Assessing Corporate Communications: A Moral Approach

Case Study of Rolleston Coal Mine, Queensland

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Introduction

Moral principles guide human understanding of whether behaviour is inherently right or wrong. That is, they allow one to determine whether or not behaviour is socially acceptable. As socially constructed entities, corporations should be held to the same moral standards as all other members of society. Therefore, it seems appropriate to hold that the communication practices of corporations should be open to moral assessment. This paper will use a framework based on moral principles to assess the communications between the corporate operator of Rolleston Coal Mine in Queensland and its hosting local community. The assessment will focus on social communications, including environmental impact statements (EIS), social reports, codes of conduct, web sites, and stakeholder consultations. The case study will refer to the German critical theorist, Jürgen Habermas, who is one of the leading theorists of communication ethics. Habermas' writings on moral principles for communication will be used as guidelines for judging the moral rightness of Rolleston Coal's communications, and it will highlight instances where the company has met or failed to meet moral principles. From the critique, some possible areas of improvement for corporate communications in general will be identified.

The first chapter will show the evolution of corporate communication. The historical narrative summarises how the views of society regarding the obligations of businesses have changed in the past fifty years. Today it is recognised that communications have the potential to support or inhibit the full realization of the human right of self-determination, however this has not always been the case. It will be shown that several international bodies have generated reporting guidelines for businesses, and that the business sector has responded to changing expectations for their reporting practices. Hence, the chapter shows the relevancy of the study and its findings to the modern society, and how it might contribute new knowledge to the field.

The second chapter will identify the reasons why corporations might consider a morally based approach to communication as useful. That is, that such an approach is both morally right, and in the long-term economic interest of the corporation. Reviewing the literature, it becomes clear that businesses can benefit from a normative approach. Links are evident between moral behaviour and the business goals of reputation, legitimacy, avoiding public resistance, and the overriding goal of profit. These links show that a consideration of moral principles can be highly valuable to business. Substantial evidence shows an association between moral actions and profit maximisation, therefore validating how an assessment of a corporation’s communications against moral criteria may produce valuable information for businesses. However, the review also acknowledges that corporations may not see this as the most profitable approach.

The third chapter lays out the assessment framework based on moral principles that will be used for the case study assessment. It explores the moral principles that are able to guide communication behaviours, with particular attention given to the theories of Habermas. It explains why the study’s assessment criteria are based on Habermas’ theories, rather than the currently accepted standards of corporate communication outlined in international reporting guidelines. Habermas’ theories provide a unique perspective by their foundation in universal moral principles such as freedom, equality, and reason, in contrast to the more conventional and politically influenced origins of other commonly used assessment criteria. *Equality*, *truth* and *impartiality* are identified as the essential pre-conditions to a morally ideal communication. The outlined framework for critique will detail the criteria of a morally ideal communication according to Habermas’ interpretations of moral principles.

The fourth chapter will apply the framework developed in the previous chapter, to assess Rolleston Coal’s communications. It will show how the communications uphold the moral principles of equality, truth and impartiality in some ways, while falling short in others. The evidence gathered presents insight into how the processes of corporate communication can support or impinge on human rights. The chapter concludes by revisiting the reasons why the study has been useful. Several simple alterations in practice are identified that would greatly improve the moral justness of Rolleston Coal’s communicative actions. Finally, some possible recommendations for improving corporate communications that society and businesses could draw from it are briefly outlined.

Chapter 1: The Path to Arriving at the Current State of Corporate Communication

This chapter examines the evolution of corporate reporting practices. Examining the history of reporting practices illustrates how changing beliefs about corporate obligations have altered what is expected of corporate reporting practices. It considers the current international guidelines for corporate communications, which reflect the international perspective that corporate activities should respect humans and the environment. It concludes by suggesting that continued improvement in reporting from the current standards might be possible, and therefore demonstrates that the case study of this research paper contributes useful new knowledge to the field.

Corporate social communication practices have developed over the last 50 years. Historically, business enterprises were seen as inherently good for society, as they boosted local economies, and provided services and local employment opportunities (Peet & Hartwick, 2009). Traditionally, the positioning of business reflected Adam Smith's classical economic theory of liberal markets serving as mechanisms to create productivity and growth that benefits all classes without external intervention (Peet & Hartwick, 2009; Bishop, 1995). Businesses were primarily perceived as responsible for profit making (as long as they acted within the law), and corporations would produce financial reports for their shareholders (Carroll, 1999). Financial accounting and auditing were practiced as early as 4000BC (Edwards, 2013), and the recording and reporting of financial data (basically as we know it today) has been common since the 1830s. As business impacts on the environment and humans have become increasingly evident, monitoring and reporting on social and environmental issues has developed as a key element of corporate communications (Carroll, 1999).

