538) requires:

> "people to engage in mutual aid, to act in ways that are reasonably expected to benefit each other. Solidarity is also a matter of people's attitudes such as emotions and motives being positively oriented toward others, say, by sympathising with them and helping them for their sake. For people to fail to exhibit solidarity would be for them either to be uninterested in each other's flourishing or, worse, to exhibit ill-will in the form of hostility and cruelty".

Solidarity requires that people help each other by aiding them, as well as being sympathetic towards one another both for the sake of reciprocity, as well as for purely altruistic purposes. The aim of solidarity is to engender and enable the mutual flourishing of people within the community (Metz, 2011); and is based on the possession of a sense of common interest.

However, afro-communitarianism goes much farther by its demand for identity (Metz, 2013), as well as the attainment of personhood (Wiredu, 1992). The main theme in *identity* is 'sharing a way of life" (Metz, 2013, p. 81). While solidarity connotes having feelings of sympathy towards another person or extending help to the other, the requirement for identity demands a focus on the "realization of the collective self and its flourishing" (Oelofsen, 2013). Identi*ty* chimes with the moral notion of 'brotherhood' - a defining feature of MSMEs (Gyekye, 2011) that requires more than just feeling sympathetic or extending help to another individual as separate from oneself. To Gyekye (2011), the notion of 'brotherhood' in African communitarian thought is grounded in the idea of shared humanity, and so, the word 'brother' is used in its wider sense to encompass a complex of relationships linked by both blood and non-blood ties. 'Brotherhood' among diverse peoples prompts moral and social virtues such as hospitality, generosity, concern for others, and communal feeling

(Gyekye, 2011). Indeed, the hospitable nature of Ghanaian society is often the talking point of most Western visitors (Gyekye, 2011).

African communitarianism also demands the attainment of 'personhood', a markedly higher order of responsibility. This entails two things: firstly, living up to certain self-approved moral values in a bid to become the best that one can be and, secondly, meeting community-prescribed moral values for the sake of gaining acceptance. This idea of the potentiality of 'personhood' is an important feature of Akan philosophical thought suggesting that a human being does not automatically become a 'person' just because they are a human being. An important part of the process of becoming a 'person' or coming into "personhood" requires a human being to go through a process of incorporation without which they are regarded as 'mere danglers to whom the description "person" does not fully apply' (Menkiti, 1984, p. 172). Practically, the person needs to, in addition to living up to personal moral values, attain and display moral virtues prescribed by the community that enables him 'earn' such a status. Among the Akans of Ghana, a human being that displays particularly anti-social behaviour is often described in any of the Akan languages as 'not a person' (Gyekye, 2011). Conversely one that goes out of his way to display community-prescribed moral virtues is designated as being 'a person' indeed. Thus, people can be human beings without necessarily being 'persons'. Gyekye (2011) captures this eloquently by positing that:

> "the judgment that a human being is "not a person", made in the wake of that individual's persistent unethical behaviour, implies that the practice of moral virtue is considered intrinsic to the conception of a person held in Akan … moral thought. The position here is this: for any *p*, if *p* is a person, then *p* ought to display in his behaviour the moral norms and ideals of 'personhood'. When the behaviour of a human being fails to conform to the acceptable moral principles or standards, or when a human being fails to display the expected moral virtues in his conduct, he is considered to be "*not* a person.""

The preceding suggests that human beings are capable of, and expected to aspire towards and demonstrate virtuous ethical behaviour in pursuit of 'personhood'.

In sum, Akan peoples are expected to display behaviours consistent with solidarity. Further still, their behaviour must graduate from solidarity and display characteristics consistent with identity. Finally, their behaviour must qualify them, at least partly, to attain 'personhood' in the eyes of the wider community. Put differently, solidarity requires feelings of sympathy towards the other and an effort to alleviate their plight. Identity signifies empathy and the willingness to share a way of life in terms of bringing the other up, possibly, to your own standard of living. The attainment of 'personhood' on the other hand, depends on the extent to which an individual achieves community-prescribed virtuous behaviour as well as on the individual's own moral achievement (Gyekye, 1997).

3.3.3 Relationality and Community in Afro-communitarianism

Afro-communitarianism is also undergirded by the idea of an individual becoming a person through other persons. Thus, it is essentially relational and communal (Metz & Gaie, 2010). This means that the individual is inextricably enmeshed with the community. On this score, the Western and black African worldviews of what constitutes a community differ. By and large the Western worldview of the community (by its insistence on individual rights) can be loosely construed as "a mere collection of self-interested persons, each with his private set of preferences, but all of whom get together… because they realise… that in association they can accomplish things which they are not able to accomplish otherwise" (Menkiti, 1984, p. 179).

This cumulative or additive worldview is essentially individualistic and contrasts sharply with the Afro-communitarian position, which sees the community as comprised of organic relationships between component individuals (Menkiti, 1984). Community in African terms is best exemplified by the matrimonial family, lineage, and clan (Shutte, 2001; Wiredu 1992). The consequence of this difference is that people are usually much more intricately entangled in their communities than their

Western counterparts. Indeed, rather than seeing members of the community as just neighbours, individual Akans are much more defined by reference to the 'environing community' rather than on their rights as guaranteed by law. This is why afro-communitarianism requires adherents to take decisions and undertake actions that exhibit solidarity, identity and helps them attain personhood. Here again exactly what these decisions are and the form they take is the subject of investigation for the present study.

3.3.4 Afro-communitarianism, Relational Ethics, CSR and BHR

Afro-communitarianism is essentially a relational ethical worldview. As such it shares several characteristics with other relational theories such as ethics of care. Indeed, there have been studies that have highlighted the similarities between African communitarianism and some relational ethics such as ethics of care (Metz, 2013; Harding, 1987). Even though there are a variety of perspectives and foci of the various strands of relational theories, all such theories share the general idea that "ethical decisions and actions should be made in the context of relationships" (Tomaselli, 2020, p.3). Three of these characteristics chime with values espouses in afro-communitarianism, which are its rejection of individualism, the idea that relations form identity; and the impossibility of isolating interests (Herring, 2013).

First, like afro-communitarianism, relational theories reject the idea of individualism which supports the notion of an autonomous man characterised by features such as independence, self-reliance and self- sufficiency and competition and who must strive to maximise his personal gain, even at the expense of others (Code, 1991). Rather, relational theories embrace relatedness, interconnectedness, and interdependence (Herring, 2013); which chime with the afro-communitarian values of relationality and community as explained in the previous section of this work. Second, relational theories support the idea that the identity of people are formed through the relationships they have with others (Herring, 2013). As such, who we are, be it a husband, wife, friend or foe, son or daughter

is so defined by the relationships we have with other people (Neldesky, 1989). Here again, this key feature of relational theories resonates with afro-communitarian ideal of identification, which means to be "cognitively, emotionally, and behaviourally invested in ways, that share our lives, where our selves are not independent from one another… [but[… rather are dependent on each other" (Cordeiro-Rodrigues & Metz, 2021, p.3). Lastly, the impossibility of isolating interest refers to the fact that, relational theories rely on the harmonisation of interests rather than on a clash of interests. Thus "When good things happen to those we are in caring relationships with then that is good for us. The same is true for the bad things" (Herring, 2013, p.35). Such a notion is similar to that of solidarity in afro-communitarian ethics as explained in the previous section.

Businesspeople, such as sole traders, who are guided by relational ethics such as afro- communitarian ethics or ethics of acre are likely to project such ethics into the relationships they keep with stakeholders (Asher, 2017). When confronted with ethical decisions and choices surrounding social responsibility and business human rights, such businesspeople are likely to opt for moral choices that uphold some of relational values explained in the preceding paragraphs. This is especially likely with micro entrepreneurship businesses such as sole traderships where the ethical outlook of the organisation is said to mirror that of the owner-manager, given their oneness with the organisation. Whether afro-communitarian ethics are projected by the informal sole traders within this study into the CSR relationship they maintain with their stakeholder and how way it is done remain the subject of empirical investigation of this study.

3.5 Applying the First Clause: Micro social Norms of Akan Informal Sole Traders

If the ethics of the Akan peoples as theorised by various authors is anything to go by, then it can be presumed that Akan informal sole traders possess the ethics espoused in afro-communitarianism such as a strong commitment to kinship and family; commitment to the attainment of personhood through; and a commitment to the communality (Gyekye, 2007; 2011). When the Fanti informal sole

traders within this study are permitted to develop micro social contracts, it is presumed that the content of such a contract will be influenced or dictated by those ethics that characterise afro-communitarianism since they are, after all, Akan. Accordingly, it makes sense to presume that such sole traders will project such ethics into their business dealings with key stakeholders. The extent to which these norms are projected as well as the exact way they are undertaken constitute the subject of empirical investigation in the present work.

3.5.1 The Second Clause

The second clause in the macro social contract requires local community generated norms to be grounded in consent and the ability of participants to give voice to their opinions as well as choose to exit when they deem necessary. Additionally, a clear majority of members of the community are required to subscribe to these norms to fulfil the need for the preservation of autonomy (Donaldson & Dunfee, 1999). The preceding implies that members of the local community are accorded moral free space within which to deliberate and generate these norms. For one thing, Akan informal sole traders are not obliged to subscribe to the above three norms or for that matter, any of the norms and values inhered in afro-communitarian ethics. Subscription to these norms is entirely consensual and such consent may be withdrawn as and when deemed necessary. Indeed, there is some evidence that modernisation, globalisation, rural urban migration, and Western education have penetrated and diluted many indigenous African cultures (Eloundou Enyegue & Shapiro, 2004; Colleta, et al., 1996). These sole traders have the freedom to exit the informal economy as well as unsubscribe to afro-communitarian ethics any time they wish. In view of their satisfaction of the second clause, the above three norms attain the status of *authentic* norms.

3.5.2 The Third Clause

The above micro-social contracts stem from the fact that macro-social contractors are unlikely to be able to specify detailed norms that guide all business interactions in all situations. This is because of

strongly bounded moral rationality; the need for efficiency and the quest to meet idiosyncratic cultural, religious, and philosophical attitudes. At first blush, this allowance appears to be a subscription to unencumbered particularism where local norms, however immoral, are to be permitted so far as a local community subscribes to them. To check such a fallacy, the third clause in the macro-social contract requires that local community- generated norms do not conflict with hypernorms. Better still they must meet and harmonise with hypernorms. As already explained, such hypernorms are so fundamental that they trump all local community norms (Spicer, et al., 2004). Essentially, hypernorms limit relativism and serve as limits on moral free space (Herold & Stehr, 2010). These norms cannot stem from a single source because they are applicable to and supersede all local community norms (Donaldson & Dunfee, 1999, p. 50). All independent contractors are also deemed to identify and validate hypernorms.

Donaldson and Dunfee (1999) categorise hypernorms into three, namely, substantive, procedural and structural hypernorms. Substantive norms, unlike procedural and structural, are said to be external to the macro-social contract. These hypernorms, according to Donaldson and Dunfee (1999) 'specify fundamental conceptions of the right and the good' (p.52). Like Donaldson and Dunfee (1999) the present work is concerned with substantive hypernorms that govern economic activity albeit with a particular slant towards businesses' responsibility to protect human rights as laid out in the UN Framework. As elsewhere mentioned, the Framework identifies the human rights obligations that businesses have as those 'expressed in the International Bill of Human Rights' and its accompanying covenants. These tenets have been extended and streamlined for business organisations in international instruments such as the 'Protect, Respect and Remedy Framework' (2011). In essence, the Framework constitutes substantive hypernorms in the BHR Agenda. Furthermore, the Framework contains substantive hypernorms because it aims to provide a context within which businesses can strive towards upholding the dignity of human beings. Indeed, the UDHR opens with a recognition of this 'inherent dignity' of all men (United Nations, 1948). Evidently the three micro-social norms generated by the Akan micro-entrepreneurs are not in conflict with the UN Framework.

If anything, these are in harmony with Articles 1, 16(3) and 29(1) of the UDHR, which is a key covenant upon which the Framework is based.

The above three moral norms also do not violate the structural hypernorms of efficiency (Donaldson & Dunfee, 1999). If anything, these three elements help in the achievement of efficiency in the face of inability of state institutions in Ghana to do so. According to Donaldson and Dunfee (1999), structural hypernorms refer to the institutional arrangements designed to enable people achieve basic or necessary social goods. They identify necessary social goods as those required by all rational agents such as 'health, education, housing, food, clothing, and social justice' (p.117). These are similar to the basic rights to subsistence, security and political participation proposed by Shue (1996). Donaldson and Dunfee (1999) also define an action or policy as efficient "when it contributes towards the provision of necessary social goods sufficient to sustain the least well-off members of society at a level of reasonable possibility concerning liberty, health, food, housing, education, and just treatment" (p.119). The idea of efficiency resonates with that of "effectiveness" postulated by Bilchitz (2007), which has to do with the ease with which rights are realised through extant societal structures and institutions, as well as the effectiveness with which citizens coordinate their efforts and cooperate to ensure that obligations are fulfilled.

Moreover, it is evident that the moral norms of strong commitment to kinship and family, fostering brotherhood, and a commitment to the community, do not conflict with the structural hypernorm of efficiency. Indeed, confronted with rampant poverty, state and institutional corruption (Insaidoo, 2013), these norms present an alternative avenue by which efficiency and effectiveness can be achieved in the allocation of necessary goods. This is because the ordinary Ghanaian of modest means in his quest to engage in economic activities and thereby acquire such necessary social goods is confronted with many institutional and bureaucratic hurdles. An example is the issue of bribes, or the 'dash' identified way back in the 1970s (Price, 1975). Describing the ubiquity of bribery or what he terms 'the dash' in Ghana, Price (1975) observes that:

"dash is demanded and offered for the provision of services that are the legal right of the client. It can be found to be present in even the most routine of matters. A client seeking a copy of his birth certificate, a passport, an application form for a driving license, admissions to a government secondary school, clearance of goods from customs… will often [have to] provide a material gratuity to the relevant official even in those situations in which he has a legitimate right to those services" (p.117).

He further posits that 'the dash system is worth special attention' since it is more pervasive than other practises and affects 'every citizen in his relations with government bureaucracy" (p.118). Writing over 30 years later, Insaidoo (2013) also complains of

"rampant and unbridled systemic corruption… from higher up politicians, bureaucrats, or judicial system, the policeman on the beat to the petty official in a corner office. He further asserts that 'everyone is on the take and there is virtually nobody in the nation, who has not encountered some form or bribery or official extortion from some public official" (p.324).

All these barriers to efficiency and effectiveness are largely avoided by informal micro-entrepreneurs who avoid dealings with public officials where possible (De Soto, 1989). By doing so, the microsocial norms they generate as part of the macro-social contract meet the structural hypernorms of efficiency (Donaldson & Dunfee, 1994), as well as effectiveness (Bilchitz, 2007), which allow them to better ensure that necessary social goods are more widely distributed than is otherwise possible. Such efficiency and effectiveness are achieved through low overhead cost, ease of entry, easy and often flexible access to family labour, to credit and to economic information that prevail in the informal sector (Roberts, 1989). Roberts (1990) asserts that through "pooling resources, by working in … informal economies, by the self-construction of shelter, by self-provisioning, and by the skilful use of social networks, families' participants in the informal sector, "avoid entrapment in a self-perpetuating culture of poverty" (p.7).

As far as procedural hypernorms are concerned, these are, as already mentioned, implicit in the macro-social contract (Donaldson & Dunfee, 1999). Procedural hypernorms take the form of the right to voice opinion and to exit local communities if in disagreement with the norms generated. This right has already been granted in the second clause of the macro-social contract. In addition, given that these three local community-generated norms are in harmony with afro-communitarianism, which is seen as encompassing the extant cultural, ideological, and religious value systems of the wider Akan community, the likelihood of any disagreement is reduced. Even so the right to exit, that is to decide to unsubscribe from these microsocial norms or to exit from the informal economy, to voice disagreement about these three and other norms - are still upheld as key fixtures in the moral free space within which macro-social contracts are crafted.

In the present study the UN Framework is taken as constituting substantive hypernorms. This is because the Framework and its provisions are broad (Donaldson & Dunfee, 1994), and adopt 'parsimonious assumptions and a minimalist global social contract' (Dunfee, et al., 1999, p. 18). According to Ruggie "These Guiding Principles apply to all States and to all business enterprises, both transnational and others, regardless of their size, sector, location, ownership and structure" (p.1). Furthermore, "these Guiding Principles should be implemented in a non-discriminatory manner" (SRSG, 2008 p.1). With specific reference to the business responsibility to respect, the Framework requires that "the responsibility of business enterprises to respect human rights applies to all enterprises regardless of their size, sector, operational context, ownership and structure" (SRSG, 2008, p.15). Together, these quotes point to the broad-brush approach adopted by the Special Representative. Essentially, he established a broad framework of hypernorms which set out the broad parameters that should guide the business human rights agenda.

The Framework also aims to provide an 'authoritative focal point around which actors' expectations could converge—a framework that clarified the relevant actors' responsibilities and provided the

foundation on which thinking, and action could build over time' (United Nations, 2010). Consequently:

> "the UN Framework has been well received by key stakeholder groups: a number of individual governments have utilized it in conducting their own policy assessments; several major global corporations are realigning their due diligence processes based on it; civil society actors have employed it in their analytical and advocacy work; and several major international organizations have drawn on it in adapting their own business and human rights policies and standards".

It also represents a "convergence of human experience and intellectual thought" (Donaldson & Dunfee, 1994, p. 52) because it is the result of 'three years of extensive research and consultations with governments, business, and civil society on five continents' (United Nations, 2010).

Figure 1: How formal SMEs fulfil BHR obligations

Figure 3.1— How formal SMEs fulfill BHR obligations

| Akan formal sector business enterprises | Zone of state control, governance codes, regulations, laws, voluntary codes | Hypernorms UN Framework based on Articles 1, 16(3), 29(1) |
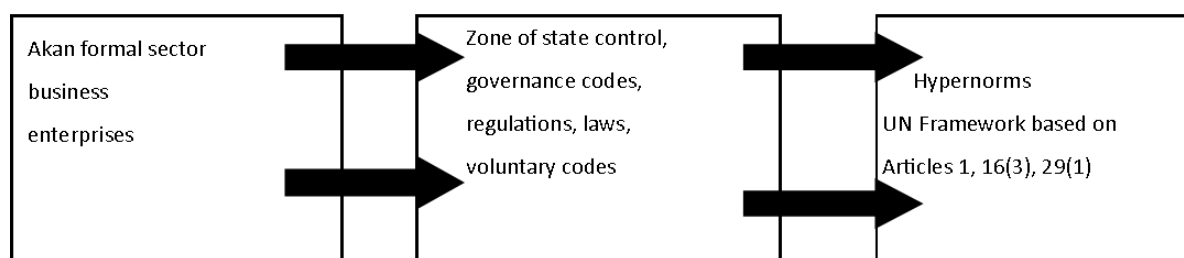
Figure 3.2— How Informal sole traders fulfill BHR obligations

| Akan Informal sole traders | Zone of state control, governance codes, regulations, laws, voluntary codes | Afro-communitarian norms of attachment to extended Family; commitment to community and relationality; commitment to solidarity and identity | Sole Traders retain right of exit and consent about norms in the micro social contract to gain legitimacy | Hypernorms UN Framework based on Articles 1, 16(3), 29 (1) |

Figure 2: How informal sole traders fulfil BHR obligations

Source: Developed by the author

The arguments thus far have been summarised in Diagrams 3.1 and 3.2 above. According to Figure 3.1 formal, enterprises often undertake socially responsible activities and comply with the UN Framework through regulations, laws, and voluntary codes. On the other hand, Figure 3.2 shows how Akan informal sole traders avoid or skip legal and regulatory codes (by reason of their operation in the shadow economy). Owner-managers of such enterprises are presumed to subscribe to major tenets or norms within Afro-communitarian culture. These norms must be freely subscribed to by entrepreneurs who have a right to exit the informal sector or unsubscribe to these norms. As a result, the norms attain authenticity. It is again proposed that because of the harmony that exist between these norms and hypernorms Articles 1, 16(3) and 29(1) of the UDHR (one of the key foundational documents of the UN Framework), these norms attain legitimacy. It is proposed that this is the main way by which such informal micro-entrepreneurs live up the Responsibility to Respect.

3.6 Conclusion

The above framework has sought to show how community level socio-cultural norms enable informal sole traders undertake socially responsible actions which also meet the Responsibility to Respect as enshrined in the UN Framework. This framework is proposed to help address the research questions of what socially responsible actions (particularly philanthropic responsibilities) do informal sole traders undertake; second, how do such actions fulfil BHR obligations, and lastly what motivated such behaviours.

This research question captures and helps to address the gaps previously identified in the literature review, which include, first, the near-exclusive focus of the worldwide business human rights agenda on TNCs and second, the apparent neglect of the informal economy in the BHR worldwide agenda.

To achieve the preceding, a selection of informal sector enterprises is investigated to:

- Provide an overview of the philanthropic actions that selected informal sole traders in Ghana make that go to fulfil Articles 1, 16 and 21 as articulated in the UN Framework's responsibility to respect.

- Identify the socio-cultural norms that guide or inform these actions.

- Investigate the extent to which such socio-cultural norms influence sole traders in their moral decisions.

- Draw empirical conclusions about the extent to which such socio-cultural norms serve as an alternative means, in the absence of government oversight and regulation, for the achievement of wider international human rights norms.

These questions are important because informal businesses constitute the bulk of business organisations worldwide. As such it is important to understand how socially responsible actions, on the part of such businesses, meet obligations under the worldwide BHR agenda. In this work

the researcher has tried to develop a framework based on ISCT (Donaldson and Dunfee, 1994), which shows socially responsible actions on the part of informal sole traders may take up the Responsibility to Respect under the UN Framework. As has been shown, classical ethical theories such as deontology and utilitarianism do not pass muster in showing how this is to be done because they lack the power to always address the particularities of all situations. ISCT on the hand represents a viable alternative to these classical theories (as far as informal sector BHR is concerned) because of its reliance on extant community, specific micro-social contracts.

It has been argued here that economic communities such as Akan informal sole traders are likely to craft micro social contracts based on the afro-communitarian norms of strong commitment to kinship and family; to the community in which they are embedded; and solidarity and identity with all of humanity. These ESC are:

> "behavioural standards discoverable by empirical research. Unless the ESC…standards are found problematic under an appropriate filtering test [hypernorm test], they rise to the status of ethical norms. These ESC-derived ethical norms (that is, strong commitment to kinship and family; the ideas of relationality, community, and potentiality of personhood - all key tenets of MSMEs are likely to) constitute an important component of [informal sector] business ethics" (Dunfee, 1991, p. 34. Parenthesis mine).

The question of whether Akan sole traders operating in the informal economy do, in fact, subscribe to Afro-communitarian tenets in carrying out socially responsible behaviour, which then enable them to fulfil some BHR obligations remains to be discovered through data collection and analysis in Chapters Five and Six of this study. The result of empirical research is envisaged to yield evidence of such extant social contracts; and will also show that such contracts motivate sole traders to undertake socially responsible actions that also fulfil the responsibility to respect.

The next chapter discusses the methodology adopted for the study, including research design, paradigm, strategy, as well as the methods of data collection.

Chapter 4: Methodology

4.0 Introduction

Unlike Chapters One, Two and Three which focused on introducing the study, conducting a literature review, and developing a theoretical framework respectively, the current chapter concentrates on undertaking a discussion of the methodology adopted to address the research question and objectives. A methodology refers to a kind of "action- reading" that involves "preparing a type of repertoire, based on a set of premises, (theoretical) considerations and practical conditions, according to which the researcher structures the logic of his research given the questions he wants to answer" (Jonker & Pennink, 2010, p.22). Specifically, the chapter will address the philosophical stance or research design, the purpose of the study, the research strategy, the process of data collection, data analysis, as well as the ethical issues.

4.1 Research Purpose

Research purpose, according to Blaikie (2010), is 'concerned with the types of knowledge a researcher wants to produce' (p.69); or the kind of goals the researcher aims to achieve (Mouton & Marais, 1988). He further expresses the view that basic research typically aims to 'explore, describe, explain, understand and predict' (Blaikie, 2010, p. 69). Other writers have agreed with the preceding classification. For example, Babble (2007) and Mouton & Marais (1988) identify three of the commonest purposes of research to include exploration, description, and explanation.

Exploratory research aims to make forays into a relatively new area of inquiry (Mouton & Marais, 1988; Blaikie, 2010; Zikmund, et al., 2013); to enable the researcher to familiarise themselves with a topic (Babble, 2007); to gain insights into a phenomenon; undertake a preliminary investigation prior to a more structured study; to develop hypothesis; to explicate the main concepts and constructs as well develop priorities for further research (Mouton & Marais, 1988). Descriptive research on the other hand "aim[s] at describing situations and events" (Babble, 2007, p. 99; Zikmund, et al., 2013; Goodman & Goodwin, 1996; Johnson & Christensen, 2010). It can involve

providing an account of a phenomenon; describing the features of a group or individual, subculture, organisation, or any kind of sample (Blaikie, 2010; Mouton & Marais, 1988); or providing a description of the variables that exist in a given situation, if also describing how the variables interrelate (Johnson & Christensen, 2010). Contrary to descriptive research that aims at addressing questions of what, when, where; explanatory research focuses on addressing questions of 'how; and 'why' a phenomenon behaves in a certain way or why the occurrence takes place (Yin, 2009; Babble, 2007; Blaikie, 2010). Explanatory studies sometimes also aim at indicating causality between variables (Mouton & Marais, 1988); and thereby provides clarity on an issue.

4.2 Research Design

A research design, at its simplest, focuses on convincing a skeptical audience that the conclusions arrived at after a research process, which informs key policy decisions, are trustworthy and reliable

 (Gorard, 2013). It has been more comprehensively defined as "the arrangement of conditions for collection and analysis of data in a manner that aims to combine relevance to the research purpose with economy in procedure" (Selltiz, et al., 1967, p. 49). It constitutes the 'architectural blueprint of a research project' (Hedrick, et al., 1993, p. 38). Though the research design will ultimately include the research approaches, data collection techniques, data analysis methods and philosophical leanings, an important feature of any worthwhile design is that it does not prescribe which of these has to be adopted (Gorard, 2013). It thus follows that the design selected will depend on the purpose of the research (Selltiz, et al., 1967).

Choosing the right design ensures that the entire research process is adequately planned and structured (Mouton & Marais, 1988; Durrheim, 2006), in such a way that the various steps are "adequately tied to the research questions and that the complete research agenda will be addressed" (Hedrick, et al., 1993, p. 38; Bickman & Rog, 2009). This maximises the credibility, usefulness, and feasibility of the findings (Hedrick, et al., 1993; Mouton & Marais, 1988). According to Cresswell

(2009), research design involves "the intersection of philosophy, strategies of inquiry, and specific methods" (p.5). Durrheim (2006), on his part, expands the scope of a research design to include four dimensions-namely- the purpose of the research; the theoretical paradigm informing the research; the context within which the research is carried out and, lastly, the research techniques employed in collecting and analysing the data. He further posits that a variety of considerations should be generated along these dimensions, which need to be amalgamated and forged into a unified research design to maximise the validity of the research findings. Figure 3 below provides a pictorial representation of these dimensions.
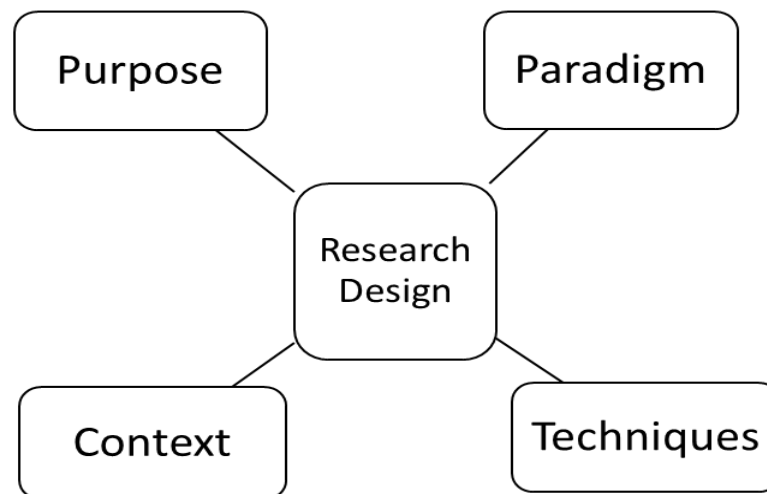
Figure 3: Four Dimensions of Decision making in research (Durrheim, 2006, p. 37)

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The idea of developing a plan, structure, or design to guide the research connotes a systematic, and technical process that employs scientific principles of inquiry from the very onset of the research process. Such a systematic process aims at forecasting, dealing with and eliminating possible mistakes before they occur (Mouton & Marais, 1988). The employment of words such as 'plan'; 'design' and 'structure' in describing research design gives the process a slant towards highly structured and controlled methods such as experiments and other quantitative approaches.

(Mouton & Marais, 1988). Such a view of a research design can be taken as representing the 'inflexible and technical blueprints' (Durrheim, 2006, p. 36) of the design continuum. Such designs have been criticised for being excessively rigid and restrictive, making them unsuitable for exploratory and inductive research (Durrheim, 2006).

On the other extreme end of the design continuum are those that lack a systematic scientific structure and therefore do not offer a 'blueprint' in the form of a definite plan that guides the research process from start to finish. To the contrary, such designs are flexible, pragmatic, emergent and iterative in nature (Durrheim, 2006). Mostly employed in qualitative approaches, such designs have been found to be most useful when the research designs cannot be rigidly defined at the start of the research process, but rather unfold or develop as the research progresses (Lincoln & Guba, 1985; Durrheim, 2006; Cresswell, 2009). In such designs, the researcher is required to constantly reflect on, refine and develop the research process (Durrheim, 2006). Quite often, the choice of research design lies between a blueprint and rigid design on one hand and a flexible and iterative one on the other. The choice should be based on the 'purpose of the research and the orientation of the researcher' (Durrheim, 2006, p. 36).

Despite its adaptability and evolving nature, qualitative research design ought not to be construed as being bereft of any structure or haphazard. To the contrary, such designs need to possess a strategic framework and must aim to remove nuisance variables to produce sound and valid conclusions (Durrheim, 2006; Mouton & Marais, 1988).

This project adopts the qualitative approach mainly due to the purpose of the research, as well as the objectives and research questions. This means that the research design is expected to lean more towards a flexible and an iterative one, more than a rigid and structured one. This design will necessitate intermittent reflection and possible alteration to the processes adopted where need be. The research design is to proceed along the four dimensions postulated by Durrheim (2006) as elsewhere outlined.

4.3 The Research Paradigm

Research paradigms (Guba & Lincoln, 1994); or philosophical worldviews (Cresswell, 2009) are an important aspect of any research effort and consist of 'interrelated ontological, epistemological, and methodical assumptions…that provide perspective to the research (Durrheim, 2006, p. 40). Research paradigms are grounded in philosophy and helps the study to stake a position which ultimately determines what is researched, how it is researched and the reasons which motivated the research (Carson, et al., 2001). Representing a way of looking at the world (Mertens, 2010), an understanding of philosophical worldviews or research paradigms helps to provide clarity to the research design; enables the researcher to select the most appropriate designs; gives the research "coherence, credibility and depth" (Finlay, 2006, p. 17); and finally it helps the researcher to create novel designs that they may not be previously familiar with (Easterby-Smith, et al., 2002; Bryman & Bell, 2007).

In determining the research paradigm, Guba and Lincoln (1994) suggest that three important questions are asked; namely- the ontological, the epistemological and the methodological questions, while Burrell & Morgan (1979) add a fourth: questions about human nature. Given the interrelatedness of these aspects, it is important to note that answers provided to any one question influences and moderates the answers that may be given to the others (Guba & Lincoln, 1994). Burrell & Morgan (1979) buttress the preceding point by asserting that assumptions about ontology, epistemology and human nature have implications for the methodology selected. Added to the above is a fifth dimension proposed by Heron & Reason (1997) and later adopted by Guba & Reason (2005), the axiological question which focuses on the question of "what is intrinsically worthwhile, what it is about the human condition that is valuable as an end in itself". The following paragraphs explain the research paradigm adopted by this study:

4.3.1 The Ontological Question

Ontology has to do with the nature of reality and what can be discovered about it (Blanche & Durrheim, 2006; Guba & Lincoln, 1994; Klenke, 2008; Bryman, 2012); or "the study of being" and is "concerned with 'what is', with the nature of existence, with the structure of reality as such" (Crotty, 1998, p.11). Understanding the ontological position in social science research is important, because such research aims at coming to an understanding of social reality from a variety of perspectives and how these different perspectives influence the actions taken in that social reality (Beck, 1979). Thus, understanding the ontological perspective of the researcher helps to appreciate their view of reality and how this influences the approaches adopted, as well as the outcomes (Bryman & Bell, 2007). Ontological questions are concerned with whether the reality under consideration is exogenous to the individual, and therefore imposes itself on them from an external source (realism) or the product of individual consciousness (relativism); whether reality is objective in nature or subjective; and whether reality is independent and 'given' in the world or the product of one's mind (Burrell & Morgan, 1979; Easterby-Smith, et al., 2002; Bryman & Bell, 2007; Burrell & Morgan, 1979; O'Reilly & Kiyimba, 2015).

4.3.2 Epistemological Question

Epistemology concerns what can be considered as acceptable knowledge (Bryman & Bell, 2007). Maynard (1994) has described epistemology as being concerned with "providing a philosophical grounding for deciding what kinds of knowledge are possible and how we can ensure that they are both adequate and legitimate" (p.10). The key epistemological question revolves around "what is the nature of relationship between the knower or the would-be knower and what can be known" (Guba & Lincoln, 1994, p. 108). Crucially the answer to this question is influenced by answers to the ontological questions previously discussed (Guba & Lincoln, 1994). Thus, when one holds the view that reality is exogenous to human existence and that it can be objectively verified, they have little choice but to assume an epistemological stance that is detached from the reality, a stance

which suggests the adoption of the procedures, principles and ethos that characterise those of the natural sciences, that is, a positivist epistemology (Bryman & Bell, 2007; Tracy, 2013).

The reverse is true when one subscribes to an ontological viewpoint that regards reality as subjective to human consciousness and emphasizes the importance of subjective experience (Burrell & Morgan, 1979). In such a situation the researcher and object of investigation are interactively linked (Guba & Lincoln, 1994; Klenke, 2008; Tracy, 2013); and therefore, an interpretivist or constructivist epistemology seems the plausible choice.

4.3.3 Questions about Human Nature

This philosophical consideration explores the relationship between human beings and the environment (Burrell & Morgan, 1979). On the one extreme is the deterministic worldview which holds that human beings and the way they act are totally determined by the environment or social circumstances in which they reside (Beam, 2006). On the other extreme are arguments in favour of a voluntarist view, which holds that human beings are autonomous and exercise free agency and are largely unaffected by the social circumstances (Beam, 2006). Burrell & Morgan (1979) have expressed the view that social science researchers need to adopt either one of the preceding viewpoints or a mid-way stance because they broadly define how people relate to their societies.

4.3.4 Methodological Question

According to Burrell & Morgan (1979, p.3) "different ontologies, epistemologies and models of human nature will incline social scientists towards different methodologies". Methodological questions are concerned with how the researcher will go about finding out whatever they believe can be discovered (Guba & Lincoln, 1994; Klenke, 2008); and provides theory, as well as analysis of the research process (Maynard, 1994). Crotty (1998) describes it as the "research design that

shapes our choice of and use of particular methods and links them to the desired outcomes" (p.7). Here again, answers to this question are constrained by the choice of ontology and epistemology (Guba & Lincoln, 1994), as well as answers to questions about human nature. Even though methodological questions also involve looking at the specific methods to be employed, the two concepts are different (Bhattacharyya, 2006). While research methods include the techniques for conducting research operations, methodology is a scientific and systematic way to address [and analyse] research problems' (Bhattacharyya, 2006, p. 17, parenthesis mine). In the final analysis, research questions must fit within the wider methodological framework (Guba & Lincoln, 1994).