The appearance of environmental reporting

In the 1960s, national governments began to realise the importance of holding institutions, including businesses, accountable for more than just their finances. This realisation was informed by mounting evidence showing human activities were having detrimental impacts on the environment (summarised by World Commission on Environment and Development [WCED], 1987). In July 1968, the United Nations (UN) General Assembly passed the Economic and Social Council Resolution 1346

(XLV), recommending a conference on the problems of the environment. This was closely followed in December of the same year, by Resolution 2389 (XXIII) commissioning a report concerning the (then current) nature, scope and progress of work on the human environment. Resolution 2389 (XXIII) determined that environmental problems could have:

> Consequent effects on the condition of man, his physical, mental and social well-being, his dignity and his enjoyment of basic human rights, in developing as well as developed countries. (UN General Assembly, 1968, para.4)

These resolutions showed both an awareness of the impacts that industry can have on the natural environment, and a concern for how this may consequently impact people and human development.

The United States led the global shift toward viewing reporting as an essential ingredient of sustainability by becoming the first nation to pass legislation mandating environmental reporting. The United States National Environmental Policy Act (1969) required federal agencies to include, for every recommendation or report on proposals for legislation, and for "other major Federal actions significantly affecting the quality of the human environment" (Sect. 102(C)), a detailed statement on potential environmental impacts and adverse effects. The act also required the agencies to state possible alternative courses of action that would be less detrimental to the environment, and whether the proposed action would affect long-term productivity. Environmental impact statements (EISs) and assessments have since resembled the model outlined in this Act. They are a means to help businesses (and all institutions) engage in activities that minimise their environmental impact. It was also hoped EISs might serve as a mechanism for society to monitor business activities and protest when activities fell short of what is considered acceptable (Wathern, 2004).

In 1987, the revolutionary report Our Common Future (also known as The Brundtland Report) was published after being commissioned by the UN General Assembly in 1983 (WCED, 1987). It reiterated the significant impacts that people were having on the environment, including deforestation, desertification and salinization, air and water pollution, and global warming. It also emphasised that the earth's limited natural resources could not support the growing population into the future if the (then current) rate of environmental exploitation continued (WCED, 1987).

The report supported the use of EISs and encouraged their use in broader areas. It also emphasised the responsibilities of transnational corporations to uphold sustainable use of environments in host countries, while placing the onus on governments to direct change by regulating the protection of the environment. Finally, the report suggested the creation of an independent international assessment body to evaluate development projects, thus emphasising the importance of accountability and transparency. The Brundtland Report reflected the growing need for humans to undertake more environmentally sustainable activities, and the view that EISs might serve as a mechanism for society to monitor business and governmental activities, and to raise objection when any activities falls short of what is considered acceptable (WCED, 1987; Ortas & Moneva, 2011; Burton, 1987).

In response to changing societal understandings and expectations, a slow but steady growth in non-financial corporate reports occurred during the following years. This was particularly evident in the mining sector, which has been judged as a reaction to heavy criticism and distrust of its aptitude for sustainability (Mutti, Yakovleva, Vazques-Brust, & Marco, 2012; Banerjee, 2000; Warhurst, 2001). Criticisms have partially resulted from differing perspectives of what activities might be considered sustainable. As Mutti et al. (2012) highlight, some believe that "a depletion in natural capital cannot be substituted by an increase in other forms of capital and instead requires a renewal of natural capital", whereas others accept that, "depletion of natural capital can be replaced with an increase in other capitals (economic and social)" (p. 213). Thus, because the mining industry was under immense pressure to demonstrate its ability to be sustainable, mining companies were leaders in publishing separate environmental reports and adopting voluntary environmental management codes of conduct (Hamann, 2003; Jenkins & Yakovleva, 2006). Studies documenting the rise in environmental reporting showed mining companies taking some level of environmental accountability (Department of Environment & Heritage, 2005; SustainAbility, 2004).

The demand for social reporting

Further developments impacting corporate communications were made in the 1990s. The 1992 UN Conference on Environment and Development saw the convergence of environmental concerns with concerns about the treatment of humans. The conference generated the Rio Declaration on Environment and Development, which identified environmental protection as an integral part of the development process. The Declaration also advocated for the participation of all stakeholders, or "concerned citizens" (UN General Assembly, 1992, principle 10), in managing the environmental issues that affected their right to development. This mirrored the growing support for participatory stakeholder engagement in the development sector (Chambers, 1992; Burkey, 1993; Nelson & Wright, 1995). Another notable outcome of the conference was the establishment of the Commission on Sustainable Development to support, encourage and monitor governments, United Nations institutes and other major groups, including industry and the scientific and business communities (UN General Assembly, 1993). This marked the early beginnings of more stringent monitoring of all institutions and their social and environmental impacts.

Corporate reporting practices were gradually transformed in response to pressure from community groups (Tilt, 1994). Opposition to corporate activities, mining in particular, arose from the recognition that industrial projects, extractive ones in particular, have a vast array of impacts on the local communities in which they operate (Perez & Sanchez, 2009; Lockie, Franetovich, Sharma, & Rolfe, 2008). While some of the impacts of mining are positive, including boosting the local economy, infrastructure development and providing new employment opportunities, the negative impacts include: pollution; commodity and housing price inflation; and a loss of natural environment which people connect with their sense of place and is sometimes a part of local spirituality (Bice, 2013; Brueckner, Durey, Mayers, & Pforr, 2013; Gillespe & Bennett, 2012; McManus & Connor, 2013; Petrova & Marinova, 2013). Non-government organisations and local community groups campaigned for change in the impact management and reporting practices of mining companies (Deegan & Bloomquist, 2006; Deegan, Rankin, & Tobin, 2002; Tilt, 1994; Boutilier & Black, 2013).

These community social movements were used as a vehicle "through which the concerns of poor and marginalized groups are given greater visibility within civil society" (Bebbington et al., 2008a, p. 2888). Affected communities became concerned that mining corporations were impinging upon their rights. These rights were first outlined in the UN Declaration for Human Rights (1948), which states,

> 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. (UN General Assembly, 1948, art. 1)

The UN Declaration to the Right to Development (1986) expands on the rights of individuals. It asserts that the inalienable human right to development implies

> The full realization of the right of peoples to self-determination, which includes… the exercise of their inalienable right to full sovereignty over all their natural wealth and resources. (UN General Assembly, 1986, art. 1)

The Right to Development also outlines, "all human beings have a responsibility for development, individually and collectively" (UN General Assembly, 1986, art. 2). Therefore, it can be understood that corporations have a duty to avoid impeding their host community members' rights to self-determination and to sovereignty over their resources (Howitt, 2005; Salcito et al., 2014).

Corporations began to develop corporate social responsibility (CSR) strategies as a result of bad press, production delays and campaigns instigated by civil society groups (Kapelus, 2002). Increased disclosure of social information was identified as a useful CSR method to demonstrate social accountability (Kapelus, 2002). However, while some organisations began reporting on social and environmental issues, change was slower than hoped. Before 1993 there were fewer than 100 non-financial reports each year (Association of Chartered Certified Accountants [ACCA], 2004). It was not until the end of the 20th century that this type of reporting was practiced more frequently (ACCA, 2004). These communications have mostly been in the form of sustainability reports, or merely sections of the annual financial report broadly devoted to non-financial issues, with limited detailed focus on social issues (KPMG, 2011).

The failure of corporate bodies to embrace socially focused reporting (and activities) may have prompted the UN Guiding Principles on Business and Human Rights (UN Human Rights Office of the High Commissioner [OHCHR], 2011). In the Guiding Principles it is stated that,

> Business enterprises should respect human rights. This means that they should avoid infringing on the human rights of others and should address adverse human rights impacts with which they are involved. (OHCHR, 2011, p. 13)

The Principles emphasise that businesses have a responsibility, independently to that of States, to ensure human rights are upheld (OHCHR, 2011).