Social science debates on methodology range along a continuum between an ideographic stand point, on one hand, to a nomothetic worldview on the other (Burrell & Morgan, 1979; Salvatore & Valsiner, 2010; Crowther & Lancaster, 2008). An ideographic approach endeavours to appreciate the social world by undertaking a first-hand investigation into the unique experiences of the subject of investigation (Rubin & Babbie, 2010; Burrell & Morgan, 1979). Such an approach focuses on gaining deep insights into the subjective personal experiences, background, and life history of the subject under investigation. These features mean that ideographic approaches tend to be more associated with qualitative research (O'Reilly & Kiyimba, 2015). On the other end of the continuum is the nomothetic approach which 'lays emphasis on the importance of basing research upon systematic protocol and technique' (Burrell & Morgan, 1979, p. 6). This approach looks beyond an in-depth and subjective understanding of the research subject and rather takes on a more 'generalist or a "macro"' approach which aims at offering a '*probabilistic* explanation of outcomes' (Ruane, 2016, p. 141). The focus of this approach is on the employment of scientific methods in testing hypothesis and quantitative methods in data analysis (Burrell & Morgan, 1979). Drawing from the above, social science research paradigms have been generally classified into positivist- postpositivist; constructivist-interpretivist; transformative and pragmatic approaches (Denzin & Lincoln, 1994; Lincoln, et al., 2011; Creswell, 2003; Lather, 1995). Tables 1 &2 below lay out the various terminologies typically associated with these paradigms.

4.3.5 Axiological Question

Axiology or the study of values, which had hitherto been taken for granted, has moved into the mainstream of qualitative research in years, and constitutes a foundational philosophical branch of any paradigm (Given, 2008; Lincoln & Guba, 2005). According to Heron and Reason (1997) the axiological question is concerned with "values of being, about what human states are to be valued simply by virtue of what they are" (p.14). Mingers (2003) describes it as 'what is valued or considered good' (p.561); or the "role of values and ethics in research" (Klenke, 2008, p. 17). Inevitably the values of a researcher and of participants impact on various aspects of the research, from the research problem through to the choice of paradigms, methods used in gathering data, and analytical methods to the presentation of findings (Lincoln, et al., 2011; Given, 2008). Spelling out the axiological stance behind an inquiry is important (particularly for qualitative research) because all research is value-laden and such values require clarification and reflection (Given, 2008). When a qualitative inquiry adopts an interpretivist-constructivist paradigm[11], stating the axiological position becomes even more imperative since it has:

> "a direct bearing on the ethical context of the research, offers an important basis for making explicit the assumptions of different paradigms of research, and provides the foundation for understanding the process of the addition to knowledge involved in scientific inquiry" (Given, 2008, p. 52).

Given the above, it "behoves the investigator to… take explicit account of values" and the impacts they have on the study (Lincoln & Guba, 1985, p. 174). This amounts to making the values that guide a study transparent (Given, 2008). For a researcher operating with the constructivist

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[11] Qualitative research is often at home with the interpretivist-constructivist paradigm (see, Silverman, 2000; Wiersma, 2000; Cohen & Manion, 1994; Mertens, 2005); which is based on an ontological position that considers reality as subjective and socially constructed (Mertens, 2005); and an epistemological stance based on understanding and interpreting human views and experiences about the subject under investigation (Creswell, 2003; Cohen & Manion, 1994).

interpretive paradigm, this requires acknowledging the role of intrinsic values and extrinsic sources of ethics such as ethical codes (Given, 2008). This is undertaken in the following paragraphs:

4.4 Role of Values and Ethics

As previously explained, inquiry (both qualitative and quantitative) cannot be value-free (Guba & Lincoln, 2005; Given, 2008). One way of acknowledging the influence of values and ethics on an inquiry is to state the ethical codes that guide academic scientific enquiry as handed down by ethical committees. This represents an extrinsic and procedural way of looking at values in inquiry (Given, 2008). Clearly the axiological dimension espoused by Heron and Reason (1997) and adopted by Guba & Lincoln (2005), and almost all contemporary qualitative researchers, has a far more profound impact than this. More far-reaching impacts of the axiological dimension that are intrinsic in nature remain to be explored (Given, 2008, p.55). The 'real' impact of such intrinsic approaches is to revolutionise how qualitative research is portrayed; the types of knowing with which it is concerned; the philosophical groundwork on which it rests, as well as articulate a transparency of values and of the requests and demands placed on research participants (Given, 2008). Additionally, it applies a 'process ethics to the forms of knowing demanded by the specific context of the inquiry which requires the researcher keeps "an open-minded vigilance" to ethical issues that may crop up along the research process (Given, 2008, p.55). The following paragraphs explore both the intrinsic and extrinsic approaches in some detail.

4.4.1 Extrinsic Approach: Code of Ethics

Edwards & Mauthner (2012) have defined ethics in social research as the moral deliberation, choice, and accountability on the part of researchers throughout the research processes. In the social sciences, ethical concerns are and should be of paramount importance to any research effort that involves people (Easterby-Smith, et al., 2012). Historically, in social science research, ethical

issues have been guided by classical ethical theories such as Kantian deontology (duty-based ethics) and Millsian consequentialist theories. In contemporary academic research circles, codes of ethics have become one obvious way of ensuring that ethical issues are portrayed and adhered to. One such code is the Belmont Report (1979). This report requires that all social science research adhere to the principles of Respect for Persons, Beneficence and Justice. 'Respect for Persons' in the present study entails obtaining overt access and informed consent from all respondents and observed respondents. In this regard the researcher ensured that respondent participation was voluntary, and participant privacy guaranteed. 'Beneficence' requires the assessment of potential risks that may confront participants and their minimisation. Furthermore, the researcher has a responsibility to ensure that participant benefits are maximised while any potential detriment is eliminated. The final element of 'Justice' requires the prevention of exploitation of vulnerable peoples during the conduct of the research (NCPHSBBR, 1979).

Kent (2000) also proposes four principles that should guide social science research. These include the principles of autonomy, beneficence, non-maleficence, and justice, which generate rules such as veracity, privacy, confidentiality, and fidelity. The preceding harmonises with the principles inhered in the Belmont Report. More specifically the principle of autonomy entails allowing respondents to act and make choices based on their individual convictions so far as these choices do not trample on the rights of others. Although there have been certain arguments against the possibility of gaining informed consent in all cases (see, Silverman, 1989; Homan, 1991, Yin 2009), informed consent is a key plank in the ethics of social science research in the contemporary era (Kent, 2000).

The principle of beneficence has been explained as involving four steps, namely:

- One ought not to inflict evil or harm.

- One ought to prevent evil or harm.

- One ought to remove evil or harm.

- One ought to do or promote good" (Pera & van Tonder, 2005, p. 33; Beauchamp & Childress, 2001).

The final principle of justice refers to the principles of fair distribution of resources (Pera & van Tonder, 2005). According to Veatch & Fry (1987), the way to adhere to the principle of justice is to follow the principles of beneficence in allocating resources. These principles translate into specific rules that ought to be followed in the conduct of research. These include veracity and fidelity which require respondents to be told the truth during research studies, and confidentiality and privacy which require that respondents' information is kept confidential; that the respondents' identities are anonymised, and that the privacy of the respondent and their information are protected (Pera & van Tonder, 2005).

4.4.2 Intrinsic Approach: Reflexivity

As elsewhere mentioned, intrinsic approach to axiology aims at more than mere adherence to externally generated code of ethics (Given, 2008). Rather, it aims at a root and branch overhaul of the qualitative research process. Lincoln and Guba (1985) suggest four sources of value that need to be considered to undertake a comprehensive appreciation of values in research. These are the personal values of the investigator; the values that underlie the cultural setting within which the inquiry is undertaken; the values underlying the paradigm that guides the enquiry; the values that undergird the methodological paradigm employed for the study. This process was undertaken throughout the whole study and was conducted with the use of a reflective journal (Ortlipp, 2008). This journal facilitated reflexivity by allowing for the examination of individual suppositions and objectives, as well as to explain individual belief systems and subjectivities that undergird the study (Ahern, 1999). This helped to maintain transparency of values (Ortlipp, 2008).

4.4.3 Personal Values of the Investigator

In contemporary research, it is almost a truism that researchers' "Background and position will affect what they choose to investigate, the angle of investigation, the methods judged most adequate for this purpose, the findings considered most appropriate, and the framing and communication of conclusions" (Malterud, 2001, p. 483). Guba and Lincoln (2005) concur with the preceding by asserting that an investigator's value influences the selection of the problem, the choice of methods for data collection and analysis, as well as the interpretations to be made from the findings. This is the process of reflexivity in qualitative research- a key means by which qualitative researchers can validate their research practice (Kingdon, 2005; Cutcliffe & McKenna, 2002).

Table 1. Common terminologies used in the various paradigms

Positivist/ Postpositivist	Interpretivist/ Constructivist	Transformative	Pragmatic
Theory verification Causal comparative Determination Normative Experimental Quasi-experimental Correlational Reductionism Randomised control trials	Naturalistic Phenomenological meanings Social and historical construction Theory generation Symbolic interaction Hermeneutic Interpretivist Ethnographic Multiple participant	Empowerment issue oriented Change-oriented Interventionist Queer theory Race specific Political Critical theory Neo-Marxist Feminist Critical Race Theory Freirean Participatory Emancipatory Advocacy Grand Narrative Action Research	Mixed models Consequences of actions Problem-centred Pluralistic Real-world practice oriented Participatory

Adapted from Denzin & Lincoln (1994); Lincoln, et al. (2011); Creswell (2003); Lather (1992).

Figure 4: Common terminologies used in the various paradigms

Table 2: Basic Beliefs Associated with Major Paradigms

Basic Beliefs	Positivist/ Postpositivist	Constructivism/ interpretivist	Transformative	Pragmatism
Axiology (nature of ethical behaviour)	Respect privacy: informed consent, minimise harm; justice; equal opportunities	Balanced representation of views; raise participant awareness; community rapport	Respect for cultural norms; beneficence is defined in terms of respect for human rights and increase in social justice; reciprocity	Gain knowledge in pursuit of desired ends as influenced by researcher's values and politics
Ontology (nature of reality)	One reality; knowable within a specified level of probability	Multiple socially constructed realities	Rejects cultural relativism; recognises that various versions of reality are based on social positioning; conscious recognition of consequences of privileging versions of reality	Asserts that there is single reality and that all individual have their own interpretation of reality
Epistemology (nature of knowledge, relation between knower and what is to be known)	Objectivity is important; the researcher manipulates and observes in a state of dispassionate, objective manner	Interactive link between researcher and participants; values are made explicit; created findings	Interactive link between researcher and participants; knowledge is socially and historically situated; need to address issues of power and trust	Relationships in research are determined by what the researcher deems as appropriate that particular study
Methodology (approach to systematic enquiry)	Quantitative (primarily); interventionist; decontextualized	Primarily qualitative; hermeneutical; dialectical; contextual factors are described	Qualitative (dialogic); but quantitative and mixed methods can be used; contextual and historical factors are described, especially as they relate to oppression.	Match methods to specific questions and purposes of research; mixed methods can be used as researcher works back and forth between various approaches

Adapted from Guba & Lincoln (1994) and Morgan (2007) cited in (Mertens, 2010)

4.4.4 Summary of the Project Position

The point of clarifying the philosophical position of any study is that it helps to ensure fit and consistency with the research approach (Aslstrom, 2016); helps to portray the phenomena under study by employing a particular set of guidelines (Streubert, 2011); and finally enables the researcher to be able to reflect on the overarching epistemological and philosophical consequences of a particular perspective (Perren & Monder, 2004). Such an effort is considered fundamental to research (Seale, 2003); because it enables research respondents and research consumers alike to know and understand the context within which the research was undertaken as well as to make for critical examination (Klenke, 2008).

This research was positioned within the constructivist-interpretivist worldview or paradigm. As depicted above, this paradigm assumes a 'naturalistic relativist stance that recognises multiple meanings and subjective realities' (Finlay, 2006, p. 16), which are socially constructed (Burrell & Morgan, 1979), and which require interpretation (Johnson, 1987). The interpretivist viewpoint entails trying to understand and explain human behaviour and thus necessitates investigating the actual meanings and interpretations that research subjects subjectively ascribe to phenomena (Johnson, et al., 2006). It requires close proximity to research subjects, trying to understand and appreciate their realities and perceptions and then interpreting such realities (Bogdan & Taylor, 1975; Shaw, 1999); through a process of social construction.

As started in Chapter One, the intention of this study is to investigate the CSR , particularly, philanthropic actions that informal sole traders undertake, which also fulfil business' Responsibility to Respect human rights within the UN Framework , how such actions are undertaken and what motivates them. As already pointed out, the UN Framework identified the provisions of international covenants such as the UDHR as core human rights for which businesses have a responsibility to respect. Three of such provisions, namely Articles 1, 16(3) and 21(1) were selected as units of analysis. In view of this, the study aimed to find out how

existing socio-cultural norms enable informal micro-entrepreneurs achieve these three provisions. Ontologically, the study involved trying to understand how particularly subjective and socially constructed socio-cultural norms or *realities* influenced the CSR actions and how they addressed BHR obligations. Socio-cultural norms are subjective because they exist subjectively in the collective imagination of the individuals who constructed them.

The consequence of such an ontological position is the epistemological standpoint that demands a great deal of interaction between the researcher and the respondents. If the researcher is going to, somehow, unravel and interpret the subjective and socially constructed socio-cultural norms that guide micro-entrepreneurs, then it is required that they seek "an explanation within the frame of reference of the participant rather than the objective observer of the action" (Ponelis, 2015, p. 538). This entailed gaining an understanding of the socially constructed norms of participants, and how such norms go towards achieving business human rights. These ontological and epistemological viewpoints culminated into an ideographic methodological position that required a first-hand investigation into the subjective experiences of selected micro-entrepreneurs. The aim was to create an understanding of how the decisions these entrepreneurs make about relevant stakeholders enable them meet business human rights responsibilities under the UN Framework. The preceding skews the methodology towards a primarily qualitative research approach involving the use of dialectical methods.

4.4.5 Justification of Interpretivist-Constructivist Paradigm.

Interpretivist-constructivist paradigm is particularly useful in small business entrepreneurship research to which the present study belongs. Having identified the inadequacy of positivist methods of inquiry to generate the rich and intricate data that is useful in small business research, numerous scholars have supported the use of interpretivist approaches (Aldrich, 1992; Bygrave, 1989; Churchill & Lewis, 1986; Shaw, 1999). The interpretivist paradigm is suitable

for small business research rather than positivist methods, because of the relatively late development of the area (Shaw, 1999; Bygrave, 1989); and because "Entrepreneurship begins with a disjointed, discontinuous, non-linear (and usually unique) event that cannot be studied successfully with methods developed for examining smooth, continuous, linear (and often repeatable) processes" (Bygrave, 1989, pp. 7-8). This late entrance and disjointed nature have implications for the kinds of paradigms and methods that can be adopted in researching the area. For example, Churchill & Lewis (1986) have pointed to the relatively undefined nature of the key concepts in small business research, something that necessitated theory building and not theory testing (Shaw, 1999).

Interpretivist-constructivist methods, rather than positivist, are also appropriate for small business research, such as the present one, because of the nature of the research subjects under investigation (Shaw, 1999). Since such research often aims at studying "human action and behaviour" (Shaw, 1999, p. 60); it focuses fundamentally on socially constructed reality. And since human subjects, in this case Akan sole traders, are intricately enmeshed in such multiple social realities (and are often the creators thereof); and possess the ability to have opinions about them, think for themselves and understand their own behaviours, they are unsuitable for study from a positivist standpoint with its singular reality and objective epistemology (Schutz, 1967; Gill & Johnson, 1991; Bryman, 1988). The preceding means that it is near impossible to apply positivist objectivity to research such as the present one (Gill & Johnson, 1991). Thus in seeking to understand the decisions that Akan sole traders make and the motivations for such decisions "researchers need to adopt an approach that allows them to "get close" to participants, penetrate their internal logic and interpret their subjective understanding of reality" (Shaw, 1999, p. 60); especially since it is near impossible to reduce the social world to isolated variables, it must be observed in its entirety (Shaw, 1999). In sum:

> "The young and emergent nature of small firms, combined with the unique
>
> characteristics of the human participants involved in their research suggest that a

qualitative approach which allows small firms to be viewed in their entirety and permits researchers to get close to participants, penetrate their realities and interpret their perceptions, is appropriate" (Shaw, 1999, p. 61).

4.5 Qualitative Research Approach

The qualitative research approach has been defined as "an approach for exploring and understanding the meanings individuals or groups ascribe to a social or human problem" (Creswell, 2003, p. 4). This contrasts with the quantitative approach which aims at 'testing objective theories by examining the relationship among variables" (Creswell, 2003, p. 60). It is important that these two approaches are not regarded as 'rigid, distinct, polar opposites or dichotomies" (Creswell, 2003, p. 3); since there are often numerous overlaps in their application, and often represent different sides of the same continuum (Newman & Benz, 1998). However, qualitative approaches focus on emergent questions and processes; gathering data from the respondents' settings; employing inductive methods of analysing data that moves from particulars to broad themes; as well as the researcher interpreting the data (Creswell, 2003). This is, again, in contrast with quantitative approach which measures variables, employs statistical processes, test theories deductively (Morris, 2010); aims to remove biases; controlling for alternative explanations; aiming to generalise findings as well as replicate findings (Creswell, 2003; Bryman & Bell, 2007).

A key differentiating feature between qualitative and quantitative approaches is the method of reasoning employed. As has already been alluded to, quantitative approaches are often said to adopt deductive reasoning with qualitative approaches employing inductive reasoning (Crowther & Lancaster, 2008). According to Evans (2014), deductive reasoning '…involves making an inference from information which is given' (p.5). 'Given information' in the preceding suggests an ontological stance that recognises reality as existing separately from human experience. It is also predicated on an objective reality which ought to be investigated dispassionately and objectively. As a result, quantitative studies often commence with the selection of a research topic of interest. This is then followed by a comprehensive literature review which identifies possible gaps in the

literature which are used to develop research hypotheses. To test these hypotheses, they are broken into measurable variables. Data is then collected tested and analysed with a view to confirming or debunking the hypotheses (Thomas, 2006). Flowing from this is the development of new theoretical insights or alterations made to existing theory (Bausell, 1994; Bendassolli, 2013). Deductive methods rely heavily on observational methods as well as on experimentation (Andy & Hole, 2003); and aims primarily to refute a hypothesis (Popper, 1967). The main problem with the deductive approach is its lack of applicability in the social sciences due to problems of measurement, as well as the ability to control factors that may influence research outcomes (Crowther & Lancaster, 2008)

Qualitative studies, on the other hand, rely on inductive logic. Thus, rather than trying to propose and test hypotheses, such studies aim to come to an understanding of situations or phenomena (Bendassolli, 2013), and to develop theories to explain empirical observations of the world (Crowther & Lancaster, 2008). Such an understanding is arrived at through "detailed readings of raw data to derive concepts, themes, or a model through interpretations made from the raw data by an evaluator or researcher" (Thomas, 2006, p. 238). The idea of 'interpretations' here suggests an ontological viewpoint that acknowledges the existence of multiple socially contracted realities as well as an epistemology that considers the nature of knowledge as subjective and value laden. The primary aim therefore is to "allow research findings to emerge from the frequent, dominant, or significant themes inherent in raw data, without the restraints imposed by structured methodologies" (Thomas, 2006, p.238). Additionally, it aims to summarise extensive and varied raw data; "establish clear links between the research objectives and the summary findings derived from the raw data and to ensure that these links are both transparent (able to be demonstrated to others) and defensible (justifiable given the objectives of the research)" (Thomas, 2006, p. 238). Other aims include the desire to build a theory about the underlying structure of experiences or procedures that exist in the data (Thomas, 2006; Babble, 2007; Crowther & Lancaster, 2008).

Inductive approach is undertaken through the following processes: generation of broad research questions in the selected area; a definition of the research context from which data is gathered; data interpretation leading to generation of a theoretical framework which instigates the collection of more data followed by more data gathering and interpretation. By its feature of not establishing theories and hypotheses a priori, inductive approaches are flexible, adaptable, open-ended, and particularly well-suited for the study of human behaviour in general and within organisations (Crowther & Lancaster, 2008). This makes it well suited for the study of the behaviour of micro entrepreneurs operating within the context of the informal economy.

Other important features of qualitative approach include the fact that such an approach: studies the meaning of people's lives in their real world roles; represents the views and perspectives of the participants; attends to and accounts for real life contextual situations; provides insights from extant and brand new concepts that help to provide explanations to social behaviour and emphasises the importance of drawing from multiple sources of evidence rather than from a single source (Yin, 2016).

One of the main criticisms levelled against qualitative methods is its lack of generalisability (Blaxter, et al., 2001). Such critique has been countered by assertions that such research was never intended to make statistical generalisations to wider populations (Yin, 2009). Other writers (e.g., Adelman, et al., 1976) have defended findings from qualitative research as being significant albeit not necessarily generalizable in the same way as quantitative findings.

4.6 Research Strategy

Research strategy has been explained as "the general plan of how the researcher will go about answering the research question" (Saunders, et al., 2009, p. 600). It lays out the overall direction and the process by which the entire research is to be conducted (Remenyi, et al., 2003). Research strategies exist for both inductive and deductive approaches even though these are not necessarily mutually exclusive (Saunders, et al., 2009). The key question is whether a particular strategy enables

the researcher to achieve stated research objectives. According to Saunders et al (2009) the selection of research strategy should be based on the research questions and objectives; the scope of existing knowledge; availability of time and other resources and the philosophical worldview that guides the research. Yin (2003b) also stresses that the selection of research strategy be based on the type of research question; how much control the researcher has over the actual behavioural events and the extent of focus on current or historical events. Types of research strategies include surveys, case studies, action grounded theory, archival research, cross sectional studies, ethnography, longitudinal studies, and participative enquiry (Saunders, et al., 2009; Easterby-Smith, et al., 2002; Collis & Hussey, 2009).

This study adopts a phenomenological strategy which focuses on studying, understanding, and interpreting the subjective experiences and decisions that Akan micro entrepreneurs make which are in line with important tenets of the UN Framework (Husserl, 1965; Hallet, 1995; Marshall & Rossman, 2011). Such a strategy helps to appreciate the worldviews and perspectives from which these entrepreneurs experience the world. In line with good practise in phenomenological strategy, the present study will also endeavour to identify and appreciate the influence of the researcher's subjectivity on various aspects of the study process (Hallet, 1995). Put simply, "data collected will be an acknowledged reflection of the participant's experience, filtered through the perceptions of the researcher" (Hellet, 1995, p.56).

4.7 Study Design

Philliber, et al. (1980) put forward a beneficial set of steps that constitutes the design process for social research and this is to be adopted and used in the present study as a framework. These steps include specifying the study's questions; coining and stating the study propositions where applicable; defining the unit of analysis, specifying the logic that links the data to the propositions and delineating the criteria for interpreting the findings.

4.7.1 Specifying the Research Question

As stated elsewhere, the study sought to answer two research questions: what socially responsible actions (particularly philanthropic responsibilities) informal sole traders undertake; second, how do such actions fulfil BHR human rights obligations; and third, what motivates these actions. These questions were developed after a careful perusal of the literature on CSR, business human rights and its links with the informal economy. This is important because the informal economy and the MSMEs therein constitutes a huge part of Ghana's and indeed the worldwide economy (ILO, 2013). Thus, evidence that shows that informal sole traders can be motivated by socio-cultural norms to undertake socially responsible behaviour, which also fulfils some business human rights responsibilities is important to small business social responsibility in particular and business ethics in general.

4.7.2 Stating the study Propositions

In explanatory studies there is often the need to translate research questions into propositions. Basically, this takes the form of speculative statements or presumptions, informed by the literature (Baxter & Jack, 2008), as to what the researcher expects the research findings to be. Propositions reflect important theoretical issues and help to direct the researcher towards where to look for evidence (Yin, 2009). This study had two propositions which are: informal sole traders within specified cultural communities subscribed to certain socio-cultural norms, and that these norms influence and guide the moral decisions they make regarding socially responsible actions, which in turn fulfil some business human rights obligations.

4.7.3 Role of Prior Theory in Developing Propositions

As previously discussed, studies guided by the interpretivist-constructivist paradigm focus on inductive theory building rather than deductive theory testing. Since the establishment of theory,

a priori is not characteristic of inductivist qualitative studies such as the present one, it is important that the researcher makes a conscious effort to keep an open mind as much as possible (Lincoln & Guba, 1985). Care was taken to limit the number of preconceived theories arising from the literature that were projected into the study (Ponelis, 2015; Yin, 2009). The preceding notwithstanding, it is important to acknowledge that it is a practical impossibility for the researcher to erase from their mind all traces of previous experience and theories and commence the research exercise with what amounts to a tabula rasa (Eisenhardt, 1989; Walcott, 1990; Strauss & Corbin, 2008).

It was nearly impossible, in this study, to find previous work on how socially responsible actions undertaken by informal MSMEs also fulfil some business human rights responsibilities as spelt out under the UN Framework. However, as has already been mentioned, two theories-namely the Integrative Social Contract Theory (ISCT) by Donaldson & Dunfee (1994); and afro-communitarianism (Gyekye, 1997; Gyekye, 1995; Metz & Gaie, 2010; Metz, 2007) constituted possible ways that can be used in tandem in explaining how community-level norms can help in making socially responsible decisions and meet some business human rights obligations. First, afro-communitarianism is reputed to have several socio-cultural norms to which many black Africans subscribe (Gyekye, 1995, 1997; Metz & Gaie, 2010; Metz, 2007). Among these are a strong commitment to the extended family systems, the idea of potentiality of personhood, which motivates moral duties to other people, and a strong commitment to the community. On the other hand, ISCT presents a possible framework linking such extant and community-level afro-communitarian norms to wider hypernorms inherent in UDHR and related covenants. Despite their potential plausibility to explain how informal sole traders can be engaged in the business human rights agenda, care has been taken to confine these two theories to the background by limiting their influence on the findings, at least in the formative stages of the study. The aim is to allow the possible emergence of new themes.

4.7.4 Linking Data to Propositions

This step involved deciding what data is collected to support or refute the stated proposition (Rowley, 2002); as well as analysis that creates connections between collected data and the propositions (Yin, 2009). Yin identified several ways by which data can be linked with propositions: pattern matching, explanation building, and time-series analysis and logic models.

For this study the explanation building method was used. Yin (2009) defined the act of explaining as entailing stipulating a presumed set of causal links about a phenomenon or 'how' or 'why' something happened. This method, usually undertaken in narrative form can be very useful in qualitative studies. According to Yin (2003) the best situation is when explanations echo some theoretically significant propositions rather than being just plain narratives. Explanation building follows an iterative process which includes the following steps:

- Making an initial theoretical statement or an initial proposition about policy or social behaviour.

- Comparing initial findings against such a statement of proposition

- Revising the statement or proposition

- Comparing the revision to the facts of subsequent findings

- Repeating this process as many times as needed (Yin, 2009).

This process is intended to refine the initial set of propositions or ideas and to possibly entertain other plausible or rival ideas in order to show how these rival ideas cannot be supported in view of the actual reported events (Yin, 2009).

4.7.5 Identifying the Unit of Analysis

Within the current study, the unit of analysis include several informal sole traders who belong to the Akan tribe in the Abura community of Cape Coast, which is in the Central Region of Ghana. This unit is selected firstly because the Akan tribe of Ghana, like other black African ethnic groups, is reputed to possess a coherent cultural and social worldview known as afro-communitarianism

(Metz, 2007, 2014; Metz & Gaie, 2010; Gyekye, 1995, 1997; Gyekye, 1995). Secondly, Akans are reputed to have a uniquely vibrant entrepreneurial spirit among Ghanaians (Adinkrah, 2015; Shillington, 2005). Third, they are selected because small businesses form an important and sizeable aspect of the informal economy in Ghana. Lastly, the informal economy has received very little attention in relation to the worldwide business human rights agenda. Thus, studying such participants helps to address the research question.

To define the boundaries of the units of analysis in order to prevent the problem of overstretching the scope of the study (Baxter & Jack, 2008), care was taken to purposively select informal sole traders living and trading in Abura, a suburb of the Cape Coast Municipality in Ghana. As has previously been highlighted, studies about the ethics that guide informal businesses are few and far between, and even rarer are studies that investigate how such businesses fulfil business human rights responsibilities enshrined in the UN Framework through making socially responsible choices.

4.7.6 Assessing the Robustness of the Research

For the findings of the study to be accepted and assimilated into the knowledge base of a field of enquiry (Rowley, 2002), it is sometimes claimed that the study ought to address the issues of generalisability, reliability, and validity. However, the criteria used for evaluating the extent to which studies employing interpretivist-constructivist paradigms are generalisable, valid or reliable are different from those employed in studies using positivist paradigms (Lincoln & Guba, 1985). The criteria used for the former type of studies (qualitative studies) are judged based on the extent to which the findings harmonise with the participant perspectives (Glaser & Strauss, 1967). Positivist studies, on the other hand, often focus on the extent to which findings can be generalised to the wider population (Glaser & Strauss, 1967). The preceding difference stated has influenced the choice of nomenclature adopted in studies based on these two paradigms. For example,

qualitative researchers often use the terms credibility, dependability, and transferability to measure the robustness of a study in place of validity, reliability, and generalisability (Bloomberg & Volpe, 2008). As elsewhere mentioned, qualitative methods set out to achieve analytic generalisability rather than statistical generalisability (Yin, 2009). Taking a cue from Yin (2009) the following paragraphs explain how the present study aims to maximise credibility, dependability, and transferability.

4.7.6.1 Credibility

Yin (2009) proposes several ways to increase the credibility (that is construct, internal and external validity) of qualitative studies. For construct validity, these include the "use of multiple sources of evidence in a manner encouraging convergent lines of inquiry"; the establishment of chain of evidence; and to have a Key Informant review the draft findings (p.42). For internal validity the main purpose is to establish a strong causal link between a phenomenon and effect. This is most applicable to studies that focus on establishing cause and effect (Yin, 2009). For qualitative studies, where the aim is not to establish causality, internal validity focuses on the extent to which valid inferences can be made about how a particular event results from an earlier occurrence (Yin, 2009). Thirdly, the issue of external validity which deals with "whether a study's findings are generalizable beyond the immediate…study" (Yin, 2009, p.43). As earlier mentioned, this is perhaps the most serious critique levelled at qualitative research. Yin (2009) endeavoured to clarify the position of qualitative methods such as case studies vis-à-vis external validity or generalisability by positing that they aim to establish analytic generalisability rather than statistical generalisability. He goes in to further explain that the researcher strives to generalise a particular set of results to some broader theory rather than to a broader population. Stake (1995) describes this process as involving an additive process of making 'petites généralisations' that add to 'grande généralisations' (p.7-8).

To achieve credibility, this work aimed for analytic rather than statistical generalisation in line with its qualitative nature. This was because the study aimed not so much to establish causality or making inferences as it aimed to describe the existence of socio-cultural norms, and how they help informal sole traders in undertaking socially responsible behaviours that fulfil some business human rights obligations. In line with this, rather than use a single method of data collection, two methods; that is semi-structured interviews and non-participant observations were used. A Key Informant was also engaged with the non-participant observation to provide further insights and clarity to observations.

4.7.6.2 Dependability

Dependability represents the qualitative equivalent of reliability in quantitative studies. According to Yin (2009), the focus of the reliability test is to establish the extent to which the findings of a study can be replicated under similar circumstances. Establishing dependability aims to reduce the incidence of errors and biases (Yin, 2009). Yin (2009) recommends a robust documentation of the procedures followed in the study and to endeavour to operationalise the steps in the study process as possible. This enables a subsequent researcher to clearly see the steps followed in the earlier study in such a way that the incidence of bias and error is reduced. The present study was meticulous and systematic in documenting the procedures followed at all stages. Figure 4.2 below lays out pictorially the study design of the present study. Dependability was further ensured through a research audit trail conducted by the two supervisors allocated to oversee the entire study. Stemming from the work of Lincoln and Guba (1985), the audit trail method involves an auditor or second party monitoring the various research processes such as the methodology, analysis, findings, and conclusions of the project not only at the end of the research project but at various milestones of the project from start to finish. Throughout the study, from the point of writing the introductory chapter, through the literature review, the methodology, choice of

theoretical framework, data analysis and conclusions, the supervisors scrutinised every stage of the project, providing essential feedback and guidance based on the wealth of experience they possess in supervising qualitative research projects.

4.7.6.3 Transferability

The concept of transferability is similar to the idea of 'other-settings generalisation' or replicability (Lincoln and Guba, 1985). Transferability of qualitative research findings is important because it allows patterns and descriptions from one study context to be applicable to other contexts (Stahl & King, 2020), This is important because the absence of this seriously limits the impact of any qualitative study as it means that findings cannot be transferred from the current study to others. Transferability, as has been argued, cannot be assigned by the researcher, but must instead "be imputed by those who wish to compare the research with their personal contexts, as in "lessons from somewhere else." (Stahl & King, 2020, p.27). Accordingly, Lincoln and Guba (1985) also posit the view that transferability also needs to be undertaken by readers of a study who should be able to make judgments about the degree to which findings from a study is applicable to their situation. To Lincoln and Guba:

> "the degree of transferability is a direct function of the similarity between the two contexts…[or] "fittingness" … defined as the degree of congruence between the sending and receiving context. If Context A and Context B are sufficiently congruent, then working hypotheses from the sending originating context may be applicable in the receiving context" (p.124).

Transferability, according to Stahl and King (2020) can be achieved through providing thick descriptions including contextual information about the field work site, providing detailed descriptions of influential participants in the study, clearly showing which participants were precluded from the study, providing complete descriptions of research methods and frames,

and evidencing the study duration. These steps have been undertaken in this chapter. Three of the steps are in the present study through the provision of detailed description of study participants (see table), as well as detailed comparisons and contrasting of their peculiar features. The parameters that guided the purposive sampling have been clearly stated and explained in terms of how they enable the researcher to reach the right respondents. Detailed descriptions, both theoretical and operational, of the research methods and sampling frame have been provided as well as a description of the study location and duration.

4.8 Developing the Sampling Frame

A sampling frame has been defined as the "list from which sample units, people or households, for example, are selected to be surveyed" (Champ & Welsh,2006, p.23) or as "any material or device used to obtain observational access to the finite population of interest" (Sarndal, Swensson & Wretman, 2003, pp. 9). In such circumstances one suggestion is to conduct an in-person survey using sampling techniques that do not require a sampling frame (Champ & Welsh, 2006).

4.8.1 Pilot Study

A pilot study has the aim of trying out a research approach with a view to identifying potential strengths and weaknesses (Blessing & Chakrabarti, 2009). Basically, they are smaller scale versions of the main study and endeavour to ensure that the research design can do what it was designed to do (Hall, 2008). Pilots constitute an invaluable step in the conduct of any empirical study because "trying out the research as planned – including data processing, analysis and drawing conclusions, and requesting feedback from the participants involved in the pilot study, will reveal that several changes are required if the study is to be effective and efficient (Blessing & Chakrabarti, 2009, p. 144). Pilots should be made to resemble the main study as much as practicable (Hall, 2008; Blessing & Chakrabati, 2008). Hall (2008) has put forward three points that constitute the main roles that pilots play in research. These include:

- "Identifying unanticipated problems that might affect the viability of the main study. These can be problems in gaining access to participants, or feedback from interviews suggesting that the wrong questions are being asked.

- Checking the reliability and validity of the data collection instruments being used

- Checking that the timing of interviews and questionnaire completion is in accordance with that allowed for in the main study" (Hall, 2008. P.78).

4.9 Data Collection Techniques

As previously stated, the main method for data collection were the qualitative interview method, specifically, semi-structured interviews and non-participant observation. These were then supported by informal conversations with a Key Informant similar to unstructured interviews. This was a step towards triangulation, which involves the use of alternative methods to draw conclusions about a single phenomenon with a view to enhancing confidence in the findings (Yin, 2009, Hall, 2008).

4.9.1 Semi-structured Interviews

Interviews were used because the researcher's "ontological position suggest[ed] that people's knowledge, views, understandings, interpretations, experiences, and interactions…[were]… meaningful properties of the social reality which… [the]… research questions…[were]… designed to explore" (Mason, 2002, p. 64, parenthesis mine). Such an ontological position leads to epistemological stance "which allows that a legitimate or meaningful way to generate data on these ontological properties is to talk interactively with people, to ask them questions, to listen to them, to gain access to their accounts and articulations" (Mason, 2002, p.64).

Qualitative interview methods are typically characterised as ranging in a continuum from structured, through semi-structured to unstructured (Bryman, 2001). While structured interviews employing highly structured interview questions are at home with quantitative studies, semi-

structured, and unstructured types are usually suitable for qualitative studies (Edwards & Holland, 2013). Features of all qualitative interviews including unstructured and structured types have been summarised as including:

1. "The interactional exchange of dialogue (between two or more participants, in face-to-face or other contexts).

2. A thematic, topic-centred, biographical, or narrative approach where the researcher has topics, themes, or issues they wish to cover, but with a fluid and flexible structure.

3. A perspective regarding knowledge as situated and contextual, requiring the researcher to ensure that relevant contexts are brought into focus so that the situated knowledge can be produced. Meanings and understandings are created in an interaction, which is effectively a co-production, involving the construction or reconstruction of knowledge" (Edwards & Holland, 2013, p. 3; Mason, 2002).

Semi-structured interviews were used as a method of data collection because the study aimed at gaining insights about socially constructed socio-cultural norms as well as undertaking interpretations of how such norms may help to achieve wider business human rights norms. Typical questions in semi-structured interviews are not as fixed as those in structured interviews. Here the interviewer employed a guide- described as a "more structured list of issues to be addressed or questions to be asked" (Bryman & Bell, 2007, p. 483) including topics, areas and questions so as to provide some structure to the interview process even though there was the freedom to vary the direction of the interview where necessary (Schuh, 2009; Bernard, 1988).

Using semi-structured interviews therefore required the development of an interview guide that answered two questions, namely, 'Just what is it about this thing that is puzzling me?' and 'What do I need to know to answer each of the research questions I am interested in?' (Lofland & Lofland, 1995, p. 75). To back up data generated from semi-structured interviews, informal conversations akin to unstructured interviews, were also used. This enabled the researcher to

'delve deep beneath the surface of the superficial responses to obtain true meaning that respondents assign to their experiences and the complexities of their attitudes and behaviors. The interviewer uses open ended questions that emerge from the immediate context of the research and asks in the natural course of things instead of relying on a predetermined sequence' (Klenke, 2008, p. 125).

Qualitative interviews in general, and semi-structured and unstructured interviews in particular, suffer important setbacks (Hoque & Noon, 2004). Semi-structured, and unstructured conversations undertaken required skilful management to ensure that they did not drift away from the purpose of the study which was very time consuming (Kelly, 2004). Given that the study aimed to understand the worldview of sole traders, the risk of being overloaded with too much information was ever present and required management. A well–planned interview guide and timetable proved useful in this regard.

Furthermore, interviews become less effective where the interviewer lacks the requisite skills and training; may suffer from both interviewer and respondent biases as well as access and trust issues (Bryman & Bell, 2007). This is particularly relevant in this study where the researcher has cultural links with the study participants. It is important that all subjective influences of the researcher on the study is comprehensively captured as much as possible and openly acknowledged through a process of reflexivity. In terms of requisite skills, the qualitative research training received by the researcher should help with the conduct of interviews.

4.9.2 Non-Participant Observation

According to Spradley (1980), non-participation involves the use of observation alone, often from a vantage point without any participation. It can be covert where study participants are unaware that they are being observed or overt where they are made aware of the observation taking place (Williams, 2008). Structured non-participant observation was used rather than unstructured

version because it allowed for the observation of the subjects of interest rather than everything that happens during the observation. Non-participant observation aims at addressing the basic question of what did the research subjects do (Barner-Barry, 1986, p.139)? It allows the researcher to study the actual behaviour of research participants in their natural setting without interference from the researcher (Barner-Barry, 1986), something that is likely to increase reliability of the data collected. This method was employed in the current study because it allowed the researcher to "study actual behaviour patterns of research subjects functioning in the social and physical settings which are, so to speak, their "natural habitat" Barner-Barry, p.140). This method has, however, been criticised on the basis that it is prone to issues of lack of validity since the researcher is unable to ask questions about the reasons behind observed behaviours. The latter problem was solved using the Key Informant who provided useful insights and essential contextual interpretations into observed phenomena.

4.9.3 Key Informant

Key Informants are used in research because they possess the time and special knowledge, skills, or expertise to provide essential insights concerning behaviours or observed phenomenon (McKernan, 1996). In the current study an elder from the Abura Palace, Opanyin Kobina Essel was the Key Informant and was made available for the study by the Chief of Abura, Nana Kojo Addae[12]. This was after the Chief of Abura had been visited prior to the start of the study. The purpose of the study was explained to him, and his help and facilitation solicited. Consequently, he designated the Key Informant to provide support to the study. As part of the visit to the chief a bottle of schnapps was donated as is customary in Ghana when paying a visit to a chief.

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[12] Almost all Ghanaian communities have a traditional chief supported by elders who have traditional oversight of the traditional area. Chiefs and their elders are relics of indigenous systems of governance that preceded European colonization. These traditional structures of authority, even though subordinate to modern systems of government, are recognised in the Ghanaian constitution and still exercise a parallel and complementary system of local and regional governance which complements the more formal authority exercised by the central government.

The Key Informant accompanied the researcher to a funeral held in the community where community members were in attendance. Questions were put to him about observed behaviour to which he provided answers and insights. These discussions were recorded and later transcribed.

4.10 Selecting Study Participants

To reflect the qualitative nature of the study, participants were selected using purposive sampling technique. This is where respondents from a "pre-specified group are purposely sought and sampled" (Procter & Allan, 2010, p. 149). This type of sampling is used because it justifies the "inclusion of rich sources of data that can be used to generate or test out or test out the explanatory frameworks" (Proctor & Allan, 2009, p.149).

4.10.1 Gaining Access to Respondents

To collect the required data, access must be gained to the respondents, this constitutes an important initial step in the data collection process (Easterby-Smith, et al., 2012; Bryman & Bell, 2007). Research settings have been classified into open and closed settings (Gobo, 2008). Irrespective of whether access is open or closed access can be either covert or overt (Silverman, 2009). While the researcher may be tempted to use covert access in gaining entree into closed settings, the ethical ramifications of such a move are enormous.

4.11 Choice of Research Problem and Topic

Up until this time, I had not given much thought to the reasons behind my choice of topic for my doctoral studies beyond the cliché of trying to contribute to academic knowledge. Neither did I envisage that I would have had to think about, state and explain the subjective, subtle, and latent reasons that led to my selection of a research problem and many other aspects of my study. In fact, I was totally convinced that a PhD thesis and most academic exercises were supposed to be

veritable exercises in objectivity, bereft of any subjective influences, not least those of the investigator. I was convinced that while respondents and participants in qualitative research could and should express their feelings and thoughts about the phenomenon under investigation, the investigator was required to maintain a healthy distance that allowed for objective observation and conclusions. If this was not so why would, for example, most academic writings be done in the grammatical third person, not in the second person and certainly not in the first person?

4.11.1 Reflexivity

Unlike many other scholars who may have been motivated by a nagging issue which eventually culminated in a research problem, my path to the present topic has been less spontaneous. My topic and research problem were the result of months of literature reviewing in a variety of management areas quite often not knowing what exactly I was looking for. Successive topics were rejected by my supervisor on the basis that they had been exhaustively and comprehensively studied or based on a sheer lack of coherence of the research aims.

Having commenced the review of literature with a look at philosophy, it was only a matter of time that I delved into ethics. As would be expected I covered most, if not all of the classical ethical theories, namely; Kantian deontology, through Millsian Consequentialism or utilitarianism, through to virtue ethics. I eventually stumbled on some writings on African philosophy. As an African, this immediately arrested my interest. This is because even though I was born and educated in the first 20 years of my life in Ghana, West Africa, I was more acquainted with western philosophers like Socrates, Plato and Aristotle than I was with Ghanaian or African philosophy. Thus, this review of African philosophy was the first time I was focusing on a truly African perspective on an otherwise western dominated area.

In recent years I had developed a strong sense of 'Africanness', which has been expressed strongly in some articles on various Ghanaian websites[13]. These articles aimed at highlighting and celebrating various aspects of Akan culture. MSMEs, the ethical worldview that I had stumbled upon and come to adopt as part of my topic and theoretical framework, represents a way of returning home, if only intellectually, to Africa. It was a way of showcasing an authentic African ethical system in the West, as well as a way of paying back something to the continent of my birth especially since I had 'deserted' it for the much greener pastures of Europe. Acknowledging the influence of my background and heritage on the selection of topic is important, as it enables me and readers of this study to appreciate the motivations behind the study topic, as well as the angle from which this study may be approached.

After carefully musing over my choice of the informal economy as the unit of analysis, I have come to quite a few revelations. First, as has been elsewhere highlighted, the sector operates outside of government control. As has already been highlighted this sector has grown rapidly partly on the back of a clear inability or unwillingness of successive Ghanaian governments to provide the necessary macro-economic structures within which formal sector growth can occur. In Ghana, as in many African countries, reports of state corruption are rife. There is a clear failure on the part of the state to provide for socio-economic rights of the citizenry. In a country where majority of citizens lack basic health care, have no recourse to employment, lack a social safety net, face electricity rationing and subsist under an overarching sense of a failure by both the economic and political systems in providing enhanced standards of living to the populace (Aryeetey & Kanbur, 2005), people have little choice but to develop a keen self-help spirit. It is this keen sense of self-help that overflows into and creates the informal economy.

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[13] See Asher, B.D (2012). *In Defence of the August institution of the Ghanaian traditional Marriage*; Asher, B. D. (2012). *A Ghanaian-centric Clarification of the Marriage Ceremony*

In Ghana, the informal economy easily qualifies as the framework system within which majority of the citizens have minimal socio-economic rights. This sector has a proven ability to provide goods and services to the poor in society (Zapotoczky, 1995). Portes (1983) sees the sector as "consisting of a dynamic class of people engaged in myriad activities that, if not highly remunerative, at least provide for their own subsistence and their children's" (p.152). Hart (1973) also describes the informal economy as the avenue for providing opportunities of improving real incomes as well as for the jobless.

The question remains as to how the above connects with my personal values as a researcher. I must confess the idea of the 'informal underdog' striving to provide for their numerous dependants appeals to me. Growing up in Ghana, I had literally grown up with operators within the informal economy. I had bought items from such traders, played with children whose parents operated in or who themselves operated in this sector. Some of these kids had to sell food items and iced water in the morning before attending school. I had seen first-hand how this sector catered for hundreds of people who would have otherwise been confined to destitution. Indeed, I had grown up with and come to enjoy the convenience of being able to knock on the door of a neighbour late at night, wake her up and make a purchase, purchase food items from roadside petty traders or change foreign currency from roadside money changers rather than spend time in long queues at the bank. And of course, I had come to appreciate the fact that many, if not all, of these operators shied away from government purview. However, given the inability or unwillingness of the state to provide any viable alternatives, I was and am still convinced that such apparent 'illegality' was acceptable, even preferable. For me, the sector was at once both the caretaker of the disenfranchised majority and a way of rebelling against a state that appeared not to care.

All the preceding appealed to my sense of justice and utilitarian leanings (the latter being a trait I have only recently come to appreciate). In recent years I have watched myself subscribe increasingly to the consequentialist notion of the end justifying the means. I have parked in

disabled parking bays without a disabled parking badge when these bays were empty (under the principle of equality and equal opportunities for all and that of wasted parking space); I have lied to people I love and care about under the principle of 'what you don't know doesn't hurt' and when I have deemed the ultimate consequence of such lies to be far better for a larger number of people than the 'immorality' of the initial lie.

Looking back at my choice of the informal economy, I am convinced my consequentialist leanings influenced my choice. For me, the 'illegal' operations of the informal economy are justified, as it brings the greatest good to the greatest number in a country where survival is almost exclusively reserved for the well-connected in society. And if illegality is the price to be paid for survival, then it is worth paying. In one sense I chose this sector with a view to providing a voice for the millions of operators who live and work in it and to be an advocate for a sector I had related with from my childhood. I openly acknowledge the many sympathies I hold for operators in this sector as well as the anger I feel for the Ghanaian state due to its overall economic failings, and also for its constant condemnation and attack on a sector that has only served to alleviate the plight of millions, something it (the state) has failed to do.

4.11.2 The Role of Self

According to Reinharz, (1997), researchers take multiple selves to the field (only) one of which is the researcher self. She identifies around twenty different versions of herself which she classified into: situationally created self; brought selves; and researcher-based selves. In the present study I also envisage taking multiple selves to the field along the preceding three classifications. I envision taking along an 'Akan self' emanating from my Akan heritage; a 'researcher self' thanks to my being a PhD candidate; an acquired 'British self' stemming from long stay in the UK; an 'interviewer self' as conductor of interviews; a 'participant observer self'; a 'wealthy individual self' (stemming from the long standing perception that many Ghanaians have about people living in

the West as rich); my 'Christian self'; as well as the 'friends self', something I think will develop as the process of non-participant observation and interviewing proceeds. Inevitably, each of these selves will influence the various interactions I have with study respondents, and it is imperative that such influences are reflected on, analysed, evaluated, and documented. Even though subjectivity, influences of the self, and the role of values are to be openly acknowledged, care needs to be taken to guard against the influence of undue bias on the study.

4.12 Choice of Research Methods

As an Akan, and specifically a Fanti, I am reasonably familiar with the cultural norms and practices of Fantis in particular, and Akans in general. I speak both Fanti and Twi, the latter being the most widely spoken language in the basket of Akan languages. Thus, to a certain degree I have an insider's view of extant cultural practices. However, I have lived in the UK for the past 20 years and have absorbed copious amounts of British culture. Albeit I loathe to admit, I feel a lot more at home here in the UK than I do in Ghana. Furthermore, the ordinary Ghanaian (if there is any such thing as that) is likely to consider me as a curious kind of pseudo-British man, a cross between British and being Ghanaian. As earlier stated, I therefore bring to this study various 'selves' (Reinharz, 1997; Harrison, et al., 2001): including an indigenous Akan self with a reasonable appreciation for Akan culture; the 'acquired British' self with its associated cultural practises; and the academic/researcher self.

This idea of multiple selves has influenced my choice of methods: the non-participant observation and semi-structured interviews. In terms of the former method, I assumed the role of a moderate observer and a complete observer (Spradley, 1980). Moderate participation enabled me to balance my Akan heritage (insider) with the role of an outsider, which allowed for increased amounts of observer interaction with study situation (Spradley, 1980). The complete observer on the other hand enabled me to investigate (from the outside), a culture with which I am reasonably acquainted due to being born and bred in it (at least for the first 20 years of my life) (Spradley,

1980). Being a complete observer enabled me to undertake an empirical study on a culture in which I have previously ordinarily participated and still do participate from time to time (Spradley, 1980). The choice of interviews flows from my knowledge of both Twi and Fanti - two of the dominant languages among the Akans. Knowing the language helped both in field work and allowed for critical engagement with the culture under study (Bright, 1976).

4.12.1 Values that underlie the Cultural Setting

As elsewhere mentioned, the underlying values of the culture within which the study is embedded influences the study (Guba & Lincoln, 2008). Cultural values may align with or be against the aims, methods and even findings of an inquiry. There is also the risk of 'over identification with a culture or "going native" or ethnocentrism (Guba & Lincoln, 1985). Strands of the culture may also clash with the values of the investigator or go against such things as ethical codes.

As elsewhere explained, the culture of the Akan people has been described as having an extremely high estimation of community in both thought and practice, higher than the estimation of the individual but not at his or her expense (Gyekye, 2007). Thus "a person is a person in the community and through the others of his or her community. This implies to a culture of mutual help, of caring for each other and sharing with each other" (Kimmerle, 2006, p. 86). One important way of sharing among the Akan, is gift-giving, an act that constitutes an integral aspect of various African cultures (Polzenhagen & Wolf, 2007). It is an obligation on the part of the giver and expectation on the part of the receiver (Polzenhagen & Wolf, 2007). Indeed, Akan culture requires visitors to be welcomed with water and other refreshments as and when they visit. This gesture signifies to the visitor that they are welcome, whiles acceptance of such a gesture by the visitor shows that they have peaceful intentions. Now, such a cultural tenet is in harmony with the idea of paying respondents in qualitative studies. Thompson (1996), for example argued for payments to be made to under privileged respondents in a study she conducted with a view to correct the power imbalance between researchers and researched.

To her:

> "given that the research targeted poor women and centred on their working relationship with those who exploit their labour, the research process itself would have contributed to their financial pressures and put strains on them by taking time away from other essential tasks" (Thompson, 1996).

In a culture where giving and receiving is obliged and expected, it will be difficult to be able to pursue the research in any meaningful way without providing some inducements to respondents (either in cash or in kind). Deciding to pay respondents will promote speedy acceptance of the researcher, as such an act reinforces the gift-giving norm that characterises the local culture. Of course, such payments or inducements, are to be made with a clear understanding of the associate debates and issues. For example, McNeill (1997) has expressed the view that the use of inducements encourages participants to take more risks than would otherwise have been the case. He further posits that inducements attract participants with comparatively lower social economic status whiles at the same time empowering those with higher social standing who benefit from the research. In the final analysis, a balance needs to be struck between the benefits to be gained from such inducements and the potential ethical risks they pose.

Additionally, since the researcher has connections with Akan culture, the risk of over identification is more pronounced than it would otherwise have been. Here again, a delicate balance had to be struck between the various 'selves' the researcher brought to the research. The researcher strove towards achieving a healthy amount of detachment and anthropological strangeness while at the same time openly identifying and acknowledging the subjective lens through which all aspects of the study was viewed (Winter, 1994).

4.12.2 Values Undergirding the Substantive Theory

Guba & Lincoln (1985) again express the view that the values that undergird the theories employed in the study have an impact on how the study unfolds. Integrative Social Contracts Theory (ISCT) and MSMEs, the two theories that form the theoretical framework, each have values or ethical stipulations that inevitably influenced how the present study proceeded. For example, ISCT puts forward the idea that community level micro social norms consensually determined by community actors (who retain the right of exit) constitute the first two of four steps by which local economic communities can take economically moral decisions (Donaldson & Dunfee, 1994). This provision required the researcher to ensure that Akan informal sole traders selected for the study (representing the community in this study), freely subscribed to Afro-communitarian values under investigation and that they did, indeed, retain the right to exit the community.

4.12.3 Values Undergirding the Methodological Paradigm

As elsewhere explained, different methodological paradigms are based on different worldviews. For example, while the positivist paradigm is founded on a realist ontology and an objective epistemology, the constructivist-interpretivist paradigm rests on the idea of multiple socially constructed realities and an interpretivist epistemology. As has been made clear previously, the present study is positioned on the constructivist-interpretive paradigm which has in turn determined the selection of qualitative research methods employed.

4.13 Data Analysis

Data analysis has been cited as the most critical stage in qualitative research albeit it receives very little attention in the literature (Thorne, 2000). This stage in qualitative research is said to transform the researcher into an analytical instrument who makes judgements about coding,

themes, decontextualisation and recontextualisation (Starks & Trinidad, 2007). According to Bogden & Biklen (1982, p.145) qualitative data analysis focuses on "working with data, organizing it, breaking into manageable units, synthesizing it, searching for patterns, discovering what is important and what is to be learned, and deciding what you will tell others".

4.13.1 Thematic Analysis

The analytical method used was thematic analysis defined as "a method for identifying, analysing, and reporting patterns (themes) within data" (Braun & Clarke, 2006, p. 79). This method benefits from flexibility (Braun & Clarke, 2006; Nowells, et al., 2017), as well as possessing certain aspects and processes that are employed in several qualitative methods (Ryan & Bernard, 2000). The overarching aim of the preceding processes is to search for themes or patterns across the entire data set and use these to address the research questions. In searching for themes, Braun and Clarke (2006) and Yin (2011) distinguished between using an inductive or 'bottom-up' method or a deductive, 'top-down' or theory-driven way (see also Frith & Gleeson, 2004; Boyartzis, 1998). Inductive methods have the tendency of allowing the data to lead to the emergence of concepts while the reverse is true for deductive methods, which commence with some theoretical or conceptual starting point; or what Patten (2002) calls 'theory-derived sensitizing concepts' (p.454). This theory or concept then serves as a lens through which the data set is viewed and reviewed. Now, while most qualitative research uses the inductive approach, there are instances where a deductive method is more apt (Yin, 2011).

Despite these differences, it is important to note that none of these approaches can be applied in total isolation. That is, inductive approaches cannot be undertaken as if the researcher exists and operates in a manner devoid of any "theoretical and epistemological commitments" (Braun & Clarke, 2006, p. 84). Similarly, deductive methods ought not to be conducted in a way that gives the researcher a tunnel-like vision where what they look for or take notice of is strictly circumscribed by predetermined theoretical or conceptual biases. Such a stance is likely to lead to

what Yin (2011) describes as a "premature loss of any fresh insights into the real-world events being studied" (p.95).

The present study lends itself to the use of more inductive approaches than deductive. Thus, it is anticipated that themes identified will be wedded to the data and may bear little relationship to the questions that were asked of respondents (Nowell, et al., 2017; Braun & Clarke, 2006). Essentially, inductive analysis aims to place the researcher under a kind of veil of ignorance where the analysis is not driven by the researcher's theoretical interest. (Braun & Clarke, 2006). Even so and as has been elsewhere pointed out by Braun & Clarke (2006), it is impossible for researchers to rid themselves of all theoretical and epistemological commitments.

Yet another significant consideration for undertaking thematic analysis was the level at which themes are to be sensed (Boyartzis, 1998). Themes can be sensed at the manifest or latent levels (Boyartzis, 1998) also known as the semantic or latent levels (Braun & Clarke, 2006). While the manifest or semantic approach focuses merely on describing what research participants have said or what has been written; latent level analysis focuses on identifying or examining "the underlying ideas, assumptions, and conceptualisations – and ideologies that are theorised as shaping or informing the semantic content of the data" (Braun & Clarke, 2006, p. 84; Joffe & Yardley, 2004). Boyartzis (1998) cautions the researcher to guard against the possibility of leaving much of the rich data unanalysed in view of the seductively easy way manifest level analysis can be undertaken. Conversely, he admonishes against latent level analysis becoming so complicated and intricate that the very meaning of the themes and why they are being explored is totally lost. Altogether the best approach is to proceed from "description, where the data have simply been organised to show patterns in semantic content and summarised; to interpretation, where there is an attempt to theorise the significance of the patterns and their broader meanings and implications" (Braun & Clarke, 2006, p. 84; Patton, 2002). In line with this the present analysis undertook a semantic or manifest level analysis in the first instance, and subsequently proceeds to undertake a latent level analysis.

4.13.1.1 The Thematic Analysis Process

4.13.1.1.1 Phase 1: Transcribing for Familiarisation and Immersion

In analysing the data thematically, Braun & Clarke's (2006) six-phase thematic analysis process was used. As they rightly pointed out, analysis is not a linear process but rather, a recursive one which demands to-ing and fro-ing as required through the phases (Braun & Clarke, 2006). The first step was the transcription of the data, which starts with getting familiar with the data. Transcription is thus a valuable preliminary process within the data analysis process that enabled "the close attention and the interpretive thinking … [that was] … needed to make sense of the data" (Braun & Clarke, 2006) (Lapadat & Lindsay, 1999, p. 82, parenthesis mine).

4.13.1.1.2 Phase 2: The Coding Process

Coding involves the identification of key features of the data in which the researcher is interested (Braun & Clarke, 2006). Codes refer to the most elementary strand or segment of the raw data that can be assessed in a meaningful way about the phenomenon (Boyartzis, 1998). Saldãna (2012) describes it as a "word or short phrase that symbolically assigns a summative, salient, essence-capturing, and/or evocative attribute for a portion of language-based or visual data" (p.3). Its purpose is to enable data organisation into meaningful groups (Tuckett, 2005), and to begin moving methodically to higher conceptual levels through assigning identical codes to items within that data which are similar (Yin, 2011). Codes are useful at different analytical levels, that is, at a descriptive (as can be seen in the manifest below or semantic level analysis) or at an inferential level, (such as is the case at the latent or interpretive level of analysis) (Miles & Huberman, 1994; Basit, 2003). They are expedient at different times during the analysis process while also being astringent (Miles & Huberman, 1994).

The present coding process began with the identification of initial codes, also known as Level 1 or open codes[14] (Hahn, 2008). Level 1 coding eventually proceeded to category or Level 2 codes,

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[14] See Data analysis report

an even higher conceptual level of coding, where open codes were classified into categories (Yin, 2011) or second cycle codes (Saldãna, 2012).

4.13.1.1.3 Phase 3: Searching for Themes.

This phase involves sorting out codes into patterns or themes (Braun & Clarke, 2006). A theme or pattern is defined as a "specific pattern found in the data in which one is interested" (Joffe & Yardley, 2004, p. 57). They consist of bringing level 1 and Level 2 codes onto an even higher conceptual plane or organising them into affinity groups known as Level 3 and Level 4 codes (Hahn, 2008). This exercise helps in further focusing the codes and aimed at distilling the data down to "a few highly significant points that precisely answer the research questions" (Hahn, 2008, p. 164). Finding themes is essentially a strategic choice that is part of the research design.

4.13.2 Operationalising the Research Process

This part of the work focuses on a description of how the research was conducted. It seeks to explain the processes and procedures involved in the collection of data, as well as provide some insights about study respondents and their demographics and other pertinent information that are relevant to the data collection process. The study took an explanatory approach to research because it aimed at explaining how extant local community level socio-cultural norms within communities of informal sole traders motivate socially responsible actions which then leads to the fulfilment of some world-level business human rights obligations within the UN Framework. It adopted the qualitative approach due mainly to the purpose of the research as well as the objectives and research questions. As a result, the research design leaned more towards a flexible and an iterative one, more than a rigid and structured one. This design necessitated intermittent reflection and alteration to the process. The research design proceeded along the four dimensions postulated by Durrheim (2006) as discussed earlier in this chapter.

4.14 Research Design of the Study

As stated earlier in this chapter, in terms of ontology, the current study is more relativist than it is realist. That the concepts of social responsibility and business human rights are products of the imagination and creation of human beings is not arguable. Additionally, the fact that the interpretation of CSR and business human rights has been subject to debate shows the subjective nature of the topic. These show that CSR and business human rights, are constructs of the human mind rather than having an independent existence in the world. Flowing from the ontological stance, the current study adopted an interpretivist epistemological stance which regarded the researcher as part of the research who will make interpretations of the data from what is essentially a subjective viewpoint. The study adopted a mid-way stance which regards human nature as being influenced by the environment in which it is while at the same time possessing enough autonomy and agency to be able to function and act regardless of the environment. This study adopted for an ideographic approach by undertaking an empirical probe into the personal and cultural experiences of informal sole traders vis-à-vis business social responsibility and business human rights. This motivated the choice of research methods (semi-structured interviews and non-participant observation), as well as the ontological and epistemological positions taken by the researcher.

4.15 Role of Ethics in the Study

The ethical principles discussed earlier in this chapter were projected into the study in all circumstances. Specifically, the autonomy of respondents was upheld through ensuring the truth was told to all respondents. This required that the purpose of the study and its motivations was relayed to all participants. The benefit that was to accrue to the researcher in terms of the acquisition of a PhD also was also relayed to participants. The principle of beneficence was maintained through ensuring that no respondents were exposed to harm; and that the good of

respondents in all circumstances were upheld. All health and safety concerns that were identified from the pilot study were addressed. For example, broken and unsafe furniture revealed by the pilot study were replaced. In addition, the confidentiality and privacy of all respondents were upheld through anonymisation throughout the study. All respondents had to provide informed consent before being accepted as part of the study (see Consent Forms in the Appendix 7).

Within the current study, the unit of analysis included several informal sole traders who belonged to the Fanti, sub-tribe of the Akan meta-tribe based in the Abura community of Cape Coast, which is in the Central Region of Ghana. Fantis, based in the Abura community of Cape Coast were chosen for reasons of convenience and because they are one of the core sub-divisions of the Akans and so are likely to subscribe to all the core cultural values of the Akans. As was stated in Chapter One, this unit was selected for four reasons: firstly, because the Akan tribe of Ghana, like other black African ethnic groups, is reputed to possess a coherent cultural and social worldview known as afro-communitarianism. Secondly, Akans are reputed to have a uniquely vibrant entrepreneurial spirit among Ghanaians because MSMEs form an important and sizeable aspect of the informal economy in Ghana. Lastly, the informal economy has received very little attention in relation to the worldwide CSR and business human rights agenda.

To define the boundaries of the units of analysis so as to prevent the problem of overstretching the scope of the study, care was taken to purposively select informal sole traders living and trading in Abura, a suburb of the Cape Coast Municipality in Ghana who met the criteria outlined in the next paragraph. The use of this sampling method has been justified earlier on in this chapter.

4.16 Developing the Sampling Frame

Due to the informal nature of the sole traders involved in the present study it was impossible to use an existing sampling frame. For instance, if the study respondents were formal MSMEs who would have been ordinarily registered with the Registrar of Companies or the National Board for

Small Scale Industries (NBSSI), several viable sampling frames would have been available. However, there existed no such database of informal sole traders which could be used as viable sampling frame since after all these sole traders operated largely outside of the law. In such circumstances one suggestion is to conduct an in-person survey using sampling techniques that do not require a sampling frame (Champ & Welsh, 2006).

The result of the lack of a viable sampling frame was that a purposeful sampling technique was used to extract the most appropriate type of respondent from the population based on some parameters. In this regard, an announcement was made at the Abura Information Centre, which is an information post, where relevant local announcements are broadcast through loudspeakers mounted on posts at vantage points in the community. As Abura itself is a bustling community with hundreds of informal traders plying their trade, several announcements were made that invited sole traders in the community to take part in the study. Altogether 68 sole traders responded to the announcement. The 68 were screened according to predetermined criteria. The criteria included the following: respondent must be the owner-manager of an informal sole proprietorship business based in the Abura community; start-up capital must be 500 cedis or less which is equivalent to approximately 113 dollars in 2017 exchange rates; qualifying respondent must be Fanti. The first criterion was applied because it excluded all other business forms that were not appropriate to the study's objectives. Additionally, it limited selected respondents to those from the informal economy which was also the focus of the study. The second criterion of a start-up capital of less than 500 cedis was applied because it enabled the study to focus on a highly defined aspect of the small business sector, that is, sole traders without any employed. Fanti ethnicity was applied as a criterion because they are part of the Akan meta ethnic group who are reputed to have a history of great enterprise. The total number was whittled down to 30 respondents who met all the above criteria, and these were invited to attend the interview. Thirty respondents were deemed appropriate for reasons of feasibility and practicality. Logistical and time constraints made this number appropriate even though care was taken to ensure that the

number was appropriate in terms of its ability to be representative of the views of the wider population as well as to reach the all-important point of theoretical saturation. The preceding was achieved by ensuring that all respondents met all the selection criteria so that they were sufficiently representative of the overall population of sole traders in the Abura community to represent their views. Care was taken to monitor the point at which interviews reached theoretical saturation, which in this study was after the 21st interview.

4.16.1 Securing the Interview Premises

Interviews were conducted at the premises of the Destiny Church situated in the heart of the Abura community. The Pastor of the Church, Reverend Louis Abban was a friend of the researcher. The pastor agreed as a matter of personal favour to give out the church premises for the interviews. Even so the researcher wrote a formal Letter of Request (See Appendix 2) to the Pastor requesting for permission. Subsequently, a reply was received from the Pastor (See Appendix 3) who gave permission. The location of the premises was important as it was familiar to all respondents and made for easy access by both the researcher and respondents.

4.16.2 Conducting the Pilot study.

The pilot for the current study was undertaken approximately two weeks before the roll out of the actual interviews. The pilot study commenced on Sunday the 19th of March 2017 starting from 8.00am to 6.30pm. This date was selected because the premises was vacant as the congregation had travelled to another town for a three-day convention. Additionally, the date was a non-working day for all five correspondents which made it convenient for them. Informed consent and associated forms were explained to respondents. The Participant Information and Consent (See Appendix 7) was explained to pilot respondents in Fanti for ease of understanding. They were then made to sign or thumbprint these forms to signify their wilful consent. Respondents were then briefed on the issue of informed consent captured in the Interviewee Consent Form including its importance and relevance. Understanding of the Consent form was tested with

follow-up discussions as well as a question-and-answer session. The aims and purpose of the pilot study were explained to respondents including the processes involved. The aims of the pilot were to firstly, test the clearness and relevance of the interview questions; to assess the responses in terms of their ability to address interview questions; to assess the duration and format of the interviews; assess the logistics needed for the interviews and lastly assess the health and safety of the interview premises. Five respondents from the sample of thirty were selected to be part of the pilot. These were randomly selected from the overall number of respondents and were asked to meet with the interviewer on set date. Four out of the five were female respondents with one respondent being male which mirrored the 26 to 4 ratio of females to males in the sample.

Results provided important insights into the ability of the interview questions to address the pertinent issues in the research questions. For example, issues of comprehension of some of the questions surfaced with pilot respondents struggling to understand some of the interview questions. This was especially crucial since interview questions were initially conceptualised in the English language and then deployed in the local language of Fanti. For example, the question of why respondents chose to remain in the informal economy rather than register their businesses needed revision and clarification as respondents seemed to mistake the payment of the daily toll with business registration. It had to be explained that paying the daily toll did not amount to business registration which needed to be done at the Registrar-General's Office. This is because the toll collectors neither captured nor kept a record of the details of paying sole traders. What they simply did was to approach them as they met them plying their trade and demand payment of a flat fee to be made on the spot in exchange for a ticket. As a result, the question of why respondents' businesses were not registered had to be followed up with an explanation of the difference between paying the daily toll and business registration.

Second, the pilot also revealed that the 8.00am start was not conducive for the five respondents. Respondents were of the view that earlier starts, such as 5am, was more ideal, given the nature of their businesses, especially for interviewees who were allocated morning slots. This according to

them would allow them to finish off their interviews in time to begin their trading for the day. As a direct result, the interview schedule was adjusted to accommodate this. The pilot also confirmed the duration of interviews to be approximately 2 hours. Additionally, the pilot, which took place at the same premises where the actual interviews were to be conducted revealed some logistical as well as health and safety concerns that had to be rectified. For instance, it became obvious that the amount of noise that came from a building next door to the premises was disruptive and could potentially interfere with proceedings of the interview. The researcher therefore proceeded to visit the said premises to enquire about what was generating the racket and how the possibility of adjusting interview times accordingly. It was revealed that some meetings took place on Tuesdays and Thursdays at that premises around the same time that the interviews were scheduled to be conducted. This provided useful information that led to the rescheduling of the interviews away from the original dates set as that would have clashed with the church services next door and led to disruption.

Yet another issue revealed by the pilot was related to health and safety. Some furniture, to wit, chairs, had some damage, which meant that they could not be used for the interviews without being repaired or replaced. Arrangements were made to replace these prior to the actual interviews.

4.16.3 Gaining Access to Respondents

Study participants were invited to the study through announcements made at the Abura Information Centre where names and contact were collected. Altogether sixty-eight people responded to the announcement. Out of these, thirty were selected on the basis that they met the criteria for selection. Participants had to be Fanti, from the Abura community, and had to be sole traders who operated with a maximum capital of no more than 500 cedis each. At the time, 500 cedis amounted to approximately some $113 at 2017 exchange rates which amounted to

approximately 80 pounds. Selected participants were invited to the premises of the Destiny Kingdom Church in Abura which had earlier been secured through personal links with the leader and Pastor of the church. A formal letter was written to the Pastor (See Appendix 2) to request for the use of the premises on the 5th of March 2017. A response was received on the 7th of March 2017 granting access (See Appendix 3). Participants were met and briefed on the eve of the first interview day about the proceedings on the interview day; Consent Forms were explained to participants and signed, or thumb-printed. Interviews commenced and lasted for three and half days for reasons of convenience for respondents.