There is now a clear call for companies, especially in the extraction sector to produce social impact assessments and social impact management plans, in addition to environmental impact assessments (Franks & Vanclay, 2013; Burdge, 2003; Lockie et al., 2008; Equator Principles Association, 2013). Yet, in a study by Solomon, Katz, and Lovel (2008), Australian mining industry representatives showed they felt that the management of social issues was “10 years behind the environment” (p. 145). A study by KPMG (2013) showed that in spite of a growing likelihood that companies will report on social and/or environmental issues, they often fail to meet the best practice standards of engaging local community members in a way that is participatory and empowering. Best practice reporting principles outline that companies should engage in participatory dialogue people who may be affected by the project (Vanclay, 2003; Esteves & Vanclay, 2009; Brereton & Forbes, 2004; Parker, Van Alstine, & Gitsham, 2008). The *affected persons* are the most equipped to assess whether or not activities of mining, or other, projects impede their rights (Esteves, Franks, & Vanclay, 2012; Lane, Ross, Dale, & Rickson, 2003; Prno, 2013; Cheshire, Everingham, & Lawrence, 2014). A participatory approach to creating corporate social communications supports the autonomy of local people and empowers them in protecting their interests (Fonseca, 2010; Kemp, 2009; Vanclay, 2006; Kemp, Owen, & Van de Graaff, 2012).

The current reporting guidelines

Stakeholder participation and other recommendations are outlined in the numerous reporting guidelines that have been designed to assist businesses in meeting their social responsibilities. Some international institutions that have released frameworks include: the Global Reporting Initiative (GRI) (2013a; 2013b); the UN Compact guidelines for Communication on Progress (2013); International Organisation for Standardisation (2010); International Council on Mining and Minerals (2011); and the International Integrated Reporting Council (2013). National bodies have also released guidelines. In Australia, the Minerals Council of Australia has a sustainable development document titled Enduring Value (2005), which includes details on reporting, and the Queensland Government has even released a guideline for Social Impact Assessment (SIA) (2013).

The GRI's guidelines have been identified as the most extensively used by the large corporations (KPMG, 2011; KPMG, 2013). According to a survey by KPMG (2013), "seventy eight percent of reporting companies worldwide refer to the GRI reporting guidelines in their corporate responsibility reports" (p. 12). The GRI was established in 1997 to deliver reporting guidance on social, environmental and governance issues to institutions. It released its first sustainability reporting guidelines (G1) in 2000. The most recent version of these guidelines (G4) was released in 2013. The aim of G4 is,

> To help reporters prepare sustainability reports that matter, contain valuable information about the organization's most critical sustainability-related issues, and make such sustainability reporting standard practice. (GRI, 2013a, p. 3)

The Guidelines recognise that there are expectations "that long-term profitability should go hand-in-hand with social justice and protecting the environment" (GRI, 2013a, p. 3). They advise reporting on the three categories of economic, environment and social aspects of projects, with a sub-category in the social section entirely focused on human rights and delivering relevant information to inform stakeholder decisions (GRI, 2013a; 2013b). Considering the kinds of reports corporations were previously expected to produce with the current GRI guidelines shows how there has been considerable change in reporting over the past 50 years. As the GRI Sustainability Reporting Guidelines are periodically reviewed to ensure they provide the "best and most up-to-date guidance for effective sustainability reporting" (GRI, 2013a, p. 3), this change is likely to continue, even if it is only in smaller, incremental adjustments.

In sum

These guidelines provide guidance for companies to establish a communicative dialogue between themselves and the public to manage any beneficial and detrimental impacts. They demonstrate how communication should be used to display efforts to minimise negative social and environmental impacts, to prevent conflict with local individuals and groups, and to enable public feedback so any concerns may be addressed before they escalate to more large-scale opposition. The guidelines essentially embody the expectations for corporate communications held by today's socially and environmentally conscious society. The existence of numerous studies on non-financial reporting demonstrates that improving corporate communications is still a topical and relevant subject (Daub 2007; Guenther, Hoppe, & Poser, 2006; Guthrie & Abeysekera 2006; Jenkins & Yakovleva 2006; Kolk 2004; Villers & Alexander, 2014; Adams & Whelan, 2009; Perez & Sanchez, 2009). Therefore, the case study assessment of the communications of Rolleston Coal is a relevant research.

Chapter 2: The business case for moral communication

The previous chapter established that there is a clear social expectation for corporate communications to respect human rights. This chapter will show how corporations have a moral obligation to meet this expectation (French, 1979), and how companies may benefit in the process. Corporate social responsibility (CSR) theories of corporate obligations are often depicted as in conflict with more economic conceptions of business obligations (Gibson, 2000; Goodpaster, 1991; Donaldson & Preston, 1995). However, this literature review reveals that the idea that corporations have a responsibility to respect human rights is far less contested than some academics claim. The review also reveals that there is considerable evidence to support a moral approach to communication as a valuable business strategy. Therefore this paper's case study critique of Rolleston Coal's communications against moral principles for communication could provide a useful perspective to the business field about further beneficial improvements to their communication practices.