The choice of conducting the interviews over three and half days was necessitated by constraints of time. Difficulties in organizing the logistics associated with the interviews meant that interviews had to be conducted as quickly as possible without compromising the efficacy of the whole process. For example, given the fact that most of the respondents had no fixed times or place of trading, the timings they provided in terms of their availability had to be adhered to as much as possible. Most respondents were simply not available beyond a four-day period. Exclusively overt access was employed to stay within defined ethical boundaries of the academic community. At all stages, from the invitation stage, through the briefing stage to the actual interviews, the following overt strategies were followed to gain access. First, the researcher always spoke Fanti with all respondents with a view to creating a sense of shared cultural values and belonging to the same culture to which they also belong. Second, the wider benefits of the study, to bring the many contributions that sole traders make to social responsibility and business human rights were explained to respondents with a view to encouraging them to grant access more readily. Third, respondents were assured of complete confidentiality regarding their personal details and participation in the study which was another way of reassuring them to grant access. This was highlighted and explained in the Consent forms they signed (see Appendix &).

4.17 Data Collection Process

As stated earlier in this Chapter, the main methods for data collection were the qualitative interview method, specifically semi-structured interviews, and non-participant observation. These were then supported by informal conversations with a Key Informant similar to unstructured interviews. This was a step towards triangulation.

4.17.1 Conducting the Interviews

All interviews were conducted in Fanti and lasted for approximately 2 hours. The first meeting with all respondents occurred on Wednesday the 5th of April 2017. This was the first meeting between the researcher and respondents and was a briefing meeting. The purpose was to meet and familiarise with respondents; provide a briefing on events of the next and subsequent days; organise an interview schedule including time slots; explain and make available Consent Forms to be signed.

The interview process had earlier started on the 30th of March with phone call reminders to all respondents of the briefing day on the 5th of April 2017. On the 5th of April, the day started with a Welcome and Briefing session where respondents were briefed about the interview process which was to commence the following day, 6th of April. Issues of consent and ethics were discussed with the process and importance of consent explained. Respondents were invited to ask questions and seek clarification about the entire process. Consent Forms were explained and either thumb-printed or signed by respondents. Respondent confidentiality was reiterated and guaranteed. Health and safety including fire safety procedures were explained to respondents with seating arrangements completed. Furniture was checked for safety and water provided in the form of a water fountain for the use of respondents.

Interviews commenced at 5:00AM on the morning of the 6th of April and ended at approximately 9.00pm with a one-hour lunch break at 13.00, followed by a 30-minute clean-up of the premises. Seven interviews were undertaken on this day. On the second and third days, that is, the 7th and 8th, of April interviews started at 5.00am and ended at circa 22.00 with a one-hour lunch break at 13.00. There was then a 30-minute clean-up between 22.00 and 22.30 on each of these days. Seven (7) interviews were conducted on the 7th of April and eight (8) conducted on the 8th of April. On the fourth and final day, that is on the 10th of April, interviews commenced again at 5.00am but this time ended at 8.00pm, again with a one-hour lunch break at 13.00; with a clean and clear up exercise undertaken between 8pm and 9pm. Seven (7) interviews were carried out on this day. Each interview slot lasted 2 hours (see Appendix6). Lunch, in the form of fruit juice and sandwiches were provided free of charge for respondents. Respondents were provided with feedback in terms of the usefulness of the

All interviews were recorded on a digital recorder and later transcribed and then translated. Data saturation was achieved by the time the 21st interview was conducted as the last nine (9) interviews generated no new data but only went to confirm the themes that had already been generated in the previous interviews.

4.17.2 Non- Participant Observation

Interviews were later followed by an episode of non-participant observation. This was facilitated by a Key Informant in the person of Opanyin Kobina Essel, and elder at the Abura Palace who was made available by the Chief of Abura. The Key Informant accompanied the researcher to a funeral in the community where goings-on were observed and documented in the form of field notes. The funeral was that of a relative of Interviewee F16 who was a small retailer in food items of provisions. She had earlier indicated, after her interview, that she had lost her husband. Subsequently an arrangement was made with her for the researcher to attend the funeral to

undertake the non-participant observation. A letter was sent to this effect (see Appendix 1), which was responded to verbally by the respondent. Insights about observed behaviour were provided by the Key Informant. A funeral was selected as the venue of choice for the non-participant observation for the following reasons. First, funerals amongst the Fantis, and wider Akan community, are public event open to all members and well-wishers of the community. Besides the specific family members and special guests that are invited to funerals, all are often welcome to attend within the community. This therefore made for easy access. Second, funerals are an avenue through which key customs and traditions inherent in Akan culture are exhibited. Customs and traditions reputed to be characteristic of African culture such as empathy, solidarity, relationality, and community are often displayed at funerals as members of the community attend to support the bereaved. The bereaved at this funeral was a sole trader and as such the occasion presented a good opportunity to observe if and how such customs and traditions are rolled out.

The Key Informant took the researcher to meet the family of the deceased on Thursday the 13th of April 2017, one day prior to the date of the start of funeral at which point the purpose of our visit was laid out including our desire to attend the funeral. Funerals among the Akan are organised on Fridays, through Saturday to Sunday. Issues of confidentiality and informed consent were explained to the family members who orally confirmed their willingness to partake in the study. A donation of 15 bags of iced water (costing an amount of approximately 5 pounds at 2017 exchange rates) was made to the family members of the deceased in line with the customs and traditions required during funeral visits. In Ghana even though it is not obligatory to make donations at funerals, such donations are customary and expected as a sign of solidarity and empathy with family members who have clearly suffered a loss. The non-participant observation was undertaken on the 15th of April 2017 and started at 11.00am in the morning.

The researcher arrived at the funeral premises and waited for the Key Informant who arrived about 30 minutes late. As guests, the researcher and the Key Informant had to make a formal announcement of their presence at the funeral. This was facilitated by the funeral Okyeame, who

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is the chief usher at the funeral. Okyeames are a common feature of Fanti and Akan funerals who direct affairs during funerals. Such an announcement is customary and was done through the funeral usher who did so publicly over the PA system. The funeral usher then directed the researcher and Key Informant to a designated seating area. Regular questions were directed at Key Informant as the event went on who then provided answers. All observations and responses to questions and answers were documented as field notes (See Appendix 8). At about 1:00 PM, the researcher and the Key Informant had to make a donation of some 150 cedis, which amounted to approximately thirty pounds in 2017 exchange rates. The reason for this donation as well as the relationship that the donor has with the bereaved were announced publicly over the PA system. So, in our case, it was officially announced that I was a researcher undertaking a PhD from the University of London whose research work was being facilitated by the Key Informant. Donations were made specifically to particular members of the family of the bereaved rather than to the family in general, bearing in mind that funerals among the Akan are extended family events rather than individual or nuclear family events. Thus, donors are required to specify on whose behalf donations are made. In our case we specified that the donation was intended for respondent F16 which was officially announced. Other funeral attendees made donations to other members of the extended family such as the siblings of the deceased based on the relationships that they had with them. Various stakeholders of Respondent F16, including customers, suppliers, friends, and church members who were in attendance at the funeral, also made donations which were officially announced.

The Key Informant explained that some stakeholders of Respondent F16 who had attended the funeral were in designated kitchens helping with the preparation and distribution of water and food items to all attendees. The researcher proceeded to observe these and to record some of the activities they undertook (See Appendix 8). At about 5:00 PM, the researcher and the Key Informant informed the usher of our desire to leave, which was then officially announced to the bereaved.

4.18 Data Analysis

As elsewhere stated, thirty (30) interviews were conducted. Of these fifteen (15) were transcribed into Fanti and then translated into English. Due to time constraints, the remaining fifteen were translated directly from Fanti into English without transcription. This had the potential to affect the transferability and credibility of the data. It was further supported by data gathered from non-participant observation that was documented in the form of field notes (See Appendix 8). Together these two sets of data made up the data corpus or the totality of data collected for the study. Out of this, the data set was extracted which consisted of all instances where interviews and non-participant observations yielded responses that had a connection with the researcher's analytic interest. This required that all data items (explained as each individual piece of data collected) such as the individual interviews conducted (numbering 30) and the totality of observed phenomenon obtained from the non-participant observation, be trawled through with a view to extracting relevant information that will then be appropriately coded.

As will be expected, the researcher went into the study with an awareness of and familiarity with Akan culture and customs. These concepts were informed by my own familiarity with the cultural context and the norms therein. Additionally, I was familiar with the basic tenets of afro-communitarianism which theorises about the existence of such cultural norms amongst black Africans. Even so, as much as possible these were placed on analytical backburner and the data allowed to, as it were, lead the analysis.

4.18.1 Thematic Analysis process

4.18.1.1 Transcribing for Familiarity

This process began approximately two-weeks after the data collection. It started with getting familiar with the data. This occurred through listening and re-listening to the recorded interviews,

or immersing myself into the data. The fact that I personally transcribed and translated the interviews facilitated this process of immersion and familiarisation. Crucially doing this allowed for the emergence of interpretative categories; enabled ambiguities in language to be heard (something that is especially important since the interviews were conducted in Fanti); and provided salient clues about insights (Riessman, 1993).

4.18.1.2 Coding Process

Coding was undertaken manually, on hard copy print outs of interview transcripts as well as on the field notes, using highlighters. Despite its arduous nature, manual coding helped to gain a greater appreciation of highly complex meaning from the data; gave me more control over the exercise as well as a heightened a sense of ownership of the project; coding was carried out for as many themes as possible with a view to avoiding the risk of missing out any seemingly irrelevant information that may prove subsequently seminal. Additionally, it was undertaken inclusively. This means that, where possible, codes were used that retained some context from which it was extracted. Lastly, care was taken to not be too rigid in terms of excluding data that were at odds with the dominant story in the data.

1st and 2nd order codes were generated for both the non-participant observation and semi-structured interviews. First order codes were generated after a trawl through the interview transcripts in pursuit of familiarisation and immersion. For the non-participant observation twelve 1st order codes were generated in terms of their relevance to the research questions (See appendix). These were then perused for similarities and overlaps. The twelve codes were then amalgamated into six 2nd order codes (See appendix). These were subsequently amalgamated into five themes.

For the semi- structured interviews, interview transcripts were again perused for familiarity and immersion. This was the followed by a sentence- by -sentence 1st order coding on MS word using

comments and colour highlights. This generated over 100 initial codes. These were then compressed into approximately thirty-two (32) 2nd order codes, again in the basis of similarities and overlaps. These were further amalgamated into seven (7) themes and patterns (See appendix).

4.18.1.3 Searching for Themes

As previously stated, themes in the present study were identified and described at the manifest or semantic level; and then interpreted at the latent level. This two-step process began with the initial identification and description of patterns that readily 'jump out' of the data (see Chapter Four). This was then followed by identification of latent themes which involves detecting underlying beliefs and presumptions, undertaking conceptualisations, building explanations, and making interpretations. In the latter effort the explanation building technique as elsewhere explained became useful and was deployed to bring meaning to the data.

4.18.2 Ensuring Robustness of the Study

To achieve credibility, this work aimed for analytic rather than statistical generalisation in line with its qualitative nature. This was because the study aimed to not so much establish causality or making inferences as it aimed to describe the existence of socio-cultural norms and how they help informal sole traders in undertaking socially responsible behaviours that fulfil some business human rights obligations. In line with this, rather than use a single method of data collection, two methods- that is semi-structured interviews and non-participant observations, were used. A Key Informant was also engaged with the non-participant observation to provide further insights and clarity to observations.

To attain dependability the study was meticulous and systematic in documenting the procedures followed at all stages. Figure 4.2 below lays out pictorially the study design of the present study. Dependability was further ensured through a research audit trail undertaken by the two supervisors allocated to oversee the entire study. The audit trail method involves an auditor or second party monitoring the various research processes such as the methodology, analysis, findings, and conclusions of the project not only at the end of the research project but at various milestones of the project from start to finish. Throughout the study, from the point of writing the introductory chapter, through the literature review, the methodology, choice of theoretical framework, data analysis and conclusions, the supervisors scrutinised every stage of the project, providing essential feedback and guidance based on the wealth of experience they possess in supervising qualitative research projects.

Transferability was achieved through the provision of detailed description of study participants (see table) as well as detailed comparisons and contrasting of their peculiar features. The parameters that guided the purposive sampling have been clearly stated and explained in terms of how they enable the researcher to reach the right respondents. Detailed descriptions, both theoretical and operational, of the research methods and sampling frame have been provided as well as a description of the study location and duration.

4.19 Conclusion

What this chapter has done is to discuss the methodology as well as methods that have been used in the study. It also discussed the philosophical foundations of the study, including the research paradigm and research design. Additionally, it has provided explanations of the data analysis process and the values that undergird the research process. The next chapter undertakes an analysis of the data collected with a view to making sense of it.

Chapter Five: Data Analysis

5.0 Introduction

This section focuses on an analysis of the data collected; identified as the most critical stage in qualitative research albeit it receives very little attention in the literature (Thorne, 2000). This stage in qualitative research is said to transform the researcher into an analytical instrument who makes judgements about coding, themes, decontextualization and recontextualization (Starks & Trinidad, 2007).

5.1 Thematic Analysis

As stated in Chapter Four, the analytical method used was thematic analysis- defined as "a method for identifying, analysing, and reporting patterns (themes) within data" (Braun & Clarke, 2006, p. 79). This method benefits from flexibility (Braun & Clarke, 2006; Nowells, et al., 2017); and

possesses certain aspects and processes that are employed in several qualitative methods (Ryan & Bernard, 2000).

The focus of the study has been to investigate the kind of socially responsible actions (particularly philanthropic responsibilities) informal sole traders undertake; second, how do such actions fulfil BHR human rights obligations; and third, what motivates these actions.

In terms of BHR obligations, the UN Framework points to UDHR (and related covenants) as the standards that business organisations must meet in their effort to fulfil BHR obligations. The data was analysed to find out the CSR actions informal sole traders undertake. In terms of the fulfilment of BHR obligations, this study focused specifically on Article 1, 16(3) and 29(1) within the UDHR for analysis. Article 1 states that "All human beings …should act towards one another in a spirit of brotherhood"; Article 16(3) which avers that "The family is the natural and fundamental group unit of society and is entitled to protection by society and the State"; and finally, Article 29(1) which asserts that "Everyone has duties to the community in which alone the free and full development of his personality is possible". Such an inquiry is important because informal organisations have been wholly excluded from the CSR and business human rights agenda due largely to the fact that they usually operate outside of the state regulation. The study revealed a number of themes which showed that Akan informal sole traders did, in fact, undertake some philanthropic activities; and these activities fulfil the standards laid out in Articles 1, 16(3) and 29(1) of the UDHR; and that such actions are motivated by extant cultural norms in Akan culture. The following paragraphs discuss these themes.

5.1.1 Differences and similarities between BHR Themes

Three main themes emerged from the data after analysis: namely that, informal sole traders undertake philanthropic actions fuelled by the pursuit of brotherhood and sisterhood with key stakeholders; they undertook philanthropic actions motivated by strong 'commitment to their extended families as stakeholders; and undertook activities which displayed a strong attachment

to the communities in which they lived and trade. Actions such as these enabled them to meet Articles 1, 16(3) and 29(1) in the UDHR. These three themes, distinct as they are, do exhibit some similarities. For example, the word 'brotherhood' can be explained as the state of being brothers or a feeling of shared interests and support among all humans. Clearly it is this same idea of being brothers and sisters that characterise families everywhere. These three themes and the relationships between them can be conceptualised as three concentric circles with the core circle representing commitment to and protection of the family; followed by duties to the community; and then the edict to 'treat each other in the spirit of brotherhood' in the outer circle.

One differentiating factor among the is the issue of scope. While Article 16(3) specifically focuses on commitment to and protecting the family; the scope of Article 29(1) covers the community-something that includes but transcends the family. The latter Article, thus, has a larger scope than the former. Article 1, on the other hand has an even wider ambit than both Article 29(1) or 16(3) as it applies to actions towards all of humanity rather than just the family or the community.

Article 16(3) of the UDHR describes the family as the 'natural and fundamental group unit of society and is entitled to protection by society and the State'. This basically highlights the fact that the state and society have a duty to protect the family due to the latter's importance. It is duties such as these, that businesses are expected to uphold and respect in their business conduct under the Protect, Respect and Remedy Framework. To reiterate once again the Framework asserts that: "The responsibility of business enterprises to respect human rights refers to internationally recognized human rights – understood, at a minimum, as those expressed in the International Bill of Human Rights [which includes the UNDHR] …" (United Nations, 2011, p. 13, parenthesis mine).

This means that all business organisations including the informal sole traders under investigation in this study are required to do all they can to protect the family unit. Of course, the question of how such business organisations fulfil such obligations is at the heart of the present study. The meaning of the word 'family' as used in the UDHR was left rather vague and so accommodates

the issue of cultural variability. Thus, all family forms, including "patriarchal or egalitarian; extended, joint or nuclear; polygamous or monogamous" (Browning, 2007) are covered by the article. In the Akan and Fanti culture where family is often extended rather than nuclear, the Framework essentially requires business organisations to respect and protect the family form as the "the natural and fundamental group unit of society". Family members for the Akan, represent blood relations such as siblings, cousins, nieces, nephews, grandparents, aunts, uncles, and other relatives. Specifically, this means that informal sole traders have a duty towards such family members.

Article 29(3) of the UDHR, on the other hand, points out that "everyone [including business organisations] have duties towards the community" because the community is where their personalities develop (UDHR, 1948). 'Community' in this context is wider and much more diverse than the family. It includes blood relatives but goes beyond that to include friends and acquaintances who live in a particular area and have common goals, values, and a way of life that reinforces each other (Bruhn, 2005). In the African context, community is often thought of in terms of the way extended family members relate to each other (Shutte, 2001). When it is said that business owners have duties to their community, it means that they have duties that go beyond just their own blood relations and extends to those with whom they share a locale, a way of life, common goals, and values (Bruhn, 2005).

Lastly the admonishment by Article 1 to "treat each other in a spirit of brotherhood' is a proclamation that has far greater scope than the previous Articles. This is because it is directed at all human beings everywhere and not just one's family members or one's community. This Article requires that all human beings and, by implication, all business organisations treat all persons they deal with as "brothers"[15] or siblings. Therefore, unlike the previous Articles which cover the family

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[15] The gendered words, 'brothers' and 'brotherhood are quoted from the letter of the of UDHR for purposes of authenticity. Indeed, the language of the UDHR reflects the uneven representation of the sexes on the committees that drafted it. The use of the words 'men' and the male pronoun is used consistently throughout the Declaration. Even though efforts were made in the First, Second and Third drafts of the UDHR to achieve gender equality or at least remove gender bias (Morsink, 1999; Aolain, 2009), words such as 'brotherhood' remained. While the drafters

and the community, this last Article requires that people everywhere, from all backgrounds and creeds, are to be treated as brothers and sisters. In terms of business human rights, this means that informal sole traders have a duty towards all individuals and stakeholders they encounter during the conduct of their business and not just family members or members of the community. The following onion diagram depicts how these three Articles are related to each other.

Figure 5: Business Human Rights duties of informal sole traders towards families, the community and to humanity
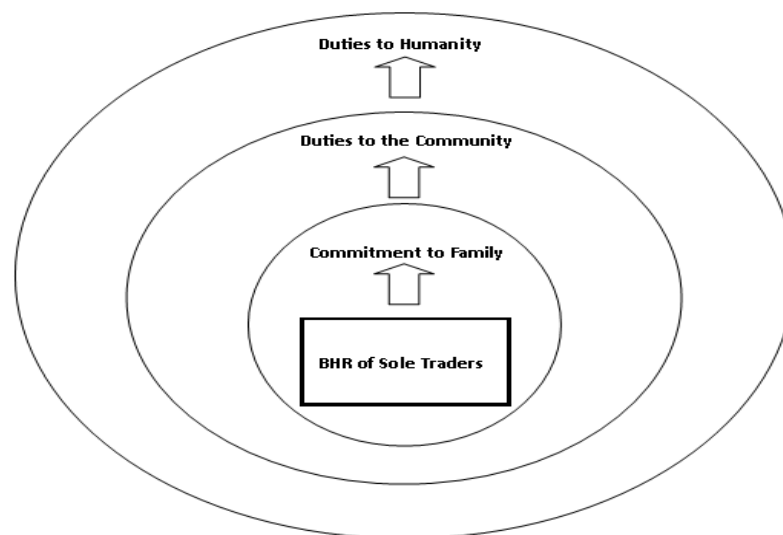
Source: The author

5.2 Deploying the Explanation Building Method

As explained in Chapter Four, the explanation building approach was to be used in this study. This involved deciding what data is collected to support or refute the stated proposition (Rowley, 2002); as well as analysis that creates connections between collected data and the propositions (Yin, 2009).

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may have intended these words in their generic sense, such usage has been criticized for reinforcing male dominance and prominence. See Spender (1980) and Holmes (1983).

The explanation building method undertakes to confirm or refute propositions that have been put forward at the initial stages of a study. Explanation building follows an iterative process which includes the following steps:

- 'Making an initial theoretical statement or an initial proposition about policy or social behaviour.

- Comparing initial findings against such a statement of proposition

- Revising the statement or proposition

- Comparing the revision to the facts of subsequent findings

- Repeating this process as many times as needed (Yin, 2009).

The two propositions developed for this study were that first, informal sole traders in fact do undertake some philanthropic responsibilities which also fulfil some BHR obligations, and second, they undertake these philanthropic actions through following the norms specified by the unique culture to which they belong. Developing these two propositions constituted the first step in the explanation building process. The second step involves comparing findings to the propositions to determine whether they confirmed or refuted the propositions. This is done ion the following paragraphs.

5.2.1 Theme 1- 'Commitment to and Protection of Family'- Manifest Aspects

Four distinct sub-themes emerged from the data- that is- both interviews and non-participant observations. First, almost all respondents defined the term 'family' in terms of the extended family rather than the nuclear. For example, in responding to the question 'who do you consider to be your family'; respondent F21, an Iced-Water Seller, mentioned that:

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"my family consists of my relatives; my parents, my cousins;
uncles and aunties as well as grandparents. Also included are
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my kids and my spouse. These are my family". She further clarified by asserting that:

> "I belong first and foremost to my extended family; my mother's family since I am Fanti. So, it is my mother's family that I came from in the first place. And then I went to join my husband and started the nuclear family. Even so I still belong firstly to my mother's family as that is where I come from. And as a Fanti my kids will also ultimately belong to my mother's family. This is because we operate a matrilineal system as Fantis".

Respondent M2 confirms this view by asserting that: "My family includes my father, mother, siblings including the children of elder sister; my nieces and cousins". He further expressed the view that:

> "when Fantis talk about the family it does not only include the nuclear family. The meaning of family is the extended family and so the family is far bigger than the nuclear family system that white people subscribe to".

Respondent F18, a Food Seller, also shared this view and so asserted that her family includes her: "… father and mother; my siblings and cousins; aunts and uncles; as well as grandparents. So, we believe in and practise the extended family system rather than the nuclear family system". As elsewhere stated, Article 16 (3) in the Declaration described the family as the fundamental group unit and foundation of society and so required protection from the state. This clearly acknowledges the family as the pillar of all societies regardless of their peculiar traditions and social structures (Nowak, 1993). The imprecise nature of the definition clearly allows for the inclusion of all family forms in all walks of life (Lagoutte & Arnason, 1999); including the extended family system. In

any case, it was clear that family was important from a human rights perspective because it helps to protect, to develop as well as enrich the lives of individual members (Donelly, 2003). Thus, the all-encompassing nature of the term family- as used in Article 16(3)- allowed for the inclusion of the extended family. This conception of the family was evident in almost all of the data generated, where referred to the extended family rather than the self-contained, self-reliant [and] home-centred" (Browne, 2005, p. 234); nuclear family- something that seemed commonplace within the African context (Ezewu, 1986). This meant that respondents owed familial commitments to more people than is the case in nuclear families.

Second, it emerged from the data that respondents overwhelmingly undertook acts that portrayed a commitment to the extended family. Such acts included financial, and material help that these family members gave to each other. These include sharing the responsibility of looking after children in the entire family, or in cases where certain individuals were not able to look after their own children, totally taking on the responsibility of fending for such children. Specifically, such responsibilities included paying school fees, providing shelter, and clothing and bearing full parental responsibility for the upkeep of the children. Crucially it was evident from the data that family members appeared obliged to provide such help even when doing so adversely affected their own financial wellbeing. Even so such duties seemed to decrease as one moved from the nuclear family towards the extended family. That is, the responsibility to protect and support one's family is at its strongest when it comes to the nuclear family and slowly reduces as one moves away from the nuclear to the extended family.

For example, respondent F6, a Sugarcane Seller, asserted that her family members:

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"do ask for help. Sometimes financial help. For example,
I send my mother money all the time; I send it through
mobile money every month; also, when my siblings need
financial assistance, I do help them".
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She further asserts that:

"OK it is a custom for us Fantis to help our family members because when you need help it is their duty to also help you. It is your mother and other family members who have taken care of you till you have gotten to where you presently are in life. Thus, you also have a duty to help them".

Respondent F27, a Pastries Seller, was also of the view that:

"… in my family all my siblings including myself, have a set amount of money that we give to our parents each month…In addition to this I have other siblings and other relatives that may come to you for help every now and then. In all these situations you have a customary, cultural, and moral duty to help in any way you can. We also pay family dues[16] for the upkeep of the whole family".

In the same vein respondent M2, a computer hardware repairer, also stated that:

"…everyone knows it is the duty of every child to take care of their parents. This is customary... You are told to attend school and to excel so that you can grow up to be a person of some financial substance so that you can take care of your parents".

Such help was given on a one-to-one basis as well as on a collective level where family dues were required to be paid into a family kitty by all working family members on a regular basis. The criterion for being required to pay these dues is that the family member be in employment. Such

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[16] Family dues are set amounts of money that have been traditionally paid by Ghanaians towards the extended family upkeep. The purpose is to have ready funds available to support family members and projects when needed.

monies are collected on an informal basis and kept by the Ebusua Panyin or family head until it is needed for family projects such as painting the family house or carrying out repairs or for supporting needy family members. Access to such family funds is largely means tested. Basically, the needier a family member is the higher likelihood that that they can access this help. Family members are trusted to be honest about their finances and to draw from the kitty only when there is a genuine need. It is the Ebusua Panyin, who is almost always a man, who has oversight over this kitty. This duty is placed on him because of the position he holds in the family. Proverbs such as *"Egya bi wu a, egya bi tse ase"*, which means 'When one father dies, another father lives' were used by respondents to highlight the duties that family members owe each other[17]. In all cases these acts were undertaken with the incomes earned from the small businesses they ran. Such duties towards family members were undertaken even when doing so had a negative impact on business profits. They were done out of a sense of familial duty that most respondents traced to their culture and traditions. Proverbs such as '*Nyimpa enyɛ abɛdua nna w'a atsena no ho do*"; which translates as 'a human being is not a palm tree that can be self-sufficient in their existence"; were quoted by some respondents to add ballast to the view that human beings depended on others, especially their families, to flourish. In all cases this duty was pursued despite the detrimental effect it had on the business' finances and by extension those of the entrepreneur. Without exception this sense of duty towards extended family members superseded the need for profit maximisation- contrary to traditional economic theory (Mukherjee, 2002). Essentially the business owner and their business existed, to a significant extent, to cater for the needs of all family members.

Yet another crucial dimension associated with this kind of familial financial support was the role it plays in providing capital for would- be informal entrepreneurs. Several respondents made it clear that it was their family members that helped them with the start-up capital they required to start their own micro-enterprises. This highlighted the crucial role played by the family in capital

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[17]Here again the gender bias is evident but only because it is a translation of a proverb from Fanti to English. There is quite a sizeable body of literature that highlights gender bias in African cultures; see (Hussein, 2004; 2005; Oha, 1998).

accumulation. For example, Respondent F18, a food seller, stated that "my aunt gave me the capital needed to start and without this contribution I couldn't have started the business".

Second, this sense of duty was said to emanate from their common Fanti or Akan culture. The following excerpt from the interview with Respondent F14, an iced water seller, captures this very succinctly:

> I: And this help that you offer these family members, why do you have to help in this way?
>
> P: oh well... these are my family members, so I have a duty to help them out when they are in difficulty.
>
> I: Duty? How is this a duty?
>
> P: it is a moral duty and besides that it is a family duty.
>
> I: How did you come by this moral duty?
>
> P: oh, it is taught to us as kids; we are taught that our family members, both nuclear and extended, must be helped when they are in any difficulty. This is a custom that goes back generations; as Fantis we are taught that you have a duty towards your family members.

Respondent F13, also an eatery Operator, also supports this view by stating that:

> "It is a duty that family members help each other. Ghanaians or black people have a tradition which directs us to help each other. When your brother or sister is in need you have a duty to help".

Even so a few respondents also pointed to religious, specifically Christian, motivations for providing such support to their family members. So, for example respondent F21 was of the view that "Jesus Christ teaches us to treat others the way we want to

be treated. So, you have a Christian duty to help other members of your family".

Third, the data revealed the existence of consequences if an individual refused to provide support to family members. In nearly all the cases respondents pointed to the existence of some consequences if one shirked this duty. Such consequences ranged from not receiving any reciprocal support from family members to being slapped with sanctions. In line with this respondent F6 stated that: "If you refuse [to support your family members) the family will call you to an arbitration and place sanctions on you" (parenthesis mine). Sanctions range from other family members ostracising you altogether, to refusal by family members to provide you with any support when you need it.

Lastly, the data revealed that almost all the financial support that respondents gave to family members came from the incomes they earned from engaging in small and micro business activities in the informal economy. This highlighted the importance of the sector to local and national economies.

5.5.2 Theme Two: Duties to the Community- Manifest Aspects

Data from interviews and non-participant observation revealed three main issues related to these participants and the way they relate to their local communities; first, a strong commitment to local communities to which they belong expressed through altruistic acts; second such altruistic acts were undertaken with the proceeds from such business operations or both; and third, there were repercussions for displaying such commitment or refusing to do so. To put this in some perspective, it is important to define what community means. In this direction, it was thought prudent to glean a definition from the data rather than prescribe or use an existing definition. This is in line with the inductive research approach adopted in this study.

5.2.2.1 Meaning of Community in the Present Context

As will be expected, a term as ubiquitous as 'community' defies a single definition (Bruhn, 2005; Peck, 1987). The author sought to allow the data to yield a definition of 'community' rather than impose one. In doing so, certain common features emerged from the data that together painted a picture of what 'community' meant to respondents. The features include the following: a group of people who live in close proximity to each other; who possess a shared sense of destiny; who possess similar cultural norms; who had a commitment to the betterment of each other's lives; who were a committed to minimising pain for each other and maximising happiness; who displayed empathetic and sacrificial behaviour towards one another; and possessed a shared dislike for an individualistic outlook to life in favour of a communal perspective. Evidence from the data clearly substantiated these. For example, regarding the first feature, respondent F26, again was of the view that: "Abura is a very vibrant but close-knit community. People mostly know each other as they live in the same geographical area. People especially know me as a trader as you will expect". Regarding the commitment to the betterment of each other's lives and being in favour of a communitarian existence rather than an individualistic one, respondent M4, a mason, was of the view that:

> "we help each other in many ways especially during times
> when people are in deep trouble. Like during funerals
> and during illnesses as well as when there is an accident
> or any such difficult time; we do help each other".

The key informant, during the non-participant observation at funeral, also expressed the view that:

> "we attend funerals especially because as a community we
> have a duty to attend funerals and empathise with the
> bereaved. When a community member suffers as they are in
> this case, we all suffer their pain, and so we come to

> help them to live through a difficult time. In the same
> way when a community member is celebrating, such as, at
> a wedding or a child naming ceremony, we all come and
> celebrate with them".

In terms of celebrating empathetic and sacrificial behaviour, respondent F17, a palm kennel oil processor stated that:

> "when Fantis or other Akans describe someone as 'a
> person' they refer to the characteristics that the person
> displays. If the person displays characteristics that
> are regarded by the community as virtuous then they are
> regarded as 'a person'. If not, then they are regarded
> as not a person at all" … If you are regarded as a
> person, then you will receive a lot of goodwill from
> many people including family and members of the
> community… The opposite is true if you are regarded as
> 'not a person". An individual regarded as a 'person'
> will help other members of the community when they are
> in need"

These features paint a picture of a community that echoes some sociological definitions of the term. For example, Peck (1987) defined 'community' as a circumscribed group of people

> "who have learned how to communicate honestly with each other, whose relationships
> go deeper than their masks of composure, and who have developed some sufficient
> commitment to rejoice together, mourn together, and to delight in each other, make
> others' conditions our own" (p.59).

Loewy (1993) adds to the preceding definition by stating that "in true communities members share a common belief in community itself as unifying value. In such communities suffering is held to a

minimum, solidarity is firm, and purpose is firm" (p.234). Indeed, all the features of community that emerged from the data (as identified above) are also evident in the definitions by Peck (1987) and Loewy (1993); and shows a similarity between these western definitions of community and that yielded by the data. In this vein the two definitions of community provided by the above two authors are adopted for purposes of this study.

5.2.2.2 Duties to the Local Community

Evidence from both interviews and non-participant observations pointed to a strong commitment by respondents to the community in which they belonged. Such commitment was displayed in acts of altruism that they carried out towards each other. For example, Respondent F7, a fruit seller, expressed the view that:

> "some [community members] may come asking for help with
> their kid's school fees because they are hard up and so
> cannot afford it. In such circumstances I do help. Some
> might also come and inform me about a bereavement. In
> such circumstances you are obliged to go support them".

She further explained that she does go to the support of customers who are bereaved both financially and by offering to help with the many chores that surround Akan funerals. Respondent F20 also expressed the view that in some instances some customers from the community would come to her for financial help in which case she would offer them some assistance. Data from the non-participant observation also buttressed this strong commitment to community. For example, the researcher witnessed first-hand how Respondent F15 attended the and helped at the funeral of Respondent F16's husband's funeral. During this three-day funeral[18], the respondent made a financial donation to the bereaved customer and made it a point to be noticed by Respondent F16,

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[18] Traditional funerals, one of the three types of funerals (alongside the Islamic and Christian funerals) that happen in Ghana are elaborate ceremonies that are both time consuming and expensive**Invalid source specified.**.

She offered to help with chores at the funeral and participated actively in several activities that occurred at the event such as helping to serve visitors with food and drink, cleaning up among others.

Evidence from the data suggested that such a commitment to community stems from the Akan culture to which they belong. For example, Respondent F14 explained that:

> Akan or Fanti culture and custom teaches us that when you live in a community you have to share what you have with members of the community. In the same way they have to share what they have with you. You cannot live like you are an island and be completely unconnected with others in the community. Such a behaviour is totally antisocial and if you live this way you will not be accepted in the community".

Respondent F9, also a Herbal Medicine Manufacturer, also supported this view by stating that community commitment:" is also motivated by a duty that is stipulated by the custom of the Fantis".

Indeed, many of the respondents confirmed this explicitly in their responses. The data revealed that members of the community were trained from childhood to appreciate the duties they owe to other members of the community, especially those who are less privileged. Such cultural duties are backed by moral and spiritual force which were "maintained and strengthened through a complex of spiritual rites, ceremonies, and festivals" (Opokuwaa, 2005, p. 26). Thus, when Fantis or Akan people display a commitment to the community, they are simply expressing a sense of duty that has been drummed into them, often from a young age, by their parents or ancestors.

5.2.2.3 Consequences of Commitment to Community or Lack Thereof

The data again revealed clear evidence of the existence of consequences if respondents displayed commitment to community or refused to do so. For example, respondent M3, a welder, stated that if you refuse to be a good community member:

> "It is likely that the whole community or your own family will treat you as a non-person and with contempt and refuse to help you when you need help. In my situation if I am not regarded as a person then it is unlikely that my business will flourish in the community. People may be loath to bring me their custom. You see word spreads and people will get to know that I am inhospitable and mean so may boycott my business as a result".

It pointed to the fact that where commitment to community was displayed, respondents were accorded a higher status within the community. The reverse was the case if they did not display such a commitment. These consequences ranged from being accorded the status of a 'person' when the individual displayed community approved behaviours such as kindness, empathy, and altruism. The reverse is true when individuals displayed what was considered antisocial behaviours such as selfishness and unwillingness to share one's goods. For example, during the non-participant observation session at the funeral, the author asked the Key Informant the reason behind the various donations that were given by the people that attended the funeral. The Key Informant explained and emphasized the crucial role played by funerals in the community. To him, "funerals were avenues where members of the community had the opportunity to display how much they cared about and supported each other through 'being there' for the bereaved and making donations, This is why these donations are announced so that everyone knows who has provided support and who hasn't".

This view was supported by the interview data. For example, according to Respondent F13, a food seller,:

> "last time a certain sister in the community; in fact,
> she lives in the Ramblex area; she is my customer. She
> lost her husband some time ago; we had to go help her.
> All community members went and helped her out physically
> and also made donations."

5.2.2.4 Theme 3: Operating in the Spirit of Brotherhood - Manifest Aspects

Evidence from the data suggested that informal sole traders in the conduct of their business and in their relationships with others (both familial and non-familial), exhibited selfless behaviours that can be said to reflect a commitment to brotherhood and a shared humanity. This was even the case where such behaviours were patently anti-competitive and detrimental to their own financial circumstances and standards of living. Such behaviours included things such as extending interest free credit to customers; making monetary and material donations to hard-pressed customers from business profits or even working capital in ways that adversely impacted the functioning of the business; giving up significant business time in order to condole with bereaved customers or to 'be there for them' in difficult situations. For example, Respondent F1, an orange seller, was of the view that customers and other community members.

> "ask you to help them with some money or with some credit
> facilities, in my case being as a stall owner. For
> example, a several people come to my shop to ask for
> some help for their children at the beginning of the
> school term. These people have kids in boarding school
> and these kids need to be supported to go to school at
> the start of the term. Their parents who are community

> "people will come to me and ask that I lend them money
> their kids can attend school; and as they are members of
> the community in which I live, I have a moral and
> customary duty to help them out. They then pay me back
> in a month or a month and half".

In almost all cases, these businesspeople said that they undertook these acts to identify and solidarise with customers who they often regarded as 'brothers' and 'sisters. The evidence pointed to an overwhelming sense of duty to help and support others. In another example, Respondent M4, who is mason, was of the view that to attain personhood within Fanti culture, an individual had to be:

> "kind, generous, discrete; truthful; peaceful, among
> others. You must display all these characteristics for
> all to see and then they will identify you as a person
> indeed. In other words, personhood is earned through
> good conduct and that alone. That is how it is. On the
> other hand, if an individual is vicious and displays bad
> behaviour such as gossiping; miserliness; meanness;
> lying etc then they will be nowhere near what is regarded
> as a 'person'."

This was also corroborated by evidence gathered from the non-participant observation at the funeral. During this time. the researcher observed several community members making financial donations to the bereaved. These were announced via loudspeakers for all to hear with the names of donors mentioned. In explaining the importance of attending funerals and other ceremonies in the community, Respondent M4 continued that:

> "The thing is in Ghana or among us Fantis, members of
> the community are basically an extension of your

[nuclear] family so in many ways you have to help them
in much the same way you will help your family even
though, of course, your family has some priority over
members of the community. So, for example, community
members, and indeed, people from all walks of life, may
come to you with all kinds of requests for support such
as financial, food, even clothing. If they do come to
you this way you have an obligation to help, and such an
obligation comes from our customs and traditions. We are
each regarded as keepers of the other person and so you
are unable to turn down a community member who comes to
you for help". For example, when community members are
ill or have a funeral such as the one we are witnessing,
or face any such hardship then other members of the
community are required to go help them out both
financially and emotionally. This is what we are all
obliged to do".

Yet again this sense of duty seemed much more compelling than the profit motive that normally drives businesspeople in most profit-oriented organisations. The evidence again pointed to an overwhelming need by respondents to maintain pseudo brotherly and sisterly relations with customers. In almost all cases this desire trumped the profit motive.

5.2.2.5 Theme Four: A CSR- for- CSR Approach to Socially Responsible Behaviour

Yet another emergent theme, particularly from the non-participant observation, was that the relationships that informal sole traders maintained with relevant stakeholders were bi-directional, reciprocal, and multi-faceted. Bi-directional means that such organisations undertake socially

responsible actions for stakeholders can expect that those stakeholders will in turn undertake socially responsible actions towards them. For example, during the non-participant observation, the researcher witnessed stakeholders of respondent F16, making cash donations as well as providing physical and emotional support to her. This is clearly not the case in other organizational forms where socially responsible actions are often exchanged for customer loyalty, economic gain, the pursuit of good corporate citizenship or a desire to obtain a social license to operate. Customers of TNCs, for example, are not in the position to provide or undertake reciprocal CSR actions to the organization. This is obviously because such customers are not organizations and therefore cannot have a CSR agenda. Such a reciprocal or CSR-for- CSR arrangement can therefore be seen as particularly unique to micro entrepreneurs.

5.2.2.6 Theme Five- Multi-faceted CSR Approach

Being multi-faceted in their CSR relationship with means that informal sole traders can expect to receive other forms of returns beyond the conventional benefits such as customer loyalty, economic gain, the pursuit of good corporate citizenship or a desire to obtain a social license to operate or a good reputation that accrue to firms because of their CSR efforts. Data from the non-participant observation clearly shows that informal sole traders can however expect to receive benefits that include emotional, spiritual as well as physical support in addition to the preceding conventional benefits. This can also be considered as somewhat unique for micro enterprises.

5.2.2.7 Theme Six: Role of Sole Tradership Businesses

Another emergent theme was that in all cases where altruistic acts by respondents involved financial help, such help came directly from the proceeds of informal micro enterprises operated by respondents. Data from the interviews, were peppered with examples of respondents using incomes and profits from their micro enterprises to undertake such support. This was done even

to the extent that it adversely affected profits or the base capital or both. For example, to the question of how financial help is given to community members, respondent F25, used clothes seller, said that:

> "just last week, there was a flood after a heavy rain fall and some community members had their homes wrecked… The women contributed 100 cedis each to the women affected by the floods. In addition, we donated any cooking utensils and other items that we could give. So, I had to find some money from my income so I can donate in this way…the money for the donation came from my business".

Respondent M3, on his part, buttressed the above view by referring to an earlier situation where he had to extend an interest free loan to a community member because their son had been admitted to hospital. He also confirmed taking this money from the proceeds of his business. In all cases respondents made it clear that all financial support they offered came directly from their small business activities. What this depicts is the oneness between micro entrepreneurs and the businesses they ran in terms of the CSR efforts.

The above analysis provides clear evidence from the data confirmed the two propositions that were developed which were that the Fanti informal sole traders in the study indeed undertook some philanthropic activities or actions towards their stakeholders and that these actions also fulfilled the three articles, namely Articles 1, 16(3), and 29(1) as laid out in the UDHR which formed the foundation of the United Nations framework. Furthermore, the data confirmed that these acts were motivated by the culture to which the sole traders belonged which laid out the norms that guided their ethical choices in their dealings with their stakeholders.

5.3 Conclusion

This chapter aimed to provide a description of the themes that emerged from the data analysis process. Thus, it aimed to explore the question of 'what' the data yielded. To this end the chapter described these themes and sought to support them with interview and non-participant observation data. The next chapter will seek to explore the question of 'why' respondents acted the way they did and the implications thereof.

Chapter Six: Theoretical Perspectives

6.0 Introduction

The thrust of this chapter is towards identifying, explaining, and analysing the reasons behind the broad themes generated from the study. Furthermore, it seeks to analyse the theoretical dimensions that explain the ethical choices made by the respondents. The explanation building method was used.

6.1 Theme One- Commitment to and Protection of the family

The reasons why Fantis (including the respondents in the study), and indeed all Akans are wedded to the extended family system rather than the nuclear can be attributed to two things: the benefits that accrue to this type of family system and their perspective on family vis-à-vis marriage. Regarding benefits of the extended family, it creates an "interdependent, multidimensional network of relationships that binds various relatives together for mutual support in a system of privileges, obligations, and shared identity" (Wilson & Ngige, 2006, p. 247). This family conception thus enables family members to assume responsibilities towards each other, and for them to contribute towards the common good of the entire family. It also allows for all family members to participate in events and ceremonies such as funerals, weddings, childbirth, and child rearing (Wilson & Ngige, 2006). Crucially the extended family helps in raising start-up capital for other family members; providing a ready source of labour for small family-owned enterprises and providing a social safety net that may be unavailable in nuclear families (Kendall, 2007).

What also became obvious from the data, is the relationship between the preceding conception of family and marriage. Historically, marriage in Akan and Fanti cultures happens when a man, backed by his family, seeks, and receives the permission of a woman's family to marry her. Although this arrangement has experienced some changes in recent times due to modernisation, the extended family members are still very involved in approving marriages for women. The reverse, where the woman initiates and seeks the hand of the man in marriage, is rare if not non-existent. This has the tendency to render women as 'guests' who are brought over to the man's house at the behest of the man. What this leads to is that upon divorce or separation, the woman is returned to her family with or without compensation. This, though tangential to our purposes in the present study, reveals a society that has the tendency to objectify women by being deeply patriarchal in its leanings.

In Akan and Fanti cultures, marriage and childbirth and the formation of a nuclear family does not necessarily create another standalone family unit, but only adds to the extended family. Where

a man expresses interest in a woman and approaches her and her family to propose marriage, the man's family is basically seeking to induct, first the offspring, then the woman, followed by her extended family into his own extended family. The desire to induct and the degree of induction is strongest for the offspring, followed by that of the woman and then her extended family in that order. The new nuclear family is thus an extension of the man's extended family. Such an induction process goes even deeper for the woman since Fanti society is matrilineal. Here again, the degree of induction is strongest towards the offspring, followed by the husband and then his extended family in that order. In the matrilineal system, children have a right to the mother's family inheritance and are accorded a higher status than is the case with the man's extended family where although such children are considered family members, are not entitled to any extended family inheritance.

As earlier pointed out, respondents overwhelmingly pointed to a moral and cultural duty that motivated their support for other members of their extended families. Like the issue of brotherhood discussed in the previous section, this duty appears to stem from kinship ties that binds actors in mutually reciprocal altruistic exchanges. However, this kind of reciprocity is mutual or restricted, and also symmetrical (Levi-Strauss, 1949); rather than the generalised version that characterises groups of people who are unrelated (Ekeh, 1974), even though they may share a sense of brotherhood. In other words, you may feel a sense of brotherhood with others of your tribe or wider community, but you may not necessarily know them in person so as to be able to 'pay back' the good they did for you at a previous time. Even so, one may still 'pay back' the good in an indirect fashion by being altruistic towards other members of the same tribe or community during different interactions. But restricted reciprocity (Levi-Strauss, 1949), as has been previously explained, requires direct exchange of altruistic acts between actors. This necessarily requires that actors know and are familiar with each other to be able to pay back the benefits they have received. It is this requirement to know each other that makes it the main method by which commitment to family is displayed.

The third sub-theme pointed is that the data revealed the existence of some consequences if a person refuses to reciprocate such familial support. Such consequences may come in the form of the 'cheater' not receiving any help when they need it. Cheating, in this way, generates adverse effects for the cheater which quite often outweigh the benefits. This is because the altruist, in the form of other family members, are likely to respond to the cheating by curtailing all future possible altruistic gestures to this individual (Trivers, 1971). In this case, the cheat would have failed to attain personhood, something that is clearly important in Akan moral thought. The repercussions or consequences stem from breaching this normative notion of personhood, which concerns the moral evaluation of the conduct or performance of an individual in the light of some norms or values of a society (Presbey, 2002). If the person performs well then, they count as a 'person', but if not, they are assigned the status of a non-person (Molefe, 2019; Asher, 2017). It is this desire to attain personhood, which is an important motivator for the display of mutually altruistic behaviour and for the discouragement of cheating.

The fact that incomes earned from the informal economy is what is used in supporting family members in the way explained above highlights the importance of the sector. It shows how an otherwise marginal group can live up to important world-level human rights obligations such as 'the commitment to family' as enshrined in the UDHR.

6.2 Theme Two: Fulfilling duties to the community.

The underlying reasons for the above manifest themes can be analysed by addressing the issue of why respondents have this strong commitment to the community. One explanation emanates from the way in which Abura, the area in which the study was carried out, is organised. What the data reveals at a very deep level is the fact that Abura, as a community, appears to be organised on two levels. On one level, Abura is a deeply *traditional society* that is close-knit; oriented towards collectivity rather than individuality; whose citizens have the tendency to act to meet immediate

and basic needs; and where one's place is determined by 'who they are' (such as the family in which they come from; or their blood line or status in society), rather than 'what one does' (that is their profession, training or occupation); and where societal rules and laws are applied depending on the situation (where the law is applied differently to people of higher social classes than it is to those of lower social classes) (Parsons, 1971). Such societies appear to be 'bound by the cultural horizons set by its tradition' (Eisentadt, 1973, p. 1). It is this kind of traditional societies that create the fertile grounds for the development of strong community bonds; and where the need to fulfil one's duty to the community is emphasized the most. At least two of the features of traditional society, namely, being close-knit and oriented towards collectivity rather than individuality are also key features of afro-communitarian ethics, which focuses on collectivity, rather than individuality. At the same time and on another level, Abura displays characteristics of a *modern society* such as an orientation to fulfilling individual interest rather than that of the community; where social status is determined more by what one achieves rather than who one is; and where individuals tend to forgo immediate satisfaction to achieve future ends. Such societies are governed by impersonal rules and regulations set in place by experts who are voted for or appointed to have oversight over the community.

This type of dual society resonates with the twin concepts of Gemeinschaft (communal society) and Gesellschaft (associational society) (Tonnies, 2002). On one level, Abura society appears to follow what Tonnes (2002) calls a Gemeinschaft form of social organisation, because it is characterised by a strong commitment towards Akan cultural norms and beliefs that are facilitated and strengthened by shared physical space; feelings of togetherness and mutual bonds. Relationships and interactions in this society are of a personal, emotional, and sentimental nature based on the "recognition of shared characteristics especially personal loyalty to… ethnic relationships" (Waters, 2016, p. 2). Such a society appears to function on subjective feelings that are grounded in tradition and culture (Weber, 2019). It is these subjective feelings of emotions, sentiments and personal attachments that are displayed in community relationships while also

guiding the conduct of sole traders. As in Tonnies's Gemeinschaft ideal, social stability or equilibrium in a community (like Abura) is maintained through moral responsibility, a demand for conformity and social control backed by the threat of social exclusion (Tonnies, 2002).

At the same time and alongside the above Gemeinschaft-like, social organisation is a parallel form of societal organisation like what Tonnies (2002) calls Gesellschaft. This form of social organisation, according to Tonnies (2002), is characterised by formal and indirect social ties and interactions that are guided by rational will and a desire for efficiency. Such a society is organised along the lines of 'rational agreement by mutual consent' (Weber, 1968, p. 4); and is held together by a kind of social contract where members of the society agree to abide by the rules and regulations because rationality tells them its beneficial to do so (Crossman, 2020). This social order can be observed in Abura because alongside the traditional society previously described, there exists a local government agency in the form of the Cape Coast Municipal Authority, which has administrative oversight over Abura on behalf of the central government. This local government agency, acting on behalf of the central government, has a social contract with the people of Abura based on a reciprocity of duties. That is, the government is committed to the good of the individuals who constitute the community; and each individual is likewise committed to the good of the whole through obeying the law (Rousseau, 1998). Here, "traditional bonds of family, kinship, and religion that provide the basis for social ties, values, and interactions in a *Gemeinschaft* are displaced by scientific rationality and self-interest in a *Gesellschaft*" (Crossman, 2020).

That some similarities exist between Abura as a community and Tonnes' ideals of Gemeinschaft and Gesellschafts is obvious. What is not being suggested, however, is that these two forms of social organisation exist in Abura, theoretically pure and undiluted. What is still clear is that these "dual paradigms constitute powerful conflicting tendencies of human organization, which lead in diametrically opposite directions. [and]…thus [the] two principles determine the individual's sense of alienation from-or unity with-the social group with which one is involved" (Mijuskovic, 1992,

p. 147). In being able to exist at once in the same society, these two principles depict how societies that are largely informal can co-exist with more formalised ones, something that appears prevalent in many countries including Ghana, and Abura, where the study occurred. It is the existence of these dual societies within a single community or country that has the potential to allow formalised, world-level conventions such as the United Nations Declaration on Human rights to be implemented in informalised settings where the chance of legal compliance is very small. What can happen in such societies is that such formalised world-level conventions can be implemented in traditional informal societies by using the extant ethical and moral norms of such traditional societies.

All in all, what is clear from the data is that Abura as a society displays the notions of communalism, in which there is a high estimation of the community over and above the individual, but not necessarily at the cost of forgetting the individual. This depicts a culture of mutual help, of caring for each other and sharing with each other. While such community spirit should not be looked at in an idealised way, such a community functions on mutual support; solidarity; mutual care and assistance that is rooted in the culture.

6.3 Theme Three: Operating in a Spirit of Brotherhood

Although Article 1 of the convention can be read as asserting a truth about human beings, it has been elsewhere read by Perry (2013) as expressing "the metaphor of … all women and men as sisters and brothers" (Putnam, 1987, pp. 60-61). Such an interpretation bears a remarkable resemblance to that postulated by MSMEs, which holds the view that 'the common membership of one universal human family constitutes (should constitute) a legitimate basis for the idea of universal human brotherhood (or unity)" (Gyekye, 2011).

This spirit of brotherhood was exhibited by the respondents through a type of altruism, motivated by kinship; with the kinship itself having deontological, consequentialist (specifically utilitarian), as well as contractarian dimensions. This is because if as Perry (2013) sees it, Article 1 in the UDHR can be construed as, all women and men being brothers and sisters or kinspeople; they are duty-bound as per the culture, to display altruistic actions towards each other; and such duties have desirable consequences for everyone. The following paragraphs will define and discuss these phenomena and then proceed to show how they together motivate the actions of the study participants.

6.3.1 Role of Altruism

The altruistic perspective consists of a common worldview held by all altruists that they are strongly connected in a spirit of shared humanity (Monroe, 1996). An altruistic act has been defined as an act undertaken voluntarily aimed at helping another person when there is no expectation of receiving a reward in any form (Schroeder, et al., 1995). Monroe (1996) on his part defined altruism as "behaviour intended to benefit another, even when this risks possible sacrifice to the welfare of the actor" (Monroe, 1996, p. 6). He goes further to identify four main conditions that need to exist for an act to be regarded as altruistic. These are that the act ought to entail action; as it cannot simply entail good intentions, the action must be goal-oriented; either conscious or reflexive, the act must be directed at enhancing the welfare of others, and lastly the intentions that drive the act should count more than the consequences of the act. What the latter means is that when a well-intended action inadvertently leads to distress of some kind to the recipient, the good intentions of the actor ought to count more than the resulting consequences. Oliner & Oliner (1988) also characterised behaviour as altruistic when it is directed towards another person; involves substantial risk of sacrifice to the actor; is accompanied by no external reward; and it is voluntary.

These preceding, largely complementary, criteria are extremely useful in the present contest because it provides a set of criteria to which the acts identified in the manifest themes can be compared. That is, it allows judgements to be made about whether acts undertaken by the study participants were indeed altruistic. Applying Monroe's criteria, it was obvious from the data that respondents undertook actions (not mere intentions) that can be considered altruistic. Examples of these have been cited elsewhere in this work. Secondly, evidence from the data suggests respondents' actions were all goal oriented, as well as being directed at enhancing the welfare of others. The goal as well as the intention for such actions, according to the data, was mainly to identify and solidarise with other people within their community who were quite often their customers. This was to achieve personhood, something that the data suggests is of paramount importance within Fanti and wider Akan cultures. These actions were undertaken mostly because of a moral or ethical duty placed on respondents by the culture. Adherence to such duties was thus the result of what Eisenberg (1986, p.58) calls "conscious cognitive processing" by respondents who "tend to be concerned about the results of their actions on members of their in-groups, tend to share resources with in-group members, are interdependent with in-group members, and feel involved in the lives of in-group members" (Hui & Triandis, 1986). The last of Monroe's criteria which required that the intention that drives the act should trump the consequences did not become evident in the data (Monroe, 1996). This is because the data did not show that any such bad consequences occurred.

In line with the criteria put forward by Oliner and Oliner (1988), the data confirmed that respondents undertook actions that were directed at other people in the community. This is analogous to the second of Monroe's criterion above which also requires goal orientation (Monroe, 1996). Nevertheless, the analogy between the criteria proposed by Oliner and Oliner (1988) and Monroe (1996) ends at this first point. Beyond this, the Oliners opine that an altruistic act ought to entail high risk or sacrifice to the actor, should not come with external rewards, and should be voluntary (Oliner & Oliner, 1988). High risk or sacrifice, therefore emerged as a central sub-theme

from the data. Respondents engaged in sacrificial conduct that often required them to put themselves at a disadvantage to help and support others. Motivation for this kind of sacrifice, according to data, appears to emanate from an adherence and commitment to the tenets of the culture, which required such sacrifices. Culture, therefore, places a duty on people to make sacrifices on one hand; and on the other, demand adherence, since it puts them in good standing in the eyes of other people within the community, something that contributes towards one's quest for the attainment of personhood. Personhood, according to the data, provides the greatest good for the greatest number of people because it brings benefits to all members of the population. Therein lies the deontological and utilitarian aspects.

Even so the deontological aspects raise questions about whether such altruistic acts are, indeed, voluntary. This is especially the case when a voluntary act is defined as 'an action that is in accordance with the agent's intention or will" or conversely, when an involuntary act is regarded as such because "it is legally [or culturally] obligatory, or because it has been performed under a threat or some kind of coercion, or in a state of emergency, or because there is simply no alternative" (Lagier, 2004, p. 107, parenthesis mine). Some evidence from the data suggests that respondents were altruistic partly because of the fear of being ostracized by the community or being regarded as non-persons. For example, when asked about why she burdened herself so much with helping other people with some of the meagre income she has from her business, respondent F25 was of the view that:

> "Well, it is easier said than done. It is nearly impossible to turn your back on community members that need your help. I mean if you do so you will be labelled as a 'wicked' person who will be treated with a lot of contempt. I mean you might as well move from the community. In my case my business is likely to be

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            affected if I refuse to help others in this way. People

            can even boycott my business and refuse to buy from me"
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Thus, in one sense, the acts of altruism they undertook may not be entirely voluntary, and if so then their status as bona fide altruistic acts may be open to debate. At the same time, the data also revealed that respondents were under no physical compulsion or coercion to undertake such acts. Indeed, the evidence points to the fact that these acts were undertaken out of their own free will even though there are some social consequences if they were not undertaken. Even so, respondents could choose not to undertake these acts if they so wished and then live with the social and cultural repercussions. This may be especially easy to do if the individual is financially self-sufficient and or socially independent rather than socially interdependent – defined as when individuals share common goals and each individual's outcomes are affected by the actions of the others (Deutsch, 1962). Such social independence is still possible even though black African societies, including the one under study, are reputed to be largely collectivist (Triandis, 1989); characterized by little or no distinction "between personal and collective goals, or a subordination of personal goals to the collective goals" (Triandis, et al., 1988). After all, like any other cultural trait, there are always non-conformists, in this case individualists who tend to "give priority to personal goals over the goals of collectives" (Triandis, et al., 1988, p. 509).

What becomes increasingly clear from the data is that a variant of altruism exists amongst interview respondents as well as those observed in the non-participant observation. This is quite similar to what has been described as reciprocal altruism by Trivers (1971) and referenced by Cartwright (2000). It resonates with what Sahlins (2017) calls "balanced reciprocity" explained as the "simultaneous exchange of the same type of goods [or benefits] to the same amount" (p.176, parenthesis mine). According to Cartwright (2000, p.86) "in the case of reciprocal altruism, aid is given to another in the hope that it will be returned". He goes on to say that the effectiveness of

this type of altruism hinges on the existence of an asymmetry between the value of the gift to the donor and that to the recipient. As an example, he states that:

"It would be pointless to give away £5 only to receive it back again the next instant; the time will not be well spent. But if the £5 represented a small sum to you but helped to save the life of an unrelated individual, it might be worth it if there were a probability of finding yourself in a similar life-threatening situation" (Cartwright, 2000, p. 86).

Here again, when respondent F25 was asked why she took so much pain to use some of her meagre earnings to help others, she pointed to the possible repercussions as stated above, but went on to point out that:

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"Who knows when I will need their help? I mean they have
also been there for me in the past and as such it will
be very selfish to turn my back on them now".
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Rivers (1971) on his part proposed four conditions under which such reciprocal altruism can flourish. These are, when individuals live or are clustered together for long periods of time; there is high incidence of altruistic behaviour; the costs and benefits of altruistic acts are round about equal to both actors; and finally, selfish individuals who fail to reciprocate are punished in some way. These conditions are largely corroborated by the data. First, respondents belong to a circumscribed group who were all Fantis and lived and traded in a specific geographical area. Second, the data showed a high incidence of altruistic behaviour. Third, there was evidence of a system of rewards and punishment for those that refused to participate in this social exchange of altruistic acts – witness social isolation and consumer boycotts, and lastly, the altruistic acts exchanged, such as visiting each other and making donations during periods of distress and provision of financial assistance, were quite similar.

In fact, the data reveals a sense of cultural duty amongst respondents that drives them to be altruistic in the conduct of their business. This version of altruism, however, is based on a kind of

social exchange, where acts of kindness are undertaken in expectation of reciprocal acts of kindness. This type of altruistic behaviour is thus different from that known as generalised reciprocity which is putatively altruistic in nature akin to pure gift-giving without any strings attached (Sahlins, 2017). The data points to reciprocity as a norm of social conduct that underlies the altruistic acts undertaken by respondents. Such reciprocal acts are often delayed rather than immediate, and it is this delay, it seems, that reinforces the relationship between the parties as well as the obligation for a return. In line with this, the data showed that traders who extended interest-free credit to customers and went out of their (business) way to be altruistic towards them, received substantial donations and acts of kindness later when they faced difficult circumstances themselves.

It is important to differentiate this type of reciprocal behaviour known as univocal reciprocity (Ekeh, 1974); or generalised exchange or what Malinowski (1939) calls circular exchange from mutual or restricted reciprocity (Ekeh, 1974). Univocal reciprocity is used to denote the kind of reciprocal behaviour in which people feel obligated to reciprocate the altruistic acts of others, but not in a quid pro quo or direct fashion, but by directing altruistic acts at other people who are also involved in the same social exchange situation in which they and their benefactors were involved in (Wade-Benzoni, 2002). Thus, generalised reciprocity features multiple people (who quite often do know each other but belong to a tribe or community) involved in integrated transactions in which reciprocal actions occur indirectly based on a shared sense of brotherhood, rather than in a mutual fashion (Ekeh, 1974). Exchange here was delayed and indirect but had greater possibilities in terms of the scale and number of groups involved (Levi-Strauss, 1949).

Thus, an individual may pay back a kind gesture that they received from a benefactor by being kind to a totally different person, who also belongs to the same community or tribe. This is different from mutual reciprocity which operates on a quid pro quo basis and necessarily requires that the actors know and are familiar with each other to 'pay back' the altruist act (Wade-Benzoni, 2002).

6.3.2 Role of Kinship

As stated in the previous chapter, it became increasingly clear from the data that the idea of kinship is the main driver behind the altruistic behaviour of respondents. This is perhaps no surprise since "kinship, with all it implies, has been one of the strongest forces in African life" (Kanu, 2014, p. 1). Almost all the interview respondents and those observed during the non-participant observation sessions alluded to kinship as the one factor that unified them with other members of the community and to humanity. Kinship in the African context, according to Pantaleon (1995), encompass seven aspects: namely: common origin, common worldview, common language, shared culture, shared race, colour and habits, common historical experience and a common destiny. Kinship thus constitutes the chords that bind all peoples together. Mbiti (1971) described kinship in the African context as a:

> "Vast network stretching laterally in every direction, to embrace everybody in any given local group. This means that each individual is a brother in-law, uncle or aunt, or something else, and there are many kinship terms to express the precise kind of kinship pertaining between two individuals. When two strangers meet in a village, one of the first duties is to sort out how they may be related to each other according to the accepted behaviour set down by the society" (p.104).

The data uncovered a conception of kinship amongst respondents which includes but goes beyond consanguinity to include other practices which show that fatherhood and motherhood depend, not only on procreation, but also on social convention (Rivers, 2011). Kinship, it appears, defines the obligations, rights, and boundaries of interaction among the respondents, and "creates a network that gives its members a sense of belonging" (Kanu, 2014, p. 2).

What the preceding does is raise the question of why kinship motivates such altruistic behaviour. In answer to this, the data portrays that kinship reciprocal altruism has deontological aspects which requires adherence to dictates of the culture; and so interview respondents and those observed felt

duty-bound to help and support each other. It places a duty on people to be altruistic towards others and at the same time places a duty on the beneficiary to undertake reciprocal acts of altruism. Respondent M1, a cobbler, emphasizes this in response to a question by stating that:

> "You must find any means by which you can provide this help. This is because this is our custom as Fantis that a human being's brother is another human being… your friend is also your brother. As a result, when you work and earn an income, whatever income you make you have a responsibility to use some of it to help these brothers of yours. You see Fantis or even Ghanaians are unlike westerners who do not indulge in extended family systems. We, on the hand, engage deeply with the extended family. Whether you have an income or not you have a duty to help and so you must find one way or the other to help. It is our custom".

Yet another phenomenon that becomes clear from the data is that reciprocal altruism has a twist of Hobbesian contractarianism to it. Contractarianism holds the view that:

> "persons are primarily self-interested, and that a rational assessment of the best strategy for attaining the maximization of their self-interest will lead them to act morally (where the moral norms are determined by the maximization of joint interest) and to consent to governmental authority" (Cudd & Eftekhari, 2018).

Narveson (1988) postulates the view that we are motivated to aaccept morality "first because we are vulnerable to the depredations of others, and second because we can all benefit from cooperation with others" (p.148). This contractarian element is displayed in the form of quid pro quo involving the exchange of altruist acts. For example, respondent F14, an iced water seller, explained that they:

"...extend credit facilities to some of the retailers that buy iced blocks from me. Two people who sell soft drinks in the area benefit from this credit facility. Also, I am ever ready to support people in the community especially when they are ill or have a death in their families. You know funerals are a very difficult situation for all of us and we require all the help we can get. Therefore, in circumstances where some community members face such bereavement, I go to them and help them, usually financially; one is required to make a financial donation to the bereaved member of the community, and I ensure that this donation is made. I have also thought about expanding my business into a shop; to do this I will need some land to build the shop on and I have spoken to community leaders and the chief of the Abura to help me get this piece of land and he has promised he will help me out with this. I am confident they will help me as promised".

But such kinship motivated reciprocal altruism, it appears, also has utilitarian dimensions because it seeks to benefit everyone since exchange of kindness in this way brings advantages to the whole community. This utilitarian dimension to kinship reciprocal altruism resonates with a theory in evolutionary biology known as kin selection and inclusive fitness. This theory, suggested by Haldane in the 1930s (Haldane, 1932a &b) and previously alluded to by Darwin in his exposé on insect castes in *The Origin of Species* (Darwin, 1859). It has been explained thus:

"The basic idea of kin selection is simple. Imagine a gene which causes its bearer to behave altruistically towards other organisms, e.g., by sharing food with them.

Organisms without the gene are selfish—they keep all their food for themselves, and sometimes get hand-outs from the altruists. Clearly the altruists will be at a fitness disadvantage, so we should expect the altruistic gene to be eliminated from the population. However, suppose that altruists are discriminating in who they share food with. They do not share with just anybody, but only with their relatives. This immediately changes things. For relatives are genetically similar—they share genes with one another. So, when an organism carrying the altruistic gene shares his food, there is a certain probability that the recipients of the food will also carry copies of that gene. (How probable depends on how closely related they are.) This means that the altruistic gene can in principle spread by natural selection. The gene causes an organism to behave in a way which reduces its own fitness but boosts the fitness of its relatives— who have a greater than average chance of carrying the gene themselves. So the overall effect of the behaviour may be to increase the number of copies of the altruistic gene found in the next generation, and thus the incidence of the altruistic behaviour itself"

(Okasha, 2020).

The above, though not a perfect fit within the current context, can be stretched somewhat to explain why kinship motivates reciprocal altruism amongst the respondents in the present study. To do this, the word 'gene' in the above is replaced with the word 'culture'; and the word 'organism' replaced with the word 'people'; in which case the above may be paraphrased in the following way:

Imagine a culture which requires its people to behave altruistically towards other people in the culture – in this case Fanti culture or MSMEs[19]. People (that is respondents) who do not subscribe to this culture are selfish; they keep all their goods to themselves and refuse to help others even though they sometimes benefit from the help given by their altruistic neighbours. Clearly, we

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[19] Afro-communitarian culture has been shown to possess characteristics such as altruism, empathy, sympathy, reciprocity, among others. See Gyekye (2011), Metz, (2007, 2011, 2013).

expect the altruists to be at a financial disadvantage and over time we expect such an altruist trait to be eventually eliminated from the culture and the population due to a lack of reciprocity.

However, suppose that altruists are discriminating about who they are altruist to. Their altruist acts are directed towards their kin who are also willing (as per the culture) to reciprocate such altruism. So, when the altruist undertakes acts of kindness there is a likelihood that the recipients of this kindness will be those who share the same values as them and are willing to reciprocate.

Much in the same way as in kin selection, the altruist trait can perpetrate itself in the population. Thus, this altruist trait causes altruists to behave in ways that reduce their own financial wellbeing. They engage in sacrificial behaviour that comes at a cost to them and their businesses; but boosts the wellbeing of other members of the community, who also subscribe to this altruist tenet of the culture. The overall effect is thus utilitarian, in as much as it aims at bringing benefits to all members of the community.

What the present section has sought to do was to rummage through interview and non-participant observation data with a view to uncovering both manifest and latent themes relating to Article 1 of the UDHR which states that" … all human beings should act towards one another in a spirit of brotherhood" (UDHR, 1948). The data confirms the existence of this spirit of brotherhood as being present in the actions of respondents during the conduct of their business activities within the informal sector. Such brotherly actions, according to the data, were in the form of reciprocal altruistic acts that were motivated by kinship. Such kinship driven reciprocal altruism was shown to have deontological, utilitarian and contractarian dimensions that motivated action that can be explained to be in line with the spirit of brotherhood. It was also shown that such kinship driven reciprocal altruism has curious similarities with what is known in evolutionary biology as kin selection or inclusive fitness which benefits the reproductive success of an organism's relatives or kin, albeit it may threaten the very existence and reproduction of the organism itself.

6.4 Implications for Sole Traders

For the informal sole traders under study, the pursuit of the spirit of brotherhood during the conduct of their business operations, displaying commitment to the extended family, and being committed to the community, has implications for capital accumulation and business growth. This is because it places a lot of financial strain on these micro entrepreneurs who must make what essentially amounts to financial sacrifices for extended family members, community members, as well as all others their culture requires them to regard as 'brothers' and 'sisters'. The result is that it is hard for such businesses to accumulate the capital needed to expand, or even enter the formal sector, mainly because it is nearly impossible to undertake any savings – something which is the foundation of capital accumulation (Osundina & Osundina, 2014). A lack of capital accumulation in this way stifles business expansion, perpetrates low-income earnings and poverty, and traps such entrepreneurs in the informal economy, while also having adverse repercussions on economic growth.