Corporations have moral obligations

The literature expresses that corporate bodies should be subject to the same moral boundaries and obligations as any other members of society (Carroll, 1999; Davis, 1967; Bowie, 2011). As Solomon (1993) explains,

> Corporations, like individuals, are part and parcel of the communities that created them, and the responsibilities that they bear are intrinsic to their very existence as social entities. (p. 149)

This understanding is ingrained in the idea that corporations have CSRs beyond their fundamental duty to make a profit. CSR theories maintain that, equally to any other participant in the social system, businesses should respect fundamental human rights (Davis, 1967; Gibson, 2000; 1995; Donaldson & Preston, 1995; French, 1979; Primeaux & Stieber, 1994; Quinn & Jones, 1995). Therefore, they have a moral bond to ensure that their actions do not cause harm to other human beings (Bowen, 1953, as cited in Carroll, 1999; Davis, 1967; Bowie, 2011; Bader & Morrison, 2011; Gibson, 2000).

The concept of CSR has existed for centuries, however it became more thoroughly explored in the 1950s (Carroll, 1999). Howard Bowen (1953), the so-called "Father" of CSR, provided the initial CSR definition of:

> 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. (As quoted in Carroll, 1999, p. 270)

The concept has since undergone considerable development, and a more commonly accepted view of CSR is the one presented by Carroll (1997), who contended,

> The social responsibility of business encompasses the economic, legal, ethical, and discretionary [or philanthropic] expectations that society has of organisations at a given point in time. (As quoted in Carroll, 1999, p. 283)

Thus, a connection can be drawn between the concept of CSR and social expectations of moral behaviour (Donaldson & Preston, 1995). From this, it can be understood that corporations have a moral imperative to ensure their actions, including communication, do not cause harm to individuals (Gibson, 2000).

Different theorists have strongly debated what constitutes a corporate obligation (Gibson, 2000; 1995; Friedman, 1970; Freeman, 1999; Donaldson & Preston, 1995; French, 1979; Velasquez, 1993; Quinn & Jones, 1995). However, the idea that corporations should respect human rights is less disputed (Goodpaster, 1991). This is because the strategic business perspective recognises the fallibility of businesses. A business' effectiveness relies on its ability to pay attention to those stakeholder relationships that can affect or be affected by the activities of the business, and therefore managing stakeholder relations is pragmatic (Freeman, 1999). Davis (1967) explains that stakeholder management is a pragmatic activity for businesses because in a pluralistic society, where businesses and other groups have power to influence one another, any company that fails to meet its societal duties will be penalized by that society. Davis (1967) describes this phenomena as the fruition of the Iron Law of Responsibility, which states that, "those who do not take responsibility for their power, ultimately shall lose it" (p. 49). This validates the need for corporations to respect the moral boundaries of society.

Even Milton Friedman, an economist and a vehement objector to the concept of businesses having CSRs, recognised this view. He asserted that the duty of businesses is "to make as much money as possible while conforming to the basic rules of society, both those embodied in law *and those embodied in ethical custom* [emphasis added]" (Friedman, 1970, para. 4). Friedman places ethical boundaries on actions that can be made to attain profit. This view stems from the understanding that companies rely, not only on the human resources from society to perform productive activities, but also on societal acceptance and permission to engage in the producing of profit (Buchholz & Rosenthal, 2005). Shocker and Sethi (1974) explain,

> In a dynamic society, neither the sources of institutional power nor the needs for its services are permanent. Therefore, an institution must constantly meet the twin sets of legitimacy and relevance by demonstrating that society requires its services and that the groups benefiting from its rewards have society's approval. (p. 67)

This statement essentially suggests that businesses cannot ignore moral principles in their quest for profit without threatening their very existence.

How corporations can make strategic gains

It is reasonable to deduce that businesses, like individuals, base their decisions and actions on achieving their goals rather than on doing the right thing for its own sake (Spence, 2007). However, this does not mean that moral principles are ignored in the quest for profit. On the contrary, an array of potential benefits has been identified for businesses to act in an ethical manner. Communications and communication processes have the ability to improve a company's reputation, validate and maintain its legitimacy, and lower resistance to its activities (Esteves & Vanclay, 2009; Amezaga et al., 2011; Bachoo, Tan, & Wilson, 2013; Du, Bhattacharya, & Sen, 2010; Prasad & Holzinger, 2013; Sen, et al., 2006). Communicative qualities of transparency, truthfulness, sincerity, and participation have potentially positive outcomes for business and are all based on moral principles (Williams, 2002, Du et al., 2010; Esteves & Vanclay, 2009; Lockie et al., 2008). While there are some reasons why corporations may not communicate in this way, most evidence appears to favour a moral approach.