6.5 Links with Afro-communitarianism.

What has become evident from the data is that there are certain key characteristics or behaviours that feature in the way respondents relate with members of their extended family members, the relationships they maintain with the communities, and the way they relate to humanity as a whole. These characteristics include empathy, sympathy, altruism, maintenance of strong extended family and community bonds, among others. The motivation for all these kinds of behaviour seems to be kinship – the fact that these respondents feel a certain kind of responsibility or obligation because they perceive extended family members as their first-tier kin, community members as their second-tier kin, and then everyone else with whom they interacted as third-tier kin. As may be expected, this sense of duty and responsibility is strongest with family members and then tapers off as one progresses from the family to the community and then to all of humanity in that order.

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What becomes clear is that the characteristics mentioned above bear a remarkable resemblance to what have been considered as bona fide characteristics of afro-communitarian ethics. As mentioned earlier in Chapter Three, afro-communitarian ethics is said to possess defining features such as a keen sense of community which goes beyond the mere existence of a group or society towards a real sense of identity and solidarity with others, or strive towards the common good (Metz, 2012, 2013; Shutte, 2001; Nkondo, 2007). This system of ethics is also said to possess features such as charity, altruism, generosity, benevolence, kindness, caring, sharing, and solidarity (Mnyaka & Motlhabi, 2005; Masolo, 2010). What this suggests is that afro-communitarian ethics may be the underlying reason why respondents behave the way they behave in the conduct of their business operations, and that it is this kind of ethics that inadvertently allows businesspeople in the informal sector fulfil some human rights obligations as laid out in the UN Framework and the Universal Declaration of Human Rights. The veracity or otherwise of the preceding claim will, however, be better established in the next chapter as the theoretical framework is revisited and analysed.

6.6 Female Dominance

It is impossible to ignore the fact that respondents in the present study were dominated by women. This is no surprise, since after all, women form the bulk of employees in the informal economy within developing countries (Bonnet, et al., 2019). This being the case, and because many debates surround the idea that morality is gender-based (Rousseau, 1979; Daly, 1978), it is important to acknowledge the possible impacts, if any, that gender may have had on the data generated. This is especially necessary given the existence of important similarities between what the data reveals about the ethical leanings of the respondents, afro-communitarian ethics, and feminine ethics – the latter defined as the search for women's unique voice and the advocacy for an ethic of care (Houser, et al., 2006) As has already been established in the preceding paragraph, important similarities exist between the moral choices made by the respondents in the present study and

afro-communitarian ethics. At the same time, analogies between African ethics and feminine ethics, particularly care ethics have also been well documented (Harding, 1987, Tronto, 1993; Haegert, 2000; Ikuenobe, 2006). Now, even though it was not the focus of this study to assess the influence or impact that gender has on the respondents, it is at the very least noteworthy. Since it is impossible to make a separation between people and their ethical choices, it will not be too far-fetched to claim that feminine ethics, particularly the ethics of care, is likely to have had some impact on the data generated; but of course, the extent of that impact can only be determined through future research and studies.

6.7 Conclusion

What the present chapter has done is to identify and analyse the reasons behind the behaviours and moral choices taken by the respondents in the study. In doing so myriad underlying reasons came to the fore, key amongst which were the idea of kinship and how it influences respondents' behaviour. The chapter also went ahead to identify and discuss some implications of the moral and ethical choices made by respondents. The following chapters will aim to revisit the theoretical framework and assess how the data addresses the research questions under the overarching rubric of the selected theoretical framework.

Chapter Seven: Contributions

7.0 Introduction

This chapter aims at assessing the theoretical and empirical contributions made by the current study to the area of business ethics in general and business human rights in particular. These contributions are categorised into theoretical and empirical contributions. In terms of a theoretical contribution, the study introduces another important dimension to ISCT – the idea of superlative norms, defined as legitimate norms that do not merely meet or match the hypernorm but far exceeds it in such a way as warrant its own separate category. In terms of empirical contributions evidence shows that informal sole traders do in fact participate in the BHR agenda; that they undertake positive obligations; carry out obligations at a personal, intimate, and micro level of the community; and that women are at the forefront of the BHR agenda in the informal sector.

7.1 Theoretical Contribution: The idea of Superlative Norms

The theoretical framework adopted for the present study – Integrative Social Contracts theory, aims to create a link between "culturally sensitive decision-making capacities with trans-cultural norms by setting up a layered system of social contracts" (Douglas, 2000, p. 101). ISCT, according to Donaldson and Dunfee (1994), it aims to integrate two distinct types of contracts: a normative and hypothetical contract among economic participants", and "an existing (extant) implicit contract that can occur among members of specific communities" (p.254). In the face of the strongly bounded nature of moral rationality in economic affairs, contractors would agree on and choose a set of principles that will govern economic morality. This set of principles, according to Donaldson and Dunfee (1994) is known as a macro social contract. In order to

> "enhance efficiency by reducing uncertainty… and… to [allow for] freedom of cultural, ideological, or religious interpretation … contractors… choose terms of the macro social contract that allow the generation of specific community- level moral norms regulating economic activity" (Donaldson and Dunfee, 1994, p.261, parenthesis mine).

Such community-specific moral norms are termed micro-social contracts and "represent agreements or shared understandings about the moral norms relevant to specific economic interactions" (p.262). These norms basically govern what members of these communities should do when faced with moral dilemmas. This is the first principle of the macro social contract. In these contracts, community members are given the moral freedom or what the authors call 'moral free space' to choose the relevant norms within these micro-social contracts. Such micro-social contacts should be based on informed consent with community members retaining the right to exit. Where these two provisions exist, then these norms become authentic norms. Authentic norms become *legitimate* norms when the moral free space in which they are enacted is deliberately circumscribed by "principles so fundamental to human existence that they serve as a guide in evaluating lower-level moral norms" (p.263). Such principles, known as hypernorms, are the result of a convergence "of religious, philosophical, and cultural beliefs" (p.265). Human rights such as those that exist in "international rights documents such as the Universal Declaration of Human Rights" are regarded by Donaldson and Dunfee (1994) as quintessential hypernorms (p.267).

By circumscribing micro social norms, hypernorms are essentially 'limits', or boundaries placed on authentic norms. Thus, breaching a hypernorm curtails any hope that an authentic norm has in progressing to become a legitimate one. Conformity or compatibility with hypernorms is therefore required of all authentic norms to graduate to legitimate norms. Conformity or compatibility suggests *matching*; that is, if the micro social norm *meets* the requirements of the hypernorm, it becomes a legitimate norm. However, ISCT is silent on two things: first, the question of when a micro social norm significantly surpasses a hypernorm rather than merely conforming to it or meeting the requirements, and second, the cost incurred in order to meet the hypernorm. The reason this is important is that while some micro social norms only just *meet* the demands of the hypernorm, others surpass them in a substantial manner. Additionally, some norms can incur significant costs in meeting the hypernorms that may even threaten the existence of the community. ISCT as it currently stands treats all legitimate norms as though they were identical.

However, doing so omits important nuances or value differentials amongst legitimate norms measured by the extent to which they match or surpass hypernorms and the costs incurred in meeting the hypernorm. In this regard I label norms that significantly surpass hypernorms and those that incur significant cost to meet such norms as *superlative* norms. They are superlative for two reasons. Firstly, because they meet and surpass hypernorms in such a way as to be worth being placed in a distinct category. Secondly, the opportunity costs incurred in meeting hypernorms are so significant that they may even threaten the survival of the community.

Acknowledging superlative norms immediately brings the problem of how they are to be measured. In other words, how can it be said that a legitimate norm goes beyond merely meeting a hypernorm to becoming one that transcends it in such a way that they become superlative norms? It is my view that this can be done by measuring the cost of the norm to community members. Cost here refers to opportunity cost, defined as the "value that is given up or sacrificed in order to secure the higher value that selection of the chosen object embodies" (Buchanan, 1991, p. 520). An example is apt. Take a legitimate norm that stipulates that business organisations have a moral duty to take care of the family members of staff. Different business communities will have different ways of actuating such a norm. While one community, for instance, one made up of medium-sized business owners, may demonstrate it by organising staff Christmas parties that invite family members; another business community, say TNCs, may demonstrate this by providing free healthcare to family members. It makes business sense to presume that in each of the preceding cases, communities will make financial outlays towards this family care only to the extent that it does not jeopardise the finances of the business or put them at a financial risk of bankruptcy. Indeed, formal business organisations such as MSMEs and TNCs have a myriad internal and external due diligence procedures specifically designed to prevent such misappropriations. Now both these normative expressions clearly do not conflict with or breach Article 16(3) of the UDHR which stipulates that "The family is the natural and fundamental group

unit of society and is entitled to protection by society…" (UNDHR, 1948) (Assuming this as a hypernorm[20]). That is to say, they are both consistent with this hypernorm. However, take the case of the community of Akan informal sole traders such as those in this study. To this community, the moral duty to take care of the family is also mostly expressed through making financial outlays towards family members. However, what they have to give up to be able to meet such financial obligations is quite profound, especially given the micro sizes of the businesses they operate and the meagre incomes thereof. Indeed, the data points to the fact that such financial outlays put their businesses and, by extension, their own livelihood, at acute financial risk. In other words, they engage in acts of extreme sacrifice that far exceeds the requirement to merely meet the hypernorm of taking care of their family. Additionally, because the word 'family' is interpreted by this community as the extended family – rather than nuclear, there are more financial outlays required than would otherwise be the case.

In making this sacrifice, these individuals forego their own wellbeing, comfort, and even survival for the benefit of the family members, both nuclear and extended. Unlike a community of MSMEs or TNCs where budgetary allocations are made as part of a formal staff welfare package designed to motivate staff, these sole traders do not have the luxury of making such financial and budgetary allocations. Theirs is a business model where the owner-manager is one and the same with the business; where the lines between the public and private spheres are blurred; and where there is little or no separation between profits and capital. It is from this peculiar set of circumstances that they undertake such deep sacrifices which require them to incur costs measured in terms of the alternatives foregone. Alternatives foregone include investing in the growth and expansion of the business, meeting debt obligations, formalising business operations and the very survival of the business. To the extent that such sole traders incur these hefty opportunity costs in their fulfilment

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[20] A lot of debate surrounds what the content of hypernorms ought to be (See Brenkert, 2009; Scherer, 2015). Donaldson and Dunfee (1994) point to the United Nations Declaration and related Covenants as an example of what may qualify as hypernorms since almost all countries have ratified them.

of the hypernorm of providing support for their families, it would be negligent and unfair to treat their acts of sacrifice as one identical standard with legitimate norms as ISCT appears to do.

The idea of superlative norms is a worthwhile theoretical contribution to ISCT because it adds extra nuancing to the theory in a way that enriches and broadens it. Crucially these norms do two seemingly impossible things: that is, they go against cultural relativism and at the same time accommodates it. Superlative norms are at odds with cultural relativism because they are first and foremost *legitimate* – which means that they meet the requirements of hypernorms, which are universal standards of morality accepted by all cultures everywhere (Donaldson and Dunfee, 1994). By meeting this requirement, superlative norms are therefore by nature objects of moral or cultural universalism or objectivism because they subscribe and are subject to a universal ethic that is relevant and applicable to all people in all circumstances. Yet as previously explained, these norms go beyond a mere meeting of the hypernorm to surpassing it in a significant way. The extent of this surpassing, including the opportunity cost it incurs, is however community-specific, and subjective; and if so then they are culturally relative. The consequence is that superlative norms re-introduce the idea of cultural relativism into ISCT; but it does so in a way that is not as problematic as it was for Donaldson and Dunfee when they postulated the theory – at the level of the authentic norm. ISCT aimed to alleviate the problem of cultural relativism (Douglas, 2000), because they presented a "confusing and corrupt array of incommensurate moral systems and principles" (Donaldson and Dunfee, 1994, p.264). Superlative norms, as an addition, aim at making sure that whatever is relativistic about a cultural norm is always positive and never negative, since after all it has already met the hypernorm test. If it is always positive then any variations in the norms will not only be exempt from the criticism by outsiders (Donelly, 1984), but will also always be worthy of praise and commendation, according to the opportunity cost of the next best alternatives forgone. By doing this, superlative norms manage to, at once, satisfy the demands of both cultural relativists and cultural universalists, something ISCT was unable to do.

7.2 Empirical Contributions

For the present study, empirical contributions include the following. First, informal sole traders contrary to received opinion, do participate in socially responsible activities which also satisfy some BHR obligations. This is crucial because the business human rights aspect of social responsibility has almost exclusively focused on the TNCs. Even though attempts have been made to assess the uptake of the BHR agenda by organisations other than TNCs, these have been largely confined to MSMEs in developed countries in the formal sector (Addo, 2017; Bylok, 2016; Hussein, 2007; IOE-ILO-UN 2016; ILO, 2016; European Commission, 2015). Thus, what makes this contribution significant is that virtually nothing has been done specifically on sole traders in general and those based within the informal economy in sub-Saharan Africa in particular. Attempts that have been made in this direction often place sole traders under the rubric of SMEs – something that has the potential to miss out on important peculiarities that characterize that business form. Furthermore, the fact that these attempts have focused almost exclusively on how the informal economy and the enterprises therein breach human rights, leads to very little research on the application of business human rights to informal sole traders, and it is for this reason that this emergent evidence is a significant contribution.

The second contribution the study makes is to do with the kind of BHR obligations, as part of social responsibility that informal sole traders within the current study were shown to subscribe to; the way they were carried out, the motives for carrying them out, and the consequences for carrying them out or not. The third contribution is how women and feminine ethics, rather than men, are at the forefront of social responsibility agenda amongst informal sole traders. By confirming the truism that women dominate the informal economy, the study shows how women, rather than men, are at the forefront of the BHR programme, at least outside of the formal sector.

Altogether, what becomes obvious from the study is that the informal sole traders under study did fulfil some BHR obligations as an aspect of socially responsible behaviour; tended to fulfil

important *positive* rights and did so in a way that is distinct from other business forms, particularly TNCs. In terms of manner, the evidence points to a personal, informal, and intimate approach at a micro level, which contrasts with the impersonal, formal, and aggregated way businesses such as TNCs carry out corporate philanthropy. Regarding motives emerging evidence shows that sole traders pursue these obligations in adherence to the norms and customs inhered in both afro-communitarian culture and feminine care ethics.

Finally, through their dominance of the informal economy, women have been shown to be at vanguard of the social responsibility agenda at least in the informal economy. Thus, the present study showcases a unique and gendered situation where women are at the forefront of setting the pace and trend for a key worldwide agenda.


7.2.1 Participants rather than Pariahs

As pointed out in Chapter One, an important deficit in the worldwide business human rights programme is the lack of involvement of the informal economy which employs circa 60 per cent of the world's employees consisting of 85.8 per cent in Africa, 68.2 per cent in Asia and the Pacific, 68.6 per cent in the Arab States, 40 per cent in the Americas and 25.1 per cent in Europe and Central Asia (IMF, 2018). This neglect is attributable to myriad factors including their illegality or invisibility leading to a lack of state-oversight (Chen, 2007), and a lack of labour protection and employment security, due to practices such as contractualisation, flexibilisation and casualisation of labour (Arnold & Bongiovi, 2013). Thus, when it comes to the informal economy and social responsibility including human rights, conventional knowledge pitches the two against each other based on their incompatibility. The sector has been viewed as the 'missing middle' (ILO, 2019) when it comes to social protection, and provides fertile grounds for the abuse of a number of other human rights, including "political participation, judicial remedies, protection from arbitrary or unlawful inference and attack, equal protection, slavery, freedom of movement, access to services, adequate standards of living, women's and children's rights… education, and marriage"

(Miller, 2007, p. 133; Osei-Boateng & Ampratwum, 2011; RNSF, 2017). As recently as November 2020, the United Nations Virtual Forum on Business and Human Rights aimed to, among other things, "Discuss human rights challenges in the informal economy and identify ways to overcome these challenges". Additionally, the Forum sought "strategies which can reduce decent work deficits among informal workers in short, medium and long terms" (United Nations Forum on Business and Human Rights, 2020).

It is against this negative backdrop that this study was undertaken. Paradoxically it is this same ominous backdrop that makes any evidence depicting compatibility between the informal economy and social responsibility a significant contribution to the current field of study. It is precisely such evidence that is revealed by the current study, to wit, some informal entrepreneurs undertake socially responsible behaviour that meet BHR obligations. The evidence points to the fact that in the absence of formal rules and regulations such entrepreneurial communities, in fact, rely on certain community-specific, socio-cultural norms to undertake socially responsible actions, some of which fulfil BHR obligations such as those inhered in Articles 1, 16(3) and 29(1). This is done through the relationships they keep with business stakeholders, maps of which are laid out below for both male and female respondents.

Figure 6: Stakeholder Maps of Male and Female Sole Traders
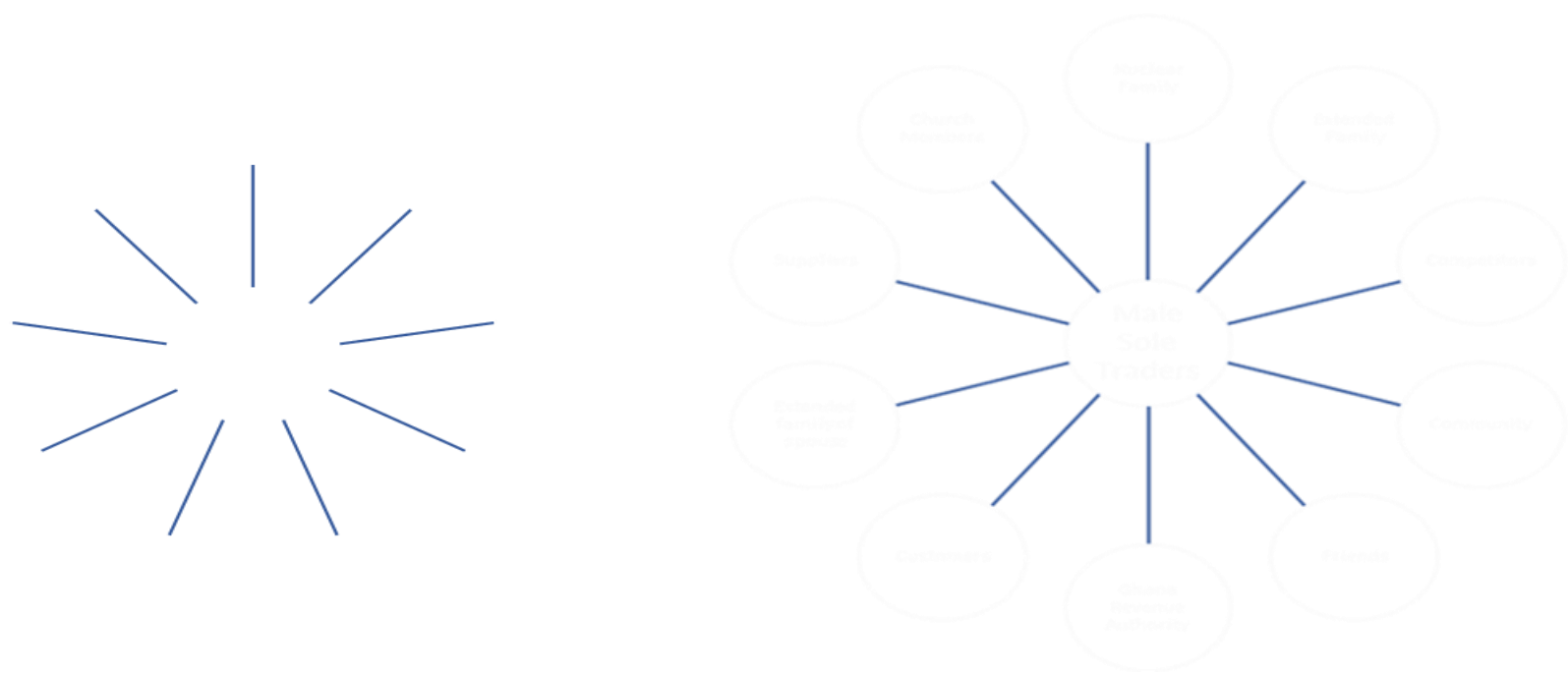
Source: Author

7.2.2 Familial Norms

Evidence from the data pointed to the existence of local norms that obliged them to display very strong commitment to their families by way of upkeep, support, and protection. Evidently, this is in line with Article 16(3), which demands the protection of the family by both the state and society. Family, in the perspective of the respondents, went beyond the nuclear, through the extended, and to the clan, defined as:

> "An informal organization comprising a network of individuals linked by kin-based bonds. Affective ties of kinship are its essence, constituting the identity and bonds of its organization. These bonds are both vertical and horizontal, linking elites and nonelites, and they reflect both actual blood ties and fictive kinship" (Collins, 2004, p. 231).

So, though the UDHR did not provide a definition of the term 'family', respondents seemed to adopt a very broad definition of the term. Indeed, the evidence supports the fact that African culture was more wedded to the extended family system rather than the nuclear (Madukwe & Madukwe, 2012). The result of this normative tendency, the study results revealed, is that entrepreneurs had a verifiably wider scope of responsibility that stretched outward from their nuclear families, through the extended family to the entire clan. Defining family as extended rather than nuclear, (the latter being the case in western societies), places more responsibility on the entrepreneur and his or her enterprise. Such responsibilities were demonstrated in the form of familial financial support; contributing towards a family fund to support needy family members and family projects; taking over the upkeep of children of family members when parents cannot provide for them or when they became deceased; providing financial support for older relatives. All these reinforced the notion that "Families, not individuals, [were]... the building blocks of African society" (Swigert, 2001, parenthesis mine); and the model of the extended family safety net in Africa (Foster, 2000; Tanga, 2013; Aboderin, 2004). It also supports

the afro-communitarian norm of commitment to the extended family (Asher, 2017; Oelofsen, 2021, Metz, 2019); and the wider family solidarity Model (Cross, et al., 2018). Now even though some evidence exists that suggests that these African family systems are on the decline (Aboderin, 2004), their role as a social safety net was evident from the study results. Significantly, the sole traderships ran by these businesspeople were shown to be pivotal in providing such support to family members. According to the data, it is these enterprises that generate the incomes with which such familial financial support is given. What this shows is the existence of a well-developed system of norms that dictate how the Akan informal sector owner-managers relate to their extended families and how their businesses play a role in these relationships.

7.2.3 Norms about Community Relations

Yet another theme that emerged from the data was the fact that respondents had and maintained strong ties, affinity, and commitment to the community in which they live and undertake their business operations. These norms were exhibited throughout their business conduct in ways such as extending interest-free credit facilities to customers, attending funerals and making financial donations, making financial contributions to community people that are in dire financial straits, attending weddings and making financial donations, among others. Here again the data traces the origins of these norms to those that were passed down from ancestors and have been maintained by communities, families, and individuals among the Akan community in Ghana. The foundation of this strong commitment towards the community appears to be a strong normative belief that an individual's existence hinges on the existence of the community. The result is that an individual has a responsibility to do all he or she can to support community members, and the community also has a duty to reciprocate this gesture of support when the individual needs it. The preceding suggests an extant norm of reciprocity to which both the community and the individual subscribe in a consistent way, and which is exhibited

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throughout the business conduct of the respondents. There was also evidence of a well-defined system of reward and sanctions if community people subscribed to such norms or not. For example, individuals who obliged to these normative demands in the business conduct were accorded the status of personhood – a status reserved for individuals who, through acts of kindness, selflessness, altruism, sympathy, and empathy, have established themselves as deserving of honour in the community. On the other hand, individuals whose way of life were particularly anti-community and anti-social were sanctioned mainly through boycotts.

7.2.4 Projecting Brotherhood and Sisterhood in Stakeholder Relations

According to the data, African ethical norms motivated entrepreneurs to treat stakeholders such as customers, suppliers, church members, friends, competitors and indeed all human beings, with fraternal love, kindness and altruism that is analogous to the spirit and letter of Article 1 of the UDHR. Specific ways in which this was done are explained below.

7.2.4.1 Customers

Customers of the sole traderships under study were individuals living and working in the Abura community. As the data shows, respondents often extended interest-free credit to customers who faced financial difficulties which sometimes had an adverse effect on the finances of the enterprise. Sole traders were even ready to wake up at odd hours after trading hours to sell to customers who may be in need for vital provisions. In situations where customers were faced with a bereavement or were ill, respondents would visit them and console with them, make cash and material donations to them. Some respondents would even act as child minders, including providing food and drink, for

some customers where some customers' children would stay with some traders after school until their parents would pick them up upon closing from work.

7.2.4.2 Suppliers

 Suppliers with whom respondents dealt with were themselves often sole traders operating micro wholesale enterprises. They served as vital link between respondent sole traders and larger wholesalers. Services rendered include moving goods from manufacturers or large wholesalers to respondent sole traders, breaking bulk, providing credit facilities to respondents, providing information to sole traders about new product features and trends. On their part, respondent sole traders would reach out to suppliers when they are ill or in need of emotional support such as during times of crises or difficulty. Respondents would visit suppliers and make donations when they or their family members were taken ill, for example. They would also attend important occasions such as weddings, child naming ceremonies and funerals of suppliers and make financial donations and take time off work to provide help and support in organising such events. Crucially evidence from the data also suggests that suppliers will reciprocate these actions.

7.2.4.3 Church Members

All respondents in the current study were religious – either Christian or Muslim. As a result, they belonged to and attended church or the mosque on a regular basis. Such membership meant that they often had to make donations towards various religious activities such as maintaining church or mosque buildings, making charitable donations to needy members of the community, as well as helping individual church members when they are in financial or other difficulties.

7.2.4.4 Ghana Revenue Authority (GRA)

The Ghana Revenue or GRA is the government body in charge of tax collection in Ghana. The GRA administers a Stamp Tax for operators in the informal sector such as the sole traders in the present study. Tax collectors will often roam throughout communities with a view to collecting daily tax revenues from traders. Various categories of informal micro enterprises are charged a flat rate in return for a daily ticket or receipt. Almost all respondents admitted to paying stamp taxes from the revenues they generate even though they would evade such taxes if they could.

7.2.4.5 Competitors

An acute shortage of formal employment and start-up capital means that a large section of the Ghanaian population operates in the informal micro enterprise sector. This means that there are often many people trading in identical or similar products and services, which creates competition among traders. Since the present sample of respondents are based in the Abura community, or may even be family members, this means that respondent sole traders often trade in proximity and are familiar with each other often creating near perfect competition conditions. Evidence from the data shows the existence of collaboration and corporation among respondent sole traders. They would support each other by buying in bulk from the same suppliers, provide cover for each other when they must leave their trading posts to run errands. So, for example, sole trader A would ask Sole trader B to look after their business and sell their stock alongside theirs when they are unable to do so for various reasons. Here again, the data shows that, respondents have a moral and cultural duty, under Akan culture, to support competitors when they face financial or other problems. Such support comes in the form of providing interest-free loans, making cash donations when competitors face bereavements or ill

health, pooling resources together to make bulk purchases of stock, covering each other due to absence, among others.

7.2.4.6 Friends

Being sole traders means that respondents in the current study are private individuals who have a network of friends in the community. Friends, as would be expected, often have a moral duty to support each other in times of needs. Data from the study shows that respondents often have to provide financial and other forms of support for their friends in times of need.

7.2.4.7 Overlaps among Stakeholders' Relationships

The data shows that overlaps exist between, and among the various stakeholder groups discussed above. Thus, a supplier may be an extended family member, or a competitor may either be a family member and or church member. Such overlaps mean that respondents must manage a complex of intricate relationships with several stakeholders or even relate to specific stakeholders on several different levels. For example, a sole trader could be dealing with their church pastor as a supplier, who may also be related to one of his or her competitors. Managing such complex relationships requires important management skills which respondents seem to possess and deploy skilfully.

7.3 Funding & Motivation for Stakeholder Relationships

To be sure, evidence from the study suggests that most respondents undertook such acts even if they were detrimental to their own way of life and comfort. Crucially, the evidence also pointed to the

informal enterprises operated by the respondents as the source of the funds through which such altruist acts were funded. Such acts, the study findings show, are motivated by moral codes and norms passed on from generation to generation and are characteristic of what some call afro-communitarian ethics, and is characterised by features such as kindness and altruism (Oelofsen, 2021), forgiveness and reconciliation (Oelofsen, 2015), a commitment to relationality (Gyekye, 1997; Metz, 2007, 2013; Metz & Gaie, 2010; Menkiti, 1984; Kenyatta, 1965; Krog, 2008), the promotion of solidarity and identity with one another (Metz, 2007, Asher 2017).

7.3.1 Fulfilment of Positive rather than Negative Rights

Regarding which BHR obligations are undertaken by informal sole traders, the study evidence points to positive rather than negative rights. This contribution is significant for two reasons: first, the Human Rights Guiding Principles itself, despite deploying a positive-negative dichotomy, was explicit on the fact that to respect rights, effectively and at a minimum, means to refrain from infringing on the rights of others – put simply, to do no harm (Ratner, 2001). Thus 'doing no harm' is often the main means by which business organisations undertake the passive duty of not infringing rights. In view of this, any evidence that points to informal sole traders (with their illegality, as well as financial and size constraints) undertaking positive responsibilities is as noteworthy as it is commendable. In undertaking positive rights, informal sole traders in the study clearly depart from the minimum obligation to simply 'do no harm' and this is especially noteworthy because positive rights confer benefits on the right holder (Foldvary, 2011); and benefits do come at a cost which is often considerable to business, especially micro enterprises. For a business form that has been keenly confined to the backwater of the global business human rights agenda, displaying a commitment to positive rights in this manner is praiseworthy.

Besides being positive obligations and so requiring positive action, these three Articles are also peculiar in the sense that at least two of them are couched in words that make them seem too intimate to be required of business organisations other than MSMEs. Article 1, for example, is clearly expressed in words which connote that all women and men are sisters and brothers (Putnam, 1987). It is difficult to see how businesses other than MSMEs (with their characteristic thin line between the private and public sphere (Spence, 2014) can attempt to positively treat other people as 'brothers and sisters'. This is because treating another person as a brother or sister implies behaving in a familial manner that is often incompatible with formal business organisations. Park, et al., (1991, p.653) capture this succinctly:

> "The strong emotional ties…within… families may not be dissolved at the individual's will, unlike relationships in other groups [such as business organisations]. Families are motivated to maintain the intimate emotional relationships by protecting the family... In this family setting, it is reasonable to assume that the affective factors (love, affection, and intimacy) are important in the … decision making process. It may not be as likely that individuals develop as intimate a relationship in other groups [such as TNCs] …

Article 16(3) also requires that actors take steps to support the family as the fundamental unit of society. Apart from being a positive obligation, this edict, when effectuated by business organisations, requires them to make forays into the family lives of stakeholders, that is, from the public sphere into the private sphere. Doubtless, various types of business organisations have taken steps to extend some benefits to the family members of stakeholders, especially employees, in the form of incentive packages for staff and their family members. For example, in encouraging MSMEs to fulfil these obligations, the EU Commission recommended that MSMEs pay attention to paternity and maternity leave, brief employees on how to manage and act in relation to pregnancy of colleagues, and to guard against discriminating against pregnant employees or young women, e.g. in connection to recruitment

or promotion (European Commission, 2015). Now while these are geared towards Article 61(3), they are clearly designed for MSMEs with employees, and often echo extant legal regimes within the EU[21]. However, since the informal sole traders in the present are one-person businesses, they can obviously not participate in these recommendations because they are both one-person businesses and illegal, further buttressing the point that such businesses ought not to be subsumed under MSMEs.

In addressing the question of how informal sole traders are to fulfill BHR obligations, the UN Framework explicitly states that:

> "The means through which a business enterprise meets its responsibility to respect human rights will be proportional to, among other factors, its size. Small and medium-sized enterprises may have less capacity as well as more informal processes and management structures than larger companies, so their respective policies and processes will take on different forms" (United Nations, 2011, p. 15). Additionally, the Framework asserts that "The means through which a business enterprise meets its responsibility to respect human rights may also vary depending on whether, and the extent to which, it conducts business through a corporate group or individually" (United Nations, 2011, p. 15).

Another piece of evidence that emerges from the data is that informal sole traders fulfil positive obligations such as those inhered in Articles 1; 16(3) and 29(1) and they do so in personal, intimate, and specific ways at the micro level of society This contrasts with the often more generalised, impersonal, and aggregated (or *macro*) way other business forms, particularly TNCs fulfil them. For example, regarding providing support for the family as the fundamental unit of society (Article 16(3), the study results show that they do so through providing direct, financial, and material help to extended family members on an informal, personal, intimate, and entrepreneur-to-stakeholder basis.

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[21] The EU has a plethora of directives such as Directives 92/85/EEC; 2010/18/EU that cover maternity and paternity leave; parental leave and time off work.

This contrasts sharply with how formal organisations particularly TNCs and some MSMEs fulfil such obligations, which quite often happens through impersonal and formal incentive packages to employees.

In terms of reasons why they undertake such obligations, the evidence points to kinship altruism and reciprocity emanating from extant local culture. Thus, the primary reason for undertaking these duties is to fulfil the norms and customs inhered in the local culture. As such any benefits that accrue to the enterprise as a result is only incidental to the performance of the duties. This evidence is crucial because it contrasts with at least one of the main reasons why formal organisations, particularly TNCs, undertake such obligations, for instrumental reasons (Windsor, 2001; Mitchell, et al., 1997; Ogden & Watson, 1997), where such acts are regarded as "strategic tool[s] to achieve economic objectives and, ultimately, wealth creation" (Garriga & Melé, 2013, p. 71, parenthesis mine).

The evidence further points to the fact that informal sole traders fulfil BHR duties such as Article 29(1) in very intimate and personal ways. The Article states that "everyone has duties to the community in which alone the free and full development of his personality is possible" (UDHR, 1948). As usual, the Declaration does not specify how these 'duties' are to be executed, and as will be expected different business forms will effectuate it differently. The evidence shows that, the entrepreneurs were aware of duties they owe to the community and that these duties emanated from Fanti or Akan culture, which specified norms and customs that community members had to follow. Such duties were expressed mostly through undertaking altruistic acts towards customers and other stakeholders in the conduct of the business. Specifically, they include extending interest-free credit to customers, making cash donations at funerals and weddings; giving away stock to customers who are unable to afford to pay for purchases, among others. The data shows that these duties are carried out even when they require significant amounts of financial and time sacrifice from entrepreneurs. Expressing their duties in such intimate, personal, and targeted ways confirms that these sole traders

carry out these duties at the micro level of the community. This is clearly different from how larger organisations such as TNCs carry out duties to the community, which is often made up of "numerous small cash donations given to aid local civic causes or provide[ing] general operating support to universities and national charities in the hope of generating goodwill among employees, customers, and the local community" (Porter & Kramer, 2002, p. 56). The scale and size of corporations often means that such acts are carried out at an impersonal, aggregated and macro level of the community, as against the micro level at which informal entrepreneurs operationalise their duties to the community.

Regarding the consequence of undertaking these duties, evidence from the data shows that adherence or otherwise to one's duties to the community determined whether a community member attained the status of a 'person'. As an important tenet of Akan philosophy, personhood has been explained in the following way:

> "Someone is regarded as a 'person' if she has a disposition which is seen by the community as largely ethical. Such a person is deemed to be a source of goodness to the community by way of the person's interactions or relationship with other members of the community, and her general choice of actions in life" (Majeed, 2017, p. 29).

Seen in this sense, personhood is "something at which individual could fail, at which they can be competent or ineffective, better or worse" (Menkiti, 1984, p. 173). Those who attain this status enjoy a privileged place in society through being held in high esteem by other community members. Conversely a lack of this status means that such individuals are regarded as "mere danglers to whom the description 'person' does not fully apply" (Menkiti, 1984, p. 174). Personhood or the lack thereof therefore has important repercussions for community members in general and particularly for entrepreneurs. For an informal entrepreneur, personhood translates into competitive advantage, while a lack of it may result into low sales and revenues (Asher, 2017). Interestingly this is not too dissimilar

from the motive of TNCs to achieve competitive advantage through undertaking corporate philosophy as stated above (Porter & Kramer, 2003). Both are likely to suffer reputational damage if they reject these duties and risk facing financial damage as a result. The only difference, and this is important, is that for micro enterprises, competitive advantage is only incidental to the pursuit of personhood, while it seems for TNCs it is among the main aims – something that has been criticised in the literature (Porter & Kramer, 2003). Corporations, therefore, have something to learn from micro enterprises in their pursuit of corporate philanthropy.