A company's risk management can be supported by a participatory approach to the communication process (Jenkins & Yakovleva, 2006; Lockie et al., 2008). A participatory dialogue based on equality enables stakeholders to convey any concerns or criticisms they hold regarding company practices or impacts (Esteves et al., 2012; Esteves & Vanclay, 2009). Companies may then proactively manage opposition that may arise and holt or suspend operations (Jenkins & Yakovleva, 2006). In addition, fostering participatory local level communication is useful for building positive relations with community members. Much of the literature underlines the importance of involving local community members and groups, especially understanding social relations and community dynamics from the perspective of locals, for the success of mining projects (Mitchell & McManus, 2013; Du et al., 2010; Chambers, 1992; Burkley, 1993; Nelson & Wright, 1995; Howitt, 2005; Salcito et al., 2014). This was demonstrated by the Peruvian national Mining Dialogue Group, which worked to resolve extended conflicts between different interest parties through a genuine intersectorial dialogue (Amezaga et al., 2011). Furthermore, participatory dialogue has been central to the viability of many mining projects in Latin America today (Arbeláez-Ruiz & Franks, 2014). By fostering an environment where issues are discussed and addressed, businesses are in fact engaging in an effective risk management strategy.

Similarly, a company's reputation is likely to be affected by how it approaches stakeholder relations (Prasad & Holzinger, 2013; Sen, Bhattacharya, & Korschun, 2006). Reputation is one of the reasons key companies invest in CSR (Department of Environment and Heritage, 2005; SHRM et al., 2007). A study by KPMG (2013) of the world's 250 largest global companies found that for 51%, improving reputation was a key motivator for CSR practices and reporting. Research by Bachoo et al. (2013) found "a significant positive association between expected future performance and the quality of sustainability reporting" (p. 67). Quality reporting, according to the internationally accepted GRI standards outlined in chapter one, requires providing accurate information with the sincere intention to inform (and not manipulate). Similar recommendations can be drawn from a study by Wong and Millington (2014), which showed that stakeholders judge corporate social disclosures more positively if they have been externally assured. Hence, true communications are strategically valuable to a company's reputation and their financial bottom line (Dawkins, 2005).

Considering the clear aim of reputational improvement through corporate communications, the content of communications is very important. It has been found that tailoring communications to local stakeholder needs may be conducive to increasing public support for the company, and hence be profitable (Parker et al., 2008; Bachoo et al., 2013; Du et al., 2010; Sen et al., 2006). In business literature it has been shown that the positive opinion of the public is influenced by how socially responsible companies are. A study by Mason, Paxton, Parsons, Parr, and Moffat (2014) surveying Australians found that people were concerned about the wellbeing of communities and wanted mining companies to consider stakeholder perspectives, and supported community involvement in different aspects of the operation. In the financial sector, companies that demonstrate consideration for social responsibility perspectives are shown to be preferred over less responsible companies (Bachoo et al., 2013). Jenkins & Yakovleva (2006) explain that, "it is not unusual for mining companies to be screened out of Socially Responsible Investing (SRI) funds altogether" (p. 272). Arguably, it is financially beneficial for companies to employ practices that meet human rights standards. This includes tailoring communications to ensure the equal participation of stakeholders, and local community members in particular.

A company's legitimacy can be reinforced or diminished by their truthfulness. Evidence shows that truthfulness in corporate communications is not only beneficial, but integral to a company's success. As stated by Williams (2002), "truthfulness is a form of trustworthiness, that which relates in a particular way to speech" (p. 94). This statement epitomises the research that shows truth and sincerity are integral to demonstrating a company's trustworthiness and therefore legitimacy. A study by Yoon, Gürhan-Canli, and Schwarz (2006) found that, when people are suspicious of corporate communications being designed for manipulation a more negative image is projected onto a company. Similarly, a study by Brereton and Forbes (2004) found a strong perception that if mining companies could get away with doing less socially and environmentally, they would. Du et al. (2010) advise that if companies attribute their communications to intrinsic motivations, such as accountability and transparency, they can create more positive stakeholder impressions than if extrinsic motivations are evident. In recognising that stakeholders do consider the motives for communicative actions, the case for morally driven communications is strengthened.