7.4 Identifying, Comparing, and Contrasting Patterns in the Data.

The table in Appendix 2 profiles all 30 respondents and details vital demographics about them. Such profiling enables patterns and groups among respondents to be easily identified and analysed. The following paragraphs undertake such an analysis.

7.4.1 Differences in skills among Male and Female respondents

The data reveals important differences between male and female respondents in terms of the skillsets they possess. It suggests that male respondents were in more skilled work than their female counterparts who were mostly engaged in low skilled work. This may have been connected to the comparatively higher education and training that all male respondents possessed, something that was the case for only some female respondents. All male respondents, albeit only four in number, had secondary or vocational qualifications, with majority of the female respondents having primary or no education. As would be expected, this could be a possible reason for the higher average profits of male respondents in comparison to the female ones. The average monthly profit of male respondents was approximately 1100 cedis; which is more than twice the average of female respondents, which is

approximately 430 cedis. However, such disparities can also be attributed to the fact that women are generally more risk averse than men or that they generally tend to prefer to start businesses that are small in terms of revenues compared to men (Akehurst, Simarro & Mars-Tur, 2012; Cowling &Taylor, 2001). The latter point is attributable to two reasons extant in the labour market which are both biased against women, namely, difficulty in securing the requisite capital and the lack of the needed knowledge to skilfully undertake their business activities (Tur-Porcar, Mas-Tur, Antonio Belso, 2017).

7.4.2 Differences in Sources of Start-up Capital

The data also revealed some differences in the way male respondents were able to obtain the start-up capital versus the way female respondents did so. While all four male correspondents mentioned that their start-up capital was raised through personal savings, this was not the case for their female counterparts. The source of start-up capital for most of the female correspondents came, not from personal savings, but from either extended family sources or from their spouses, which in this case are all husbands. This is corroborated by some evidence in the literature which suggests that spouses' financial resources can stimulate entrepreneurial activity (Wolf and Frese, 2018), and also highlights family members as an important source of start-up capital for female entrepreneurs (Tur-Porcar, Mas-Tur, Antonio Belso, 2017). All four male respondents raised their start-up capital from their personal savings, while majority of the 26 female respondents raised start-up capital from their spouses or extended family members.

Possible reasons for this include the existence of a patriarchal society where males subscribe to the gendered ideology of being the provider and protector of their wives and family (Igbelina-Igbokwe, 2013; Qasim & Asubaro, 2019). Male dominance in black African society over women is not new, and one way such dominance is expressed is through marriage where the man is required to pay the bride price of the wife, an act which essentially makes her the property of the husband (Igbelina-Igbokwe, 2013). Marriage in black Africa is traditionally regarded as patrilineal with the process of the marriage

reinforcing the dominance and superiority of the male as the "main actor and protagonist" (Igbelina-Igbokwe, 2013). Such dominance and superiority come with the responsibility of setting up the wife in business by providing start-up capital or otherwise providing for all the needs of a non-working housewife. On the one hand, this customary arrangement is clearly beneficial for the female entrepreneur as a source of capital in a society where capital accumulation and access to funding is generally limited; and particularly challenging for women entrepreneurs (Amine & Staub, 2009; World Bank, 2017).

On the other hand, it reinforces and further entrenches the patriarchy within such societies, which in many ways is inimical to economic, political, and social advancement of women. Wolf and Frese (2018) for example, put forward the view that "contributing financial resources is consistent with sub-Saharan men's role as main providers" (p.15). However, in this case, it can also be attributed to the matrilineal family system among the Akans of Ghana, which places a duty on extended families to support women when they are unmarried. Akans, of which Fantis are a subgroup, are matrilineal, which means that children inherit the blood of their mother and so belong to the mother's family rather than that of the father. This emphasizes the important place that women hold as the bearers of children, which guarantees the expansion and continuity of the entire family. It is therefore, the responsibility of the whole family to look out for and support their women until they are given away in marriage after which the responsibility is passed on to the husband. This may be a feasible explanation for why extended family members provided start-up capital to the female respondents, which constitutes a good source of capital accumulation for female entrepreneurs who have historically been discriminated against in the acquisition of funding to start and ran their entrepreneurial activities (Tur-Porcar, Mas-Tur, Antonio Belso, 2017).

7.4.3 Disparity in Education amongst Respondents

Yet another pattern emanating from the data is the disparity in education between respondents over the age of 41 and those below that age. The age range of respondents was between 22 and 58. All respondents aged 41 and below had primary, secondary or technical education with majority of respondents aged 42 and over having no education. Of the 30 respondents, seven had no education and earned an average profit of some 424 cedis per month. The remaining 27 respondents who had primary, secondary or vocational education had a comparatively higher average profit per month of 593 cedis per month. This is suggestive of the existence of some correlation between education and the success of entrepreneurial activity and is consistent with evidence from the literature that suggests that education has a vital and positive role to play in entrepreneurship (Reynolds, 1997; Reynolds, et al 2000; Bates 1995; Delmar & Davidson, 2000). One possible cause of this disparity is the introduction of Free Compulsory Basic Education (FCUBE) and the Free Senior High School regime in 1996 and 2017 respectively. These two initiatives created an affordable avenue for millions of Ghanaian children to attain primary, secondary, and vocational education after they were introduced. Additionally, while all male respondents had secondary or vocational education, several female respondents only had primary or no education, which reflects the fact that "women entrepreneurs in sub-Saharan Africa are less likely to have the same level of education and work experience as their male counterparts" (Wolf & Frese, 2018, p.17). This again has been attributed to the patriarchal family system that often prioritises boys' education over girls in the face of limited financial resources (UIS & UNICEF, 2015).

7.5 Gender Differences in Sources of funds for Socially Responsible Behaviour

The data also revealed differences between male and female respondents in terms of the sources of funding for carrying out socially responsible actions, the motivation behind such actions and the amount of sacrifice they were willing to make to fulfil such actions. Regarding sources of funds, while most female respondents undertook socially responsible behaviour with funds from both their profits and working capital, majority of male respondents only used funds from their profits. In terms of motivation, both male and female respondents pointed to adherence to afro-communitarian culture and the tenets thereof as the primary reasons for such actions. In terms of the extent of sacrifice related to such socially responsible actions, female respondents, by their willingness to use both working capital and profits, appeared ready to undertake higher levels of sacrifice and bear greater opportunity costs which male respondents were unwilling or unable to bear. This reveals another layer of morality that was uniquely feminine. Thus, in terms of afro-communitarian culture, both female and male respondents pointed to their roles as family members, community members, tribes' people and human beings which compelled them to help as many people as possible within their families, communities, and humanity through the conduct of their business. Beyond this point, however, male, and female respondents diverged in terms of the extent to which they would go in undertaking socially responsible actions. Male respondents on their part, would only fund social responsibility from profits because, according to them, it did not make business sense to use working capital, as that would impede the progress of the business. Female respondents, on the other hand, were willing and able to use both profits and working capital to fund socially responsible actions, an act that went against the rules and principles of accounting, while also having the potential to impact negatively on the survival of the business.

7.5.1 Evidence of Care Ethics

The behaviour of female respondents can be attributed to the fact that women often perceive themselves as being confronted with many contradictory responsibilities towards multiple stake holders including the family, friends, themselves as well as those even more distant (Collins 2015). The preceding is at the heart of the feminine ethics which perceives the world as "a narrative of relationships that extends over time" and comprises of "relationships rather than of people standing alone… [and] coheres through human connection rather than through systems of rules (Gilligan, 2005, p.697, parenthesis mine). Feminine ethics posits the view that moral responsibilities come from interpersonal relationships rather than from rules and principles; that sympathy, rather than rules and principles, ought to be the basis of decision making; that personal relationships are valuable in a way that is often overlooked by other ethical perspectives; that, at the very least, certain responsibilities focus on meeting the needs of and empowering vulnerable individuals within society rather than concentrating on the general rights of rational agents; and lastly, that morality requires more than just singular and isolated acts but rather continuous and prolonged patterns of actions and attitudes (Collins, 2015). What the data suggests is that both female and male respondents, in the conduct of their business, undertook socially responsible actions that were consistent with the principles inherent in care ethics; and since respondents pointed to the Afrocommunitarianism ethics as the motivation for doing what they did, it is clear to see how African and feminine ethics coincide, already discussed in the literature (Harding, 1987, Metz, 2013). Indeed, as the data suggests, the moral decisions that respondents made that culminated in socially responsible actions were based on extant sympathetic and personal relationships they maintained with relevant stakeholders rather than on hard accounting rules and principles. For example, instead of ploughing back profits or saving, which makes accounting sense for a micro enterprise which faces severe financial constraints, respondents, both male and female, made the rational choice of spending substantial parts of their profits on

philanthropic actions. However, even though care ethics was evident in the decisions that both male and female respondents made, female respondents were willing to make much more greater sacrifices in the pursuit of socially responsible behaviour than male respondents were willing to make in as much as they were willing risk the survival of their enterprises, but male respondents were simply unwilling to do.

The preceding reveals two things, namely the role of women's enterprise in CSR and BHR and the role of women's entrepreneurship in patriarchal societies.

7.6 Role of Women's Informal Entrepreneurship in CSR

The above key role women play in CSR in the informal economy can be contrasted with the fact that women are underrepresented in key aspects of formal business world of corporations (Adams, 2016). This has been seen as leading to sub-optimal decision making at the corporate level when confronted with moral decisions (Nguyen, et al., 2020; Adams & Ferreira, 2009; Abdul Wahab, et al., 2018; Kirsch, 2018). As a result, there has been a worldwide effort, at least in developed countries, in the last couple of decades to increase women's representation through compulsory and voluntary reforms. For example, there is the 40% women board membership quota in Norway, and 25% women board membership target in the UK (Sarhan & Ntim, 2019). Despite this, women still represent approximately 15% of representation in board rooms (Deloitte, 2017). Now, since decisions about fulfilling social responsibility and BHR obligations in corporations happen mostly at the top of

organisations[22], it is reasonable to assume (with this level of representation at the board level) that women only have minimal influence on the BHR agenda, as far as formal corporations are concerned. However, as the data has shown, this is not the case among informal sole traders. When the public announcement was made at the start of the present study inviting micro entrepreneurs to participate in the study, nearly 90% of those who responded were women. Thus, it was largely the voice of women that was heard in the study. This voice clearly showed that it was women that were at the forefront of socially responsible behaviour including BHR in these types of businesses. Now this is not to say that men do not participate in social responsibility in this sector[23], but it is to state that by attending in their numbers, it was women whose voices came through in the study results and therefore, it is mostly their perspective, efforts and sacrifice relative to social responsibility that was evidenced. Obviously more quantitative studies need to be conducted to establish the extent to which both men and women in the informal economy take social responsibilities including BHR. Even so, it is fair to conclude, even at this preliminary stage, based on the evidence in the present study and their sheer dominance (ILO, 2018) in the sector, that women informal sole traders are the driving force behind social responsibility, including BHR in the informal economy. This, no doubt, has implications for women empowerment.

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[22] BHR arrangements such as undertaking due diligence; establishing policies and procedures can only be undertaken with top management involvement (United Nations, 2011).

[23] Even though they were few, some male entrepreneurs turned up for the interviews and provided evidence that show that they also undertook relevant BHR obligations. However, being the dominate (ILO, 2018) gender in the informal sector as well as the present study, it is reasonable to assume that they are the main drivers of the informal sector BHR agenda.

7.7 Role of Women's Entrepreneurship in Patriarchal Societies

Another important contribution the study makes is to provide evidence in support of the vital role that women's entrepreneurship plays in patriarchal societies. Though patriarchal family systems and power structures exist in many parts of the world, they are particularly pervasive in many societies within sub-Saharan Africa (UNDP, 2016; World Economic Forum, 2017b; Africa Development Bank, 2015). In such societies women are typically regarded as nurturing and caring and suitable for looking after the household. Men, on the other hand, are seen as assertive and in control of their actions and destiny, while retaining the role of being providers (Wood & Eagly, 2002; Eagly & Wood, 2012). Most African women entrepreneurs live and work under such systems (Titi Amayah & Haque, 2017). Such thinking does two detrimental things against women's empowerment: first it gives a clear advantage to men who are deemed to possess similar characteristics required to be successful entrepreneurs (Gupta et al, 2009; Gupta, Turban, & Bhawe, 2008). Second, it regards women as lacking the requisite skills to excel at entrepreneurship (Eagly & Wood, 2012; Eagly & Karau, 2002); and limits the socio-economic mobility and overall prosperity of women (Chant, 2013).

However, as the data shows, "women throughout the world thrive even under most pressing, patriarchal societal conditions and institutions" (Cinar, 2019, p.89). They make significant contributions to both nuclear and extended family incomes, which helps to alleviate poverty and provide a kind of social safety net for family members who will otherwise be destitute. This is done through financial support they offer to family and community members as well as the network of stakeholders they relate with in the conduct of their business. Also, evident from the data is the fact that through their work, women entrepreneurs can empower themselves to become active members in the social-economic affairs of their communities. These contributions are corroborated in the literature. For example, women entrepreneurs make major economic contribution (Akehurst, 2012) and "enhances the status of women and their family's wellbeing" (Muhammed at al., 2021, p.1), create

employment opportunities (Burton, Fairlie & Siegel. 2019; Mari, Poggesi & De Vita, 2016, Sajjad et al 2020), make contributions toward social inclusion (Altan-Olcay, 2015), generate additional income that supports their families (Thomson, 2002), contribute towards the empowerment of women (Helms, 1997, Heshemi et al, 1996); poverty alleviation (Gu & Nie, 2021), economic growth and efficiency (Razavi, 2012).

7.8 Similarities and Differences between Stakeholders of Male and Female Respondents

Even though male and female respondents have similar stakeholders, there are some slight differences between them as is evident in the stakeholder maps above. Male respondents have an extra stakeholder in the form of the extended family of spouses that does not feature among the stakeholders of female respondents. Evidence from the data shows that male respondents identified the extended families of their spouses as important stakeholders in the conduct of the business. As a result, they deemed themselves to owe obligations to them in the form of financial and material support. Female respondents, on their part, did not identify any such obligations to the extended families of their husbands. The main reason for this was the fact that it was simply not their responsibility to cater for the extended family of their husbands. Such a worldview can be traced to certain important elements in Akan culture. In Akan culture, when a man identifies a woman he is interested in, he informs his family, after which his family approaches the family of the woman to ask for her hand in marriage. If the woman's family agrees, the marriage takes place, after which time responsibility for the upkeep and wellbeing of the woman passes from her extended family to the man and by extension, his extended family. He must "maintain his wife – supply the necessaries of health and life to his wife and her children (Criminal Code, 1960), who essentially belong to the wife's extended family". The Akan husband, on the other hand, belongs to his own extended family. While the man is liable for the debts and torts of the wife, the reverse is not the case. Traditionally, property acquired in Akan marriages

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goes to the decedent's matrilineal extended family (Awusabo-Asare, 1990). Often, the wife may stretch out the husband's duties towards her to cover her extended family members. This is especially the case where the man has the means to bear such responsibilities.

This system has two implications for women. On one hand she and her extended family benefit from the benevolence of her husband and also stands her in good stead in the eyes of her extended family. On the other hand, such an arrangement further entrenches the same patriarchal system which is so detrimental to women's progress and empowerment.

7.9 CSR-for- CSR- a unique approach to Social Responsibility

An important contribution emerging from the data is that informal sole traders undertake philanthropic social responsibility towards certain stakeholders on a CSR- for-CSR basis. This is especially so for stakeholder relationships with suppliers and competitors and not so much for other stakeholders. When such businesses undertake philanthropic actions, as part of what can be classed as their *CSR* effort towards suppliers or competitors, they do so in their capacity as *sole tradership businesses* rather than as individual persons. This is because, by definition, CSR entails ethical decisions made by *business organisations* and not private persons. So, for example when a sole trader undertakes altruistic actions towards a supplier, such as making a donation at their wedding ceremony, in his or her capacity as a sole tradership business, such an act can be regarded as being constitutive of the philanthropic responsibilities of that sole tradership business. In the future when that supplier reciprocates this action, what he or she carries out, when done in their capacity as a sole tradership business, also constitutes their own CSR efforts. Thus, there is an exchange of CSR actions between such businesses in a way that is uncommon in the CSR efforts of other types of businesses such as TNCs.

Such CSR-for-CSR arrangement among sole traders provides new perspectives and insights into the CSR efforts that micro businesses carry out.

7.9 Conclusion

This chapter has tried to identify and discuss both the empirical and theoretical contributions that the present study makes to the area of business ethics. The empirical contributions identified and discussed here flies in the face of the condemnation often levelled against informal micro enterprises for being the bastion of human rights abuses. To the contrary, the evidence points to a sector that relies on extant local cultures to fulfil some BHR obligations in the absence of formal procedures, that entrepreneurs in the sector undertake positive obligations, that they undertake these at an intimate, personal, and micro level, and that it is women who drive the BHR agenda within the sector. This provides very useful insights about the otherwise forgotten and murky world of the informal sector. The theoretical contribution is also noteworthy because it modifies and adds to a key theory in business ethics, witness the Integrated Social Contracts Theory. Introducing the idea of superlative norms provides more nuancing and enrichment to what a seminal theoretical perspective in business is ethically.

Chapter 8: Conclusion

8.0 Introduction

Being the final chapter of this study, this chapter lays out the conclusions reached from the whole study. This is done by summarising the findings from the study, reiterating both the theoretical and empirical contributions of the study, laying out the implications of the study both for further research and for policy, evaluating the limitations of the study, as well as making final reflections about the project.

8.1 Recap of study purpose

The present study was borne out of a curiosity about two things: first, whether sole traders within the informal economy, dominant as they are in developing countries, had any means of meeting the human rights standards set out in international documents such as the Universal Declaration of Human Rights and related covenants. Second, if they meet any of these covenants, how did they do it? In turn, the preceding questions stem from the fact that the informal economy has been largely neglected in the business human rights agenda mainly because of its marginalisation and illegality[24]. This is despite the worldwide informal economy being far bigger than the formal sector in terms of employment and economic activity (ILO, 2018). Thus excluding this sector from the BHR agenda truncates the global reach that it seeks in order to be truly relevant to all businesses.

It is from the preceding premise that the study was initiated with a view to answering the following research questions: do informal sector micro enterprises undertake human rights obligations as enshrined in international human rights covenants such as the Universal Declaration of Human rights; and if they do, how they did so?

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[24] Illegality here means outside the purview of the law, rather than those engaged in criminal activities.

8.2 Summary of layout

In seeking to answer these questions, the study commenced with an introductory chapter which undertook a discussion of the history of the development of human rights. This chapter then went on to a discussion of business human rights; the country context (including the economy, the culture of the Akan meta-ethnic group and the extent of their proclivity to entrepreneurship), as well as the human rights implications of informal micro enterprises activities. Additionally, this chapter outlined the research questions and objectives for which answers were sought.

The second chapter focused on a review of literature on human rights including its historical development; the scope, extent, and content of business human rights, as well as the various philosophical perspectives that drives it, human rights in the informal sector, as well as small businesses and human rights. Chapter Three sought to lay out a theoretical framework to guide the study. Here, Donaldson and Dunfee's Integrated Social Contracts Theory (ISCT) Donaldson and Dunfee (1994) was showcased as the ideal framework to be used to explain how informal micro enterprises fulfil human rights obligations. Afro-communitarianism, which is reputed to be the quintessential black African culture (Gyekye 1995;1996;1997; Majeed, 2017; Wiredu, 1992), was also discussed as the culture that characterises the Akan tribe, which was the focus group of this study. The fourth chapter concentrated on the methodology by which the study was conducted. As expected, this chapter provided descriptions and justifications for the research design, purpose, paradigm, and strategy. Additionally, the chapter covered the data collection methods and their justification, the pilot study, descriptions of the study participants, as well as a discussion of the values that influence the study. The fifth chapter focused on the analysis of the data. It described and justified the data analysis method used, namely, thematic analysis, and discussed both latent and

manifest themes that emerged from the data. Chapter Six covered the theoretical perspectives that undergirded the emergent themes with Chapter Seven focusing on the contributions the study makes to business ethics in general and the ethics that guide informal micro entrepreneurs. This final chapter, being Chapter Eight, provides a summary of what has been done in the study, how the research questions have been addressed, the implications of the study for research in developing countries, informal sector organisations, the worldwide BHR agenda, and the final reflections and final conclusions.

8.3 How the Research Questions have been addressed

As noted earlier, two research questions were generated for this study: 1**) Do informal micro enterprises undertake human rights obligations as enshrined in international human rights covenants such as the Universal Declaration of Human rights? 2) How do informal sole traders subscribe to human rights obligations (assuming they do) as spelt out in the UN Framework in the absence of government regulation?** What was meant by human rights here were those enshrined in the UDHR. The UDHR was used for two reasons: first, because "successive generations of human beings, from distinct cultures and all over the world recognised in it "a common standard of achievement" … which corresponded to their deepest and most legitimate aspirations' (Trindade, 2008). Second, "the responsibility of business enterprises to respect human rights refers to internationally recognized human rights – understood, at a minimum, as those expressed in the International Bill of Human Rights" (United Nations, 2011, p. 14) of which the UDHR is an important part. For purposes of this study and in view of the constraints of time, three out of the 30 articles that make up the UDHR (namely, Articles 1, 16(3) and 29(1) were selected as being representative of the entire covenant. By implication therefore, these articles can be paraphrased as obliging all business enterprises everywhere to "act towards… their stakeholders…

in a spirit of brotherhood"; to regard and treat "The family [as] the natural and fundamental group unit of society…[which is]…entitled to protection by … [business entrepreneurs]; and finally to recognise that "Everyone [including business enterprises] has duties to the community in which alone the free and full development of his personality is possible" (UDHR, 1948, parenthesis mine).

The three research questions and associated propositions, namely, 1) **do informal sector micro-entrepreneurs subscribe to human rights obligations as spelt out in the UN Framework in the absence of government regulation?** And 2) **if they do, how do they do subscribe to such obligations** were addressed with emergent themes from the data. Evidence from the data confirmed that: **informal sole traders indeed fulfil some obligations inhered in the UDHR during the conduct of their business**. In relation to Article 16(3), it was clear that they recognise "the family … [as]… the natural and fundamental group unit of society … [that was] entitled to protection" (UDHR, 19848, parenthesis mine). In terms of the how, emergent evidence confirmed that they undertook acts of care, altruism, and sacrifice towards family members. Specifically, they included taking care of extended family members financially and materially, supporting the children of relatives far and near, paying family dues that goes to support the whole family when needed, etc. However, since it is normal for people everywhere to take care of family members, it can be argued that evidence from the data which showed that what the sole traders did was nothing extraordinary. This leads us to why they undertook such obligations especially since they were under no compulsion to do so? The answer to this question was largely based on the way these sole traders interpreted the word 'family'. In line with the afro-communitarian culture, as the data confirmed, they used the word 'Family" to connote the extended family concept which includes relatives such as cousins, nephews, nieces, grandparents, aunts, uncles, and other relatives, as well as ancestors who were still considered to have some influence on the living. This conceptualisation of family meant that the respondents recognised obligations towards a far larger number of people than would otherwise be the case in

the nuclear families that characterise western societies. Such obligations were more intensified during periods of crises such as bereavements and illnesses and during family events such as marriage ceremonies. Thus, within the Akan context studied here, sole traders support their extended family members during the conduct of their business, because the afro-communitarian culture to which they belong and subscribe stipulates such socio-cultural norms. It is important to know that such acts were often undertaken with profits generated from their enterprise. Indeed, sometimes even revenues were used in this way which often led to severe financial losses to the enterprise.

Evidence from the data also depicted a strong commitment by respondents to the communities in which they lived and traded. In terms of how this was expressed, the respondents undertook altruistic acts such as making donations during funerals, closing the enterprise to attend funerals of customers and community members, making donations at weddings of customers and community members, providing cash gifts to needy community members, supporting destitute children with food and money etc. Such acts displayed lent support to a strong commitment to extended families. This was in accordance with Article 29(1) which states that "Everyone has duties to the community in which alone the free and full development of his personality is possible" (UDHR, 1948). The reasons why they undertook such acts was largely because they were wedded to key tenets inhered in afro-communitarian culture to which they subscribed.

This culture

> "teaches that all sub-groups and major institutions in society are micro-systems that must contribute to the growth and socio-political stability of the community. The community or society is viewed as a macro-organism, within which social equilibration, social balance and harmony must prevail. A very powerful, and almost individuality

submerging, concept of community rules in the indigenous African world" (Dogbe, 1980, p. 782).

 Afro-communitarian culture itself rests on a foundation of religion, social sets (which refers to groups of people who are bound together by physical, psychic, or spiritual power as well as socio-historical events) co-operation and a deep sense of co-dependency amongst individuals (Dogbe, 1980).

Lastly, evidence from the data showed that micro entrepreneurs that took part in the study predominantly undertook acts in the course of their business that were in accordance with Article 1 of the UDHR. In terms of how they did so, it was evident that they undertook acts that were in line with treating others as brothers and sisters. This means that at a minimum, people, and in this case, businesses are required to treat others with empathy, explained as the ability of an agent to "interpret its observations of others in terms of its model of itself and its own experiences, combined with an action or goal suggesting mechanism that reacts appropriately to these interpreted observations"; and solidarity, explained as showing empathy regardless of the agent's models of itself (Sandewall, 2019, p. 564) Examples of such actions include extending interest-free credit to customers, lending money to customers, making donations to customers upon being bereaved, visiting customers when taken ill, among other altruistic acts. This was again detrimental to their own financial circumstances. These acts were motivated, according to the data, by the culture of these entrepreneurs that placed demands on them to act in these ways. Akan culture, elsewhere described as afro-communitarianism, to which they belong, obliges them to treat all those with whom they interact during their trade, as brothers and sisters. And it is a subscription to these cultural tenets that motivates them to act that way.

8.4 Recap of theoretical Contributions

The present study makes both theoretical and empirical contributions to the field of business ethics. In terms of theoretical contributions, the study provides an important alteration to Donaldson and Dunfee's Integrated Social Contracts Theory (ISCT). This is done with the introduction of the concept of *superlative norms* which seeks to bring much needed refinement and nuancing to the concept of legitimate norms, defined as an authentic norm that is compatible with hypernorms (Donaldson & Dunfee, 2000).

The idea of superlative norms stems from the fact that ISCT takes an un-nuanced view about legitimate norms. According to ISCT, for an authentic norm to become a legitimate one, it has to be "compatible" with hypernorms. Compatibility here means that the authentic norm ought to be in harmony with or meet hypernorms. This has the potential to allow an authentic norm to merely meet the minimum standards laid out in the hypernorm. As it stands, ISCT does not recognise the difference between an authentic norm that merely meets a hypernorm and that which surpasses it in a significant way. Take for example two business communities, Communities A and B, who are similar in terms of combined market share and financial strength. Each Community's authentic norms are required to meet or be compatible with hypernorms, an example of which is laid out in Article 16(3) of the UDHR which states that "The family is the natural and fundamental group unit of society and is entitled to protection by society…" (UDHR, 1948). In seeking to attain legitimacy, enterprises in Community A could choose to adopt the norm of providing free COVID tests to family members of employees as a way of fulfilling Article 16(3). Community B on the other hand may choose to adopt the norm of providing a welfare package to employees' families that includes a comprehensive healthcare plan, free accommodation, and free education. What is obvious here is that Community B's efforts at meeting Article 16(3) clearly surpasses those of Community A. As it

currently stands, ISCT regards the norms undertaken by both communities as having met the hypernorm Article 16(3); and so, can graduate to become legitimate. But doing so neglects, even disregards the extent to which each of these communities met the hypernorm and robs Community B of the kudos it deserves.

It is in view of this neglect, if also disregard, that the term *superlative norm* is coined to describe a norm which does not only meet hypernorms but surpasses it in a significant manner. However, since there are no hard and fast parameters that guide whether a hypernorm such as Article 16(3) is merely met or significantly surpassed, questions about measurement are likely to come up. To solve this problem of measurement, it is proposed that the concept of opportunity cost is employed as a viable yardstick. The feasibility of opportunity cost as a measure lies in the fact that it measures what community members lose (in terms of the next best alternative they could have gained) when they undertake actions aimed at meeting relevant hypernorms. In this sense opportunity cost is equated to moral sacrifice. The idea of superlative norms makes a powerful theoretical contribution to ISCT. This is because it provides much needed nuancing to the concept of legitimate norms which is the only means by which norms can become obligatory under ISCT. The attainment of legitimacy aims at solving the issue of unbridled cultural relativism, that has the potential to "endorse a confusing and corrupt array of incommensurate moral systems and principles" (Donaldson and Dunfee, 1994, p.264). Yet, while legitimacy helps to remove cultural relativism by setting minimum standards of compliance, it is guilty of a lack of discrimination between moral agents who take great pains to exceed the minimum standards and those that will merely meet those standards. This has important consequences for how hypernorms are met especially when they consist of positive rights obligations, which requires an actor to actively protect against human rights violations (Laurens, 2014).

8.5 Summary of empirical Contributions

The present study also makes empirical contributions to research into the informal sector and micro enterprises within it. First, the study reveals that contrary to popular belief that enterprises in the informal sector do not fulfil any business human rights obligations, such businesses in fact do fulfil some of these obligations by fulfilling the norms inherent in their local cultures. Certain practises inhered in the afro-communitarian culture to which these entrepreneurs are reputed to belong, place certain obligations on them and efforts to meet these cultural norms inadvertently allow them to meet some articles inhered in the Universal Declaration of Human Rights, namely, Articles 1; 16(3) and 29(1). With this being the case, it is fallacious to conclude that the informal sector as a whole does not conform to BHR obligations.

Second, the study also makes important contributions to studies on micro enterprises. Such businesses, are often, subsumed under the broad rubric of MSMEs or MSMEs. But doing so misses out on important nuances that characterise micro enterprises as a standalone business form. How, for example, is a medium-sized enterprise which employs ten people and has offices, a limited liability status, a board of directors, and a raft of other resources to be placed in the same group with a micro enterprise comprising of a lone owner/manager with no office, no staff, no business name, or fixed merchandise for sale? Such a categorisation only invites un-nuanced and erroneous generalisations to be made about micro enterprises. And it is to these that the current study addresses by bringing much needed definition, precision, and simplicity to micro enterprises, as one-person businesses without employees. This easily represents the best example of the fusion of person and business amongst the variety of business forms that exist. Having defined it in this manner, the study goes ahead to provide important insights into the workings of a select group of Akan micro

enterprises, and showcases the extent to which they are influenced, in the conduct of their business, by the norms and tenets inhered in the culture to which they belong.

Thirdly, the study gives empirical grounding to afro-communitarian culture which has been touted as the authentic culture of black African peoples. Empirical studies on the existence of such a culture are rare, and so by providing empirical results that support the existence of such a culture, the present study finds itself amongst the vanguard of studies which aim to bring empirical evidence to a hitherto theoretical and conceptual construct. The fourth empirical contribution is that the study shows how, in the absence of state oversight, cultural norms can become the vehicle for achieving BHR obligations.

8.6 Study Limitations

One limitation of the study stems from the philosophical basis on which it rests. Being interpretivists in its epistemology and relativist in its ontology, the study naturally reflects a number of subjective realities and interpretations including those of the researcher as well as those of the respondents. This means that findings can always be critiqued and challenged by other researchers. Related to the preceding is that the study focused on a highly defined group of respondents with specific features. This makes it nearly impossible to achieve any kind of statistical generalisation of the findings, albeit analytical generalisation is possible to achieve.

8.7 Future Research Agenda

Flowing from the preceding contributions, this study provides opportunities for further research. For example, some more work will be required to find out what other business human rights obligations are being met by informal sector business enterprises and the means by which they are met. Similar questions can be raised as to whether other informal business enterprises in different countries with different cultures, outside of sub-Saharan Africa fulfil business human rights

obligations, and if so, how they do so. Additionally, the question of whether other trade conventions and practises exist within the informal sector may serve as a means of fulfilling business human rights obligations exist has been explicitly left open to future research.

8.8 Implications of the work for business practice in Ghana, and other similar economies

This study has some implications for micro business practise in developing countries such as Ghana, characterised by capital shortage and informality. Fulfilling human rights obligations, especially positive ones, often comes at a cost to both the state and to business enterprises, and so lack of resources prevents not only states from fulfilling rights obligations but also business organisations (Quintavalla & Heine, 2019). Micro enterprises within the informal sector face even more scarcity of resources, which prevents them from developing the systems and procedures by which business human rights can be fulfilled. The Protect, Respect, Remedy Framework posits that "In order to meet their responsibility to respect human rights, business enterprises should have in place, policies and processes appropriate to their size and circumstances" in the form of policies, due diligence processes and processes to remedy adverse human rights impacts (United Nations, 2011, pp. 15-16). Clearly informal micro enterprises can hardly effectuate such policies and procedures. What this study does is to highlight the informal micro entrepreneur studied in the present work as a moral agent who actively participates in the BHR agenda. This is in contrast to the image informal businesses have previously had as constant violators of human rights (Miller, 2006). This new reputation will go a long way in helping such businesses embrace formalisation.

Besides micro enterprises in the informal sector, the study's findings can also have implications for how micro enterprises fulfil human rights obligations in developed countries, such as the United

Kingdom[25]. Similar to Ghana, developed country micro enterprises also face financial constraints, and will benefit if there is evidence to show that they, through extant culture, inadvertently fulfil business human rights obligations. The cost implications of taking steps to fulfil BHR rights obligations is likely to be reduced if compliance already exists.

8.9 Implications for Policy

In view of the evidence that informal sole traders do in fact fulfil some business human rights obligations, it is important that the Ghanaian government put in place measures to highlight such compliance. This will hopefully change the narrative that depicts the informal economy as a whole and the businesses within it as pariahs, when it comes to business human rights. This change in narrative can help usher in a regime of documenting the methods by which such businesses undertake rights obligations into procedures and processes as required in the UN Framework. This will hopefully give the government of Ghana a head-start in its efforts to ensure that all business enterprises comply with rights obligations.

This study again shows that international covenants such as the UN Framework are relevant to a more diverse range of business organisations than previously thought. Hitherto, the UN Framework, which is founded on covenants such as the UDHR, has seemingly been applicable almost exclusively to TNCs. What this study has shown is that some micro enterprises have ways of meeting right obligations, albeit informal, in the same way TNCs have formal ways to meet such obligations. In doing so the power of socio-cultural norms in influencing moral behaviour has been highlighted as possessing the same moral compulsion and force as legal and formal due diligence procedures.

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[25] Over 5 million businesses are classified as micro enterprises and are characterised by between 0-9 employees**Invalid source specified.**

8.10 Final Reflections

The importance of human rights can hardly be overemphasized, and given the important roles that business enterprises play in the economic and social life of citizens, it is important that business enterprises take up their role in fulfilling business human rights obligations. By throwing more light on the informal economy and how BHR obligations are fulfilled therein, this study has brought the sector into the limelight once again in the same way that sector's contribution to employment and revenues have been highlighted in the last forty years. The implications for the worldwide business human rights are huge in as much as the study shows the sector to be a participant in the BHR agenda rather than outcasts.

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APPENDICES

APPENDIX 1: Request to Attend Funeral for Non-participant Observation

<div align="right">

Bernie Asher

No.125, Pedu Estates

Cape Coast, Ghana

10th April 2017

</div>

Dear Respondent F16

Request to attend Funeral of Respondent F16

My condolences once more on your recent bereavement. As earlier discussed with your after our recent interview, I would like to attend the up- coming funeral slated for the 14th of April 2017. In addition to empathising with you concerning your loss, I will be undertaking a non-participant observation of events as they happen at the funeral. This information will form an important part of my research into how informal sole traders relate with and interact with stakeholders which forms part of my PhD thesis at the Royal Holloway, University of London.

With your permission I will be attending with a Key Informant from the palace of the Abura Chief, in the person of Opanyin Essel. At the funeral, I will be observing events as they unfold and taking notes.

It is my sincerest hope that this humble request is granted.

Yours sincerely

Bernie Asher

APPENDIX 2: PREMISES REQUEST LETTER

Bernie D Asher

No. 125 Pedu Estates

Cape Coast, Ghana

5th March 2017

Pastor Louis Abban

Destiny Kingdom Church

Abura.

Dear Pastor Abban,

<u>Permission to use Premises of Destiny Kingdom Church Premises at Abura for the purposes of interviews.</u>

Following ion from our earlier discussions, I write to formally request the use of your church premises for the purpose of conducting interviews on the 19th of March 2017 and on the 5th, 6th, 7th, 8th, and 10th of April 2017 from 5.00am to 10.30pm each day. These interviews are part of my pursuit of a PhD programme at the Royal Holloway, University of London. Interviewees are 30 in number which will translate into 30 interviews with each lasting about 2 hours.

While at your premise, some of your facilities, such as toilets and furniture will be used as well as all health and safety protocols followed. At the end of period, care will be taken to ensure that the premises is returned to the original state in which it was given.

Please respond to this request at your very earliest convenience.

Yours sincerely

Bernie Asher

APPENDIX 3: PREMISES REQUEST LETTER- RESPONSE

<div align="right">

Pastor Louis Abban

Destiny Kingdom Church

Abura.

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Bernie D Asher

No. 125 Pedu Estates

Cape Coast, Ghana

7th March 2017

Dear Bernie

Re- Permission to use Premises of Destiny Kingdom Church Premises at Abura for the purposes of interviews.

I acknowledge your request above and I with this letter agree to make the premises of the Destiny Kingdom Church of God, located at Abura available to you for the purposes outlined on the dates mentioned. During this period, a member of my congregation, in the person of Deacon Francis Boateng will be available to assist you whenever necessary. His contact phone number is 0552638475.

 Please be aware that you will be responsible of the health and safety of your interviews over the period.

Do not hesitate to contact me or decon Francis for any assistance needed during this time.

Thank you and God bless you.

Yours in Christ

Pastor Louis Abban

APPENDIX 4: Pilot Interview Schedule

Item	Venue	Purpose	Date; Time & Duratiion
Reminder calls to all correspondents	Phone calls	Reminder for meeting for 19/03/17	16.03.17@ 9.00am- 12.00
Meet & Welcome Respondents	Abura Destiny Kingdom Church Premises	Opening/ briefing session on informed consent; explanation of forms and discussion	19.03.17@ 08.00am- 09.00am
Signing of pilot consent form	"	Provision of informed consent	19.03.17 @ 09.00am to 09.15am
First Interview	"	1st pilot semi structured Interview	19.03.17@ 09.30- 11.00
Second Interview	"	2nd pilot semi-structured Interview	19.03.17@ 11.15- 12.45
Lunch Break	"	Refreshments	19.03.17 @ 13.00- 14.00
Third Interview	"	3rd pilot semi structured interview	19.03.17@ 14.00-15.30
Fourth Interview	"	4th pilot semi structured Interview	19.03.17@ 15.35- 1700
Fifth Interview		5th pilot semi structured Interview	19.03.17@ 1700- 18.30

APPENDIX 5: SEMI STRUCTURED INTERVIEW QUESTIONS

RESEARCH QUESTIONS:

1. What socially responsible actions (particularly philanthropic responsibilities) do informal sole traders undertake?
2. How do such actions fulfil BHR human rights obligations?
3. What motivates these actions?

RESEARCH PROPOSITIONS:

- Informal sole traders undertake some socially responsible actions (specifically philanthropic activities which also fulfil some BHR obligations.

- They do the above by following some practises and norms inhered in the afro communitarian culture.

INTERVIEW QUESTION CATEGORIES

1. **Questions about personal details of respondents**
2. **Questions about work**
3. **Questions about their families**
4. **Questions about their community**
5. **Question about cultural norms**
6. **Questions about stakeholders**
7. **Questions about CSR (philanthropic activities)**

1. **Questions about personal details**: This is a conversational start to put the interviewees at their ease. The aim of this category is the familiarise with interviewees and to find out about their backgrounds, names, age, educational background; marital status, number of children (if any), ethnicity; place of residence; length of residence.

Probes: reasons for choice of education pathway; length of marriage, differences between ethnicity and place of residence; ethnic background of name; ethnicity of marital spouse versus that of respondent.

2. **Questions about work:** The aim of this class of questions is to find out about the employment and skills background of the respondent. This will provide details about the reasons behind the choice of occupation.

   Probes: type of business; reasons behind the choice of business, details of business activities, details of startup capital; details of operational capital; business location; length of time in business activity; previous business activity; number of profits.; amount of revenue; expenses; business costs.

3. Questions about their Families: This class of questions aim at appreciating the family background of the respondent; they help to understand their conception of family; interactions between their business activities and their families and the impacts of family structures on the business.

   Probes: questions about family size, family composition; marital status; details of spouse's family; number of children; siblings; extended family networks

4. **Questions about their community:** the aim of this class of questions is to gain an understanding off the nature of the community in which the respondent lives and trades and the interaction that respondents have with the community.

   Probes: place of residence length of residence place of trade; how place of trade was secured; interactions with community members during trade; nature of interactions; possible conflicts

5. **Question about cultural norms:** the aim of this category of questions is to gain an understanding of the cultural norms that may possibly influence the business activities and guide behavior in general and ethical behaviour in particular.

Probes: awareness of tribal values and customs; identification of tribal values and customs; understanding of tribal values and customs; evaluation of tribal values and customs; assessment of impact of values, norms, and customs.

6. **Questions about stakeholders:** this category of questions aim to understand the stakeholder relationships that the respondent has and their impacts on the business.

   Probes: identification of stakeholders; understanding of stakeholders; interactions with stakeholders; impacts of stakeholders; duties to stakeholders.

7. **Questions about CSR (philanthropic activities):** this category of questions aim to understand the CSR activities that respondents undertake as part of their business; and the appreciation of the essence of CSR activities.

   Probes: existence of philanthropic activities; nature of philanthropic activities; costs to business of philanthropic activities; reasons for philanthropic activities; purpose of philanthropic activities.

APPENDIX 6: Semi Structured Interview Schedule

Briefing day and Interview Day One

Item	Venue:	Purpose:	Date; Time & Duratiion
Reminder calls to all correspondents	Phone calls	Reminder for meeting for 19/03/17	30.03.17@ 9.00am-12.00
1st day of meeting all respondents Schedule interview sessions and timings for respondents	Abura Destiny Kingdom Church Premises	Opening/ briefing session/ allocating scheduling	05.04.17@ 08.00am-11.00am
Carry out 1st Interview	"	1st semi-structured interview	06.04.17@ 05.00-0700
Carry out 2nd Interview	"	2nd semi-structured Interview	06.04.17@ 07.00-0900
Carry out 3rd Interview	"	3rd semi-structured Interview	06.04.17@ 0900-11.00am
Carry out 4th Interview	"	4th semi-structured Interview	06.04.17@ 11.00-1300
Lunch	"	Refreshments	06.04.17@ 13.00-15.00
Carry out 5th Interview	"	5th semi-structured Interview	06.04.17 @ 15.00-17.00
Carry out 6th Interview	"	6th semi -structured Interview	06.04.17@ 17.00-19.00

Carry out 7th Interview	"	7th semi-structured Interview	06.04.17@ 1900-2100
End of Day	"	Clean up	06.04.17 @21.00-21.30

Interview Day Two

Item	Venue:	Purpose:	Date; Time & Duratiion
Carry out 8th Interview	Abura Destiny Kingdom Church Premises	8th semi-structured interview	07.04.17@ 05.00am-0700am
Carry out 9th Interview.	"	9th semi structured interview	07.04.17@ 07.00-0900
Carry out 10th Interview.	"	10th semi-structured Interview	07.04.17@ 0900-11.00am
Carry out 11th Interview	"	11th semi-structured Interview	07.04.17@ 11.00-1300
Lunch	"	Refreshments	07.04.17@ 1300-1400
Carry out 12th Interview	"	12th semi-structured Interview	07.04.17@ 14.00-16.00
Carry out 13th Interview	"	13th semi-structured Interview	07.04.17 @ 16.00-18.00
Carry out 14th Interview	"	14th semi -structured Interview	07.04.17@ 18.00-20.00
Carry out 15th Interview	"	15th semi-structured Interview	07.04.17@ 2000-2200
End of Day	"	Clean up	07.04.17@2200-22.30

Interview Day Three

Item	Venue:	Purpose:	Date; Time & Duratiion
Carry out 16th Interview	Abura Destiny Kingdom Church Premises	16th semi-structured interview	08.04.17@ 05.00am-0700am
Carry out 17th Interview.	"	17th semi structured interview	08.04.17@ 07.00-0900
Carry out 18th Interview.	"	18th semi-structured Interview	08.04.17@ 0900-11.00am
Carry out 19th Interview	"	19th semi-structured Interview	08.04.17@ 11.00-1300
Lunch	"	Refreshments	08.04.17@ 1300-1400
Carry out 20th Interview	"	20th semi-structured Interview	08.04.17@ 14.00-16.00
Carry out 21st interview	"	21st semi-structured Interview	08.04.17@ 16.00-18.00
Carry out 22nd Interview	"	22nd semi-structured Interview	08.04.17 @ 18.00-20.00
Carry out 23rd Interview	"	23rd semi - structured Interview	08.04.17@ 20.00-22.00
End of Day	"	Clean up	08.04.17@2200-22.30

Interview Day Four

Item	Venue:	Purpose:	Date; Time & Duratiion
Carry out 24th Interview	Abura Destiny Kingdom Church Premises	24th semi-structured interview	10.04.17@ 05.00am-0700am
Carry out 25th Interview.	"	25th semi structured interview	10.04.17@ 07.00-0900
Carry out 26th Interview.	"	26th semi-structured Interview	10.04.17@ 0900-11.00am
Carry out 27th Interview	"	27th semi-structured Interview	10.04.17@ 11.00-1300
Lunch	"	Refreshments	10.04.17@ 1300-1400
Carry out 28th Interview	"	28th semi-structured Interview	10.04.17@ 14.00-16.00
Carry out 29th interview	"	29th semi-structured Interview	10.04.17@ 16.00-18.00
Carry out 30th Interview	"	30th semi-structured Interview	10.04.17 @ 18.00-20.00
End of Day	"	Clean up and clear up	10.04.17@2000-20.30

APPENDIX 7 : Interviewee Consent & Information Sheets

Study Title:

IMPLICATIONS OF AFRO-COMMUNITARIAN ETHICS FOR SOCIALLY RESPONSIBLE BEHAVIOUR IN THE INFORMAL SECTOR: A CASE OF AKAN SOLE TRADERS IN CAPE COAST, GHANA.

Invitation

I would like to invite you to take part in a research study. Before you decide you need to understand why the research is being done and what it would involve for you. Please take time to read the following information carefully. Ask questions if anything you read is not clear or would like more information. Take time to decide whether to take part.

Purpose of the study?

This study constitutes a thesis that I am writing as part of a PhD in Management that I am pursuing at the Royal Holloway University of London. The study aims to answer the following questions: first, what socially responsible actions (particularly philanthropic responsibilities) do informal sole traders undertake; second, how do such actions fulfil BHR human rights obligations; and third, what motivates these actions.

Why have I been invited?

You have been invited to part of this study because you meet the criteria for participation in this study and so it is hoped that you will be able to provide data that enable the research questions to be met. The criteria include being an Akan (Fanti); being over the age of 18; being an operator in the informal economy; having a business whose net worth does not exceed 500 Ghana cedis or £100 ($113)

Fantis have been selected to participate in the study because this ethnic group is reputed to display afro-communitarian norms including a strong attachment to family and community. It is proposed that these norms motivate informal sole traders to undertake some socially responsible actions that enable the fulfil some BHR obligations.

Informal sector entrepreneurs have been selected because the worldwide business human rights agenda has very little to say about the informal sector. Indeed, several studies have sought to highlight the complicity of this sector in many human rights abuses. In view of the preceding, the study seeks to verify if this sector- which is the mainstay of the Ghanaian economy according to many measures- has anything to contribute to the Business Human rights agenda.

The business net worth value of 300 Ghana cedis or £80 has been chosen because it limits the scope of the study given the large number of informal sector businesses there are in Ghana.

Do I have to take part?

It is up to you to decide. We will describe the study and go through the information sheet, which we will give to you. We will then ask you to sign a consent form to show you agreed to take part. You are free to withdraw at any time, without giving a reason. (If applicable – this will not affect the standard of care you receive**).**

What will happen to me if I take part?

You will be required to answer a series of questions over a period of 1 hour 30 minutes approximately. You will need to attend this interview only once where you will sit with the interviewer/ researcher for this interview. The interview will be recorded and transcribed for purposes of the researcher's thesis. All data will be kept confidential and anonymous and will only be shared with the PhD Supervisors at RHUL and the Management School.

Expenses and payments?

No financial payment will be made to participates. Light refreshments will be provided to all participants.

What will I have to do?

During the interview you will be required to attend on time and provide answers to the questions the interviewer/researcher asks you.

What are the possible disadvantages and risks of taking part?

There are no obvious risks to participating in this study save the risk of possible loss of earnings and time taken. In addition, some questions that may be regarded as sensitive will be asked by the

interviewer concerning the family life of the interviewee. Some of these will cover the extent of relationship between the interviewee and their family. In all cases responses will be kept confidential anonymous. Participants are also not obliged to answer questions and may opt out of any overly sensitive question.

What are the possible benefits of taking part?

We cannot promise the study will help you but the information gathered will help the informal sector as a whole to be better understood in terms of how they meet their human rights obligations under the business human rights agenda. It can also potential highlight the immense contribution that the socio-cultural norms of communities such as the Akan help- in the absence of state regulation- informal sector businesses to achieve their human rights obligations.

What if there is a problem?

If you have a concern about any aspect of this study please ask to speak to speak to the Researcher's supervisor in the person of Laura Spence at the Management School, Royal Holloway University of London, RHUL or any relevant person at the RHUL Management school. You can reach them on the following number and email: Laura.Spence@rhul.ac.uk;g Gloria.agyemang@rhul.ac.uk; Phone: +44 1784276403; Egham Hill, Egham TW20 0EX.

Will my taking part in the study be kept confidential?

All data collected will be managed under the Date Protection Act 1998. This an Act of the UK Parliament that lays down how to collect use, store and destroy data in the UK. This Act is enforced by the Information commissioner who has wide ranging powers to prosecute the misuse of data. The blow is a summary of the data collection process, storage, and use.

➢ Method of Data Collection: Interviews

➢ How will the data be stored: individual participant research data, such interviews and recordings will be anonymous?

    o All recordings and transcriptions will be stored on a password protected computer accessed only by the researcher.

    o hard paper data will be stored in a locked cabinet, accessed only by researcher.

- electronic data will be stored on a password protected computer known only by researcher.

- Any data will be accessible only to the researcher, the supervisors at the RHUL and relevant individuals at the School of Management RHUL.

- Data will be retained for a minimum of 3 years after collection and disposed of in an appropriate manner thereafter.

What will happen if I don't carry on with the study?

If you withdraw from the study all the information and data collected from you, to date, will be destroyed and you name removed from all the study files.

What will happen to the results of the research study?

The study results will become part of a PhD thesis that is presented to the School of Management RHUL. The thesis may be published, and copies of this publication will be made available to all participants. No participant's identity will be revealed in any publication under any circumstances unless consent has been sought and given.

Who is organising or sponsoring the research?

This research is undertaken under the aegis of the Royal Holloway, University of London as part of a PhD Thesis.

Further information and contact details:

1. General information about research

Please contact the researcher on berniedangelo@gmail.com or on telephone 00447456884951.

APPENDIX 8: Non-participant Observation Field Notes

Date: 15th April 2017

Event: Non- participant Observation.

Purpose: the following field notes were taken on the 15th of April 2017 at a funeral organised by respondent F16 who had lost her husband. The notes were taken at the funeral premises starting from approximately 11:30 AM in the morning to about 4:30 in the afternoon.

Phenomenon observed:

The researcher and key informant arrived at the funeral at about 11.00 AM in the morning. After stating our purpose for attending the funeral, the funeral usher made a public announcement over the PA system concerning our arrival and the purpose thereof and crucially on whose behalf we came. We were then ushered into two designated seats. This was also the case for all other attendees who arrived at various points during the event. Various ceremonies and activities where observed being undertaken including various customary practices. Funeral attendees were served with water as well finger food and drinks. Libation was poured by the chief usher, whilst Church members Respondent F16 offered Christian prayers and sang songs. As the event proceeded, various individuals and groups were observed making donations to the bereaved, or to other family members of the bereaved such as siblings and parents and other extended family members. These were all announced publicly for all to hear. The announcement involved specifying for whom the donation was made, the amount, and the kind of relationship that existed between the donor and the recipient. So, in our case for example it was announced that I was a researcher who had attended the funeral with a key informant for the purpose of undertaking a non-participant observation as part of my PhD at the Royal Holloway University of London. The Key Informant explained that donations were announced so that the bereaved family and all other in attendance can appreciate those who made donations and also so that such altruistic acts could be reciprocated.

Three types of clothing dominated the funeral scene. First, most attendees wore clothing cut from the same fabric which was black and white; a small minority of attendees wore all-black clothing, while an even smaller group wore random clothing. It was observed that most attendees who identified as stakeholders of Respondent F16 wore clothing cut from the same cloth as her. This included those

that were announced as customers, suppliers, church members, and those that could be classed as competitors.

Other stakeholders such as customers, supply is church members friends and community members were also in attendance and made donations in cash and in food items which were all announced. For example, an announcement was made which is paraphrased below:

> "Mr. and Mrs. (name withheld) are here on behalf of the bereaved. There have been customers of the bereaved over the last five years and have developed a strong bond with her. As such they are here to lend their support to her in this moment of grief. They wish to let the bereaved and her family know that they are with them in this time of need and uh willing to provide as much support as they can in their moment of grief."

Another announcement went like this:

> "Madam (name withheld) is a long-time supplier of stock to the bereaved. They have had a smooth working relationship over two years and have become like blood siblings. She is here to lend her support the bereaved in her time of need and to assure her that their business relationship will continue and that she can be always counted on as a sister."

Announcements were also made concerning the donations that were given. Donors had to attract the attention of the funeral chief and to make their intention of making a donation known to him. He would in turn make a public announcement concerning this donation naming who the donor was and the relationship they had with the recipient of the donation. So, for example,

> "Mr. (name withheld) who attended this funeral on the behalf of the brother of the deceased wishes to make a donation of 200 cedis to him with a view to helping him bear his share of the funeral costs".

Another example went like this:

> Madam (name withheld) is a trader who operates near the shop of respondent F16. They have worked together (notice the word 'competitor was not used) For the past few years and have become family as a result. She is here with a donation of 150 cedis to be given to respondent F16, and then another donation of 50 cedis to be allocated to the extended family of the deceased."

Upon asking the Key Informant about the large number of individuals, including Respondent 15 from the earlier semi-structured interviews, who were observed helping with the Funeral arrangements, he confirmed upon interacting with some of these people that they were indeed stakeholders of the deceased. Some of these stakeholders included customers, suppliers, competitors, friends, and church members. They had essentially come to the funeral to lend their support to Respondent F16 with whom they had business relationships with. They were involved in various chores such as cooking, washing cutlery and other utensils, serving attendees with food and water, mourning, cleaning, directing attendees as well as consoling the bereaved. The key Informant explained that:

> "we attend funerals especially because as a community we have a duty to attend
> funerals and empathise with the bereaved. When a community member suffers as they
> are in this case, we all suffer their pain, and so we come to help them to live through
> a difficult time. In the same way when a community member is celebrating, such as, at
> a wedding or a child naming ceremony, we all come and celebrate with them".

Some stakeholders arrived in groups rather than as individuals. So, for example the congregation from respondent F16s church, numbering about 25 also attended the funeral. They were allocated designated seating and were actively involved in the funeral event. Specifically, they sang hymns, and conducted what was essentially a church service at the funeral. They were observed making a donation of some 1000 cedis (approximately 200 pounds in 2017 exchange rates) to respondent F16.

APPENDIX 9: Coding of Non-Participant Observation Data

Data	1st level codes	2nd Level codes	Themes and patterns
The researcher and key informant arrived at the funeral at about 11.00 AM in the morning. After stating our purpose for attending the funeral, the funeral usher made a public announcement over the PA system concerning our arrival and the purpose thereof and crucially on whose behalf we came. We were then ushered into two designated seats. This was also the case for all other attendees who arrived at various points during the event. Various ceremonies and activities were observed being undertaken including various customary practices such as singing, dancing and the recitation of incantations. Funeral attendees were served with water as well finger food and drinks. Libation was poured by the chief usher, whilst Church members of Respondent F16 offered Christian prayers and sang songs. As the event proceeded, various individuals and groups were observed making donations to Respondent F16, or to other family members of the bereaved such as siblings and parents and other extended family members. These were all announced publicly for all to hear. The announcement involved specifying for	Religious support as stakeholder support

Display of community spirit by community members - evidence of reciprocity between stakeholders

Altruism based on relationships. | Multiple kinds of Stakeholder support

Evidence multiple types of philanthropic support- financial, material, physical/ spiritual | Multi-faceted, bi-directional stakeholder relationship/ CSR for CSR |

whom the donation was made, the amount, and the kind of relationship that existed between the donor and the recipient. So, in our case for example it was announced that I was a researcher who had attended the funeral with a key informant for the purpose of undertaking a non-participant observation as part of my PhD at the Royal Holloway University of London. The Key Informant explained that donations were announced so that the bereaved family and all other in attendance can appreciate those who made donations and so that such altruistic acts could be reciprocated.	solidarity, identity by stakeholders with F16 solidarity and identity by stakeholders with F16	Publicising philanthropic actions for reciprocity and honour	Publicising philanthropic actions for reciprocity and honour Attachment to community
Three types of clothing dominated the funeral scene. First, most attendees wore clothing cut from the same fabric which was black and white; a small minority of attendees wore all-black clothing, while an even smaller group wore random clothing. It was observed that most attendees who identified as stakeholders of Respondent F16 wore clothing cut from the same cloth as her. This included those that were announced as customers, suppliers, church members, and those that could be classed as competitors. Other stakeholders such as customers, suppliers, church members friends and community members were also in attendance and made	Philanthropy by stakeholders Philanthropy Based on personal relationships. Philanthropy by stakeholder (Customers)		

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donations in cash and in food items which were all announced. For example, an announcement was made which is paraphrased below: "Mr. and Mrs. (name withheld) are here on behalf of F16. There have been customers of the bereaved over the last five years and have developed a strong bond with her. As such they are here to lend their support to her in this moment of grief. They wish to let the bereaved and her family know that they are with them in this time of need and uh willing to provide as much support as they can in their moment of grief. We know that she would do the same for us when we are need"	Publicity of altruistic/ philanthropic actions		
Another announcement went like this: "Madam (name withheld) is a long-time supplier of stock to F16. They have had a smooth working relationship over two years and have become like blood siblings. She is here to lend her support the bereaved in her time of need and to assure her that their business relationship will continue and that she can be always counted on as a sister." Announcements were also made concerning the donations that were given. Donors had to attract the attention of the funeral chief and to make their intention of making a donation known to him. He would in turn make a public announcement concerning this donation naming	Philanthropy motivated by reciprocity. Relationships based on pseudo kinship.	Relationship based on kinship.	Relationships based on Kinship.

who the donor was and the relationship they had with the recipient of the donation. So, for example, "Mr. (name withheld) who attended this funeral on the behalf of the brother of the deceased wishes to make a donation of 200 cedis to him with a view to helping him bear his share of the funeral costs". Another example went like this: Madam (name withheld) is a trader who operates near the shop of respondent F16. They have worked together (notice the word 'competitor was not used) For the past few years and have become family as a result. She is here with a donation of 150 cedis to be given to respondent F16, and then another donation of 50 cedis to be allocated to the extended family of the deceased." Upon asking the key informant about the large number of individuals who were observed helping with the Funeral arrangements, he confirmed upon interacting with some of these people that they were indeed stakeholders of the deceased. Some of these stakeholders included customers suppliers, competitors, friends, and church members. They had essentially come to the funeral to lend their support to Respondent F16 with whom they had business relationships with. They were involved in various chores such as cooking, washing cutlery	Publicity of altruistic actions to show gratitude and to highlight good ethical behaviour. Community spirit/ support by community members Philanthropy by stakeholder (Competitor) Community spirit, solidarity Philanthropy by stakeholders in kind	 Evidence of support from competitors Attachment to community	

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and other utensils, serving attendees with food and water, mourning, cleaning, directing attendees as well as consoling the bereaved. Some stakeholders arrived in groups rather than as individuals. So, for example the congregation from Respondent F16's church, numbering about 25 also attended the funeral. They were allocated designated seating and were actively involved in the funeral event. Specifically, they sang hymns, and conducted what was essentially a church service at the funeral. They were observed making a donation of some 1000 cedis (approximately 200 pounds in 2017 exchange rates) to respondent F16.	Philanthropy by stakeholder (Church		

APPENDIX 10- Coding & Theme/ Pattern Development for Semi-structured Interviews

Themes & Codes	DESCRIPTION- meaning of code	FILES- Number of individual transcripts	REFERENCES to code in transcripts
1. Awareness of Cultural Norms	How aware respondents are of norms in Akan Culture	27	263
2nd Order codes- extracted from 1st order codes in transcripts			
Commitment to cach other's lives	How much value placed on interpersonal relationships	30	60
Shared belief systems	Beliefs, values, and ethical outlook	30	52
Shared sense of destiny	Extent of belief in shared heritage and common purpose	29	88
Awareness of Values of society	Extent of awareness and appreciation of values in culture	30	63
2. Commitment to Family	The extent to which respondents will go to protect and sustain family	30	210
2nd Order codes- extracted from 1st order codes in transcripts			
Explaining family	Conceptualisation of family	30	55
Family commitment activities	Expression of commitment to extended family	30	90
Sources of family income and support	Sources of family income and support	30	33
The effects of non-commitment to family activities	Consequences of non-commitment to	30	32

Themes & Codes	DESCRIPTION- meaning of code	FILES- Number of individual transcripts	REFERENCES to code in transcripts
	family		
Fulfilment of Duties to Community	Actions taken to show commitment to community	30	378
2nd Order codes- extracted from 1st order codes in transcripts			
Commitment to local community	Dedication to community	30	67
Consequence of non-commitment	Awareness of Repercussions for being antisocial	30	66
Consequences of commitments	Benefits of display of commitment to community	30	74
Meaning of community	Understanding of community	30	82
Role of Altruism	Understanding of Role of altruism in fulfillment of duties to community	30	89
3. **Operating in the Spirit of Brotherhood**	Relating to people as if they were siblings of yours	30	484
2nd Order codes- extracted from 1st order codes in transcripts			
Brotherliness and sisterliness in Business relationships	Projection of 'brotherly' and 'sisterly' behaviour into business relationships	30	117
Nature of businesses	Form of business ownership visavis maintenance of brotherly and sisterly relationships	21	46
Participation and supporting ceremonies	Attendance to community events and	28	108

Themes & Codes	DESCRIPTION- meaning of code	FILES- Number of individual transcripts	REFERENCES to code in transcripts
	private events of stakeholders		
Role of Kinship	Role of kinship undergirding business relationships	30	75
Sole traders and their behaviour	Demonstration of broterliness and sisterliness in the Behaviour of sole traders towards stakeholders	30	138
4. revalence of Economic Hardship within the Sector	Economic difficulties in terms of standard of living and income levels	30	88
2nd Order codes- extracted from 1st order codes in transcripts			
Liability for debts	Appreciation of Personal liability for debt of sole trader	30	35
Profits and losses	Understanding of Responsibility for profit and losses	30	33
5. Role of Micro Enterprises		30	162
2nd Order codes- extracted from 1st order codes in transcripts			
Effects of financial help on businesses	Appreciation of Consequences of philanthropic activity on the business	30	94
Financial help	Provision of financial assistance with sole tradership funds	30	68
6. Semi legality of informal businesses rather than total illegality	Some recognition by the state through payment of daily tolls	26	60

Themes & Codes	DESCRIPTION- meaning of code	FILES- Number of individual transcripts	REFERENCES to code in transcripts
2nd Order codes- extracted from 1st order codes in transcripts			
Degree of legality	Awareness of legality or otherwise of business	26	36
Formality of business	Awareness of the requirement to to formalise	17	24
7. The Dominance of Women in the Sector	Majority of workers in the informal sector being female	26	26
2nd Order codes- extracted from 1st order codes in transcripts			
Evidence Feminine ethics	Evidence of care ethics in the management of stakeholder relationships	30	222
Impact of domination of women in sector	Effects of dominance of women in sector	30	

APPENDIX 10: Interviewee Information Sheet

Respondent	Age	Gender	Sub-Sector	Average Profit/per month Ghc	Scale	Time in Business	Source of Capital	Source of funds for social responsibility	Type of Tax Paid	Education	Previous work	How SR is expressed	Position in Family
F1	50	Female	Petty Trading-Oranges	220	Micro	3	Savings	Profits and working capital	Daily toll	No education	Wholesaler of oranges	Extended family support; cash donations at stakeholder events Suppliers); physical support at stakeholder events	Grandmother/ matriarch living with extended family
F2	58	"	Petty Trading-Onions & Tomatoes	280	"	0-9 months	Extended Family	"	"	No education	Maker and seller of herbal remedies	Donations for extended family support; cash donations at funerals of stakeholders	Single Parent living with family- some self-sufficiency. extended family support
F3	32	"	Petty Trader- soft drink manufacturer and seller	450	"	3	Spouse	"	"	Secondary / vocational	Apprenticeship- Hair Dresser	Altruism- cash for family support and church members; supporting competitors when indisposed	Mother and wife- largely financially dependent on spouse
F4	42	"	Eatery Operator-Rice and Oil	260	"	2	Spouse	"	"	Primary	Iced Water seller	Food item donations to need potential customers; cash donations to extended family	Mother and Wife- largely financially dependent on spouse
F5	58	"	Cosmetics seller. Onion and Tomato Seller	1140	"	2	Extended Family	"	"	No education	Charcoal Seller	Cash donations to extended family, attending stakeholder events & Making cash donations	Single Parent living with Family- Largely self-supporting; some support from extended family
F6	43	"	Sugar Cane Seller	280	"	3	Savings	"	"	No Education	Head Porter	Cash donations to extended family; donations at church	Single Parent- self-supporting; some extended family suppo
F7	44	"	Fruit Seller- Water Melon	200	"	5	Spouse	"	"	No Education	Housewife	Cash donations at events; church donations; extended family support	Mother and wife; largely financially dependent on spouse
F8	41	"	Fabric Seller	400	"	10	Savings	"	"	Secondary / vocational	Storekeeper	Cash Donations to extended family; church donations; provision of credit.	Single Parent- largely self-sufficient; some extended family s
F9	39	"	Herbal and Traditional Medicine Manufacturer/seller	600	"	2	Spouse	"		Secondary / vocational	Hairdresser	Providing credit; some free healthcare to selected stakeholders	Mother and Wife; some self-support; largely financially dependent on spouse
F10	28	"	Meat Seller/ retailer	400	"	3	Spouse	"	"	Secondary/ vocational	Dressmaker	Credit facilities to business customers; donations to extended family	Mother and wife; some self-support largely financially dependent on spouse
F11	30	"	Second Hand Clothes seller	1200	"	3	Savings	"	"	Secondary/ vocational	Seller of Cooking pots and pans	Provision of credit; extended family support; giving to the needy in community; credit to customers	Living with Parents; largely dependence on external family support

F12	27	"	Eatery Operator- Beans & Gari	400	"	5	Spouse	Profits alone	"	Secondary/ Vocational	Unemployed	Food donations at funerals of stakeholders; free food for the needy	Mother and wife; some self-support largely financially dependent on sp...
F13	25	"	Eatery Operator- Beans & Gari	300	"	4	Extended Family members	Profits alone	"	Primary/ vocational	Unemployed	Food donations: donations to extended family; cash donations at stakeholder events	Partner and mother- largely self-dependent; some financial support from partner.
F14	26	"	Iced water and Iced block seller	300	"	1	Extended family members	Profits and working capital	"	Primary	Unemployed	Cash Donations to extended family	Single-largely self- dependent
F15	31	"	Eatery- Kenkey and tilapia	400	"	2	Spouse	"	"	Secondary/ vocational	Market Trader	Donation of food to needy in community; cash donations at funerals	Wife and Mother- some self-support; largely dependent on spouse
F16	25	"	Seller of food items-provisions	300-400	"	3	Savings	"	"	Primary	Iced Water seller	Food donations to needy; cash donations at stakeholder events; cash donations to extended family	Single- largely self-dependent; some external family support
F17	25	"	Palm Kennel Oil processor and seller	600	"	3	Family Member	"	"	Secondary/ vocational	Storekeeper	Credit facilities to business customers; cash donations to extended family members	Single- largely self-dependent; some external family support
F18	23	"	Eatery operator- Banku and Grilled Tiliapia	600	"	2.5	Family Member	"	"	Secondary/ vocational	Unemployed	Food donations at stakeholder events	Single- largely self-dependent; some external family support
F19	29	"	Eatery operator Banku and Grilled Tilapia	400	"	2	Spouse	"	"	Secondary	Fish Monger	Food donations to the needy; cash donations to the needy and at stakeholder events	Wife and Mother- largely dependent on spouse
F20	24	"	Trader- Corn Dough	300	"	2	Family Members	"	"	Primary	Unemployed	Credit facilities to business customers; donation of food to needy customers and needy community members; extended family donations	Single- Self-supporting; some family member support
F21	48	"	Iced Water Seller	600	"	5	Savings	"	"	No education	Onion Seller	Donations to extended family; donations to church; cash support for community needy	Single Mother; largely self-dependent; some external family support
F22	35	"	Soap Seller	300	"	2	Spouse	"	"	Primary	Fruit Seller	Cash donations for extended family & needy community members; donations at mosque	Mother and wife; some self-support; largely dependent on spouse
F23	31	"	Eatery Operator- Banku and Fish	250	"	3	Spouse	"	"	No Education	Fruit Sellers	Cash donations for extended family; food donations at stakeholder events	Wife and Mother; some self-support; largely dependent on spouse
F24	26	"	Fish Monger	400	"	2	Spouse	"	"	Primary	Petty Trader- Mobile phone credit vendor	Credit facilities to business customers;	Wife and Mother; some self-support; largely dependent on spouse

												extended family donations; physical support at stakeholder events; support for competitors when ill or indisposed	
F25	32	"	Used Clothes Seller	400	"	3	Spouse	"	"	Primary	Food vendor	Supporting competitors when indisposed; cash donations to extended family	Wife and mother. some self-support; largely dependent on spouse
F26	33	"	Pastry seller	350	"	1	Spouse	"	"	Primary	Eatery Operator	Food donations at stakeholder events; credit facilities to stakeholders; extended family cash support	Wife and mother; largely dependent on spouse
M1	33	Male	Cobbler & Shoemaker	600	"	15	Savings	"	"	Secondary/ Vocational	Apprenticeship	Extended family cash support; cash donations to needy in community	Father- self-sufficient; principal carer/provider for kids
M2	33	"	Computer Tehnician	800	"	6	Savings	Profits only	"	Secondary/ Vocational	Salesman	Extended family support; donations to needy in society	Single- self supporting
M3	27	"	Welder	2000	"	4	Savings	"	"	Secondary Vocational	Apprenticeship	Extended family support; cash donation at church; attendance of and donating to stakeholder events	Single parent- self supporting
M4	22		Mason	1000	"		Savings	"		Secondary Vocational	Unemployed	Extended family support	Single- self supporting