The limitations on the reasons for corporate investment in communications adhering to moral standards cannot be ignored. Primarily, it is resource consuming to ensure that communications meet the needs of a variety of stakeholders, that they involve stakeholders in the creation process, and that communication materials contain relevant, accurate and up to date information (KPMG, 2013; Ballet, Requiers-Desjardins, & Sirven, 2007). While many large corporations are not lacking the funds to produce communications that achieve these aims, they may lack the motivation to allocate the necessary resources. This can be due to a lack of demand from governments and even stakeholders. As O'Faircheallaigh (2009) explains,

> In jurisdictions where the level of economic activity relies substantially on large-scale resource development, governments often driven by an 'ideology of development', are strongly supportive of corporate interests. (p. 97)

This has been the case for mining companies in many different national and local contexts (Blowfield & Murray, 2011; Kapoor, 2001; Mulvihill and Baker, 2001; Rosenberg, Bodaly, & Usher, 1995).

On a national level, governments can be so supportive of industries central to their economic interests that they permit considerable leniency in corporate communications. This is evident in Australia, where the government has recently been trying to remove "green tape" that may hinder the progress of the mining activity (Franks & Vanclay, 2013; Morrison, Wilson, & Bell, 2012; Blowfield & Murray, 2011; Salcito et al., 2014; O'Faircheallaigh, 2009). At a local level, the presence of corporate activities and their philanthropic efforts often props up local economies, and supplements or replaces government infrastructure and welfare initiatives (Morrison et al., 2012; Esteves, 2008; Cheshire, 2010; Bebbington, Hinojosa, Bebbington, Burneo, & Warnaars, 2008b; Bice, 2013). In India, it is even legislated that the top 100 stock exchange listed companies "invest at least 2 percent of net profits on socially responsible projects, and explain their activities in their annual report" (KPMG, 2013, p. 24). Unsurprisingly, local communities can begin to feel dependent on corporations, and this sentiment may tranquilise any qualms they may have with their activities (Bice, 2013; Bebbington et al., 2008b; Morrison et al., 2012). Consequently, a lack of government regulation and local insistence means it is easy for companies to exploit lowered standards of expectation for corporate-stakeholder relationships and their communications.

Corporations cannot rely on absence of demand for moral communications indefinitely. A study by KPMG, UN Environment Programme, GRI, and the Unit for Corporate Governance in Africa (2013) found that governments and stock exchanges are increasingly imposing mandatory requirements for social and environmental reporting, which has traditionally been voluntary. In 2006, only 19 countries and regions mandated (58%) or had voluntary (42%) sustainability reporting, while in 2013, 45 countries and regions mandated (72%) or had voluntary (28%) sustainability reporting (KPMG et al., 2013). In addition, "sustainability reporting has become a listing on several stock exchanges, including Brazil, China (inc. Hong Kong), Malaysia and South Africa" (KPMG, 2013, p. 24). This tightening of regulations means that the opportunities for large corporations to evade sustainability reporting are shrinking.

Some neo-liberal scholars argue that external regulation is detrimental to business (Armstrong & Green, 2013; Webb, 1999). They claim that it limits the ability of businesses to innovate and adapt to different contexts and instead advocate for voluntary reporting (Armstrong & Green, 2013; Bond & Pope, 2012). However, as Fitzpatrick, Fonseca and Mcallister (2011) explain, "voluntary initiatives in and of themselves should not be expected to replace the comprehensive regulatory responsibilities historically provided by government" (p. 376). If companies are to refute this argument, and so avoid further restrictive regulations, they must demonstrate a high standard of reporting that is transparent and enabling of accountability and self-determination in respect for human rights.

Corporations can also have an aversion to absolutely transparent disclosures when they can gain advantage through slight manipulations of the truth (Perks, Farache, Shukla, & Berry, 2013). When, as O'Faircheallaigh (2009) states, "the major purpose of SIA (social impact assessment) is to obtain project approval" (p. 97), companies may be tempted to omit damning evidence from their SIAs. By only publishing information on less significant social and or environmental impacts companies may succeed in placating opposition where a more complete disclosure may have sparked resistance (Perks et al. 2013). Another strategy is for companies to use extensive advertising of their philanthropic contributions to draw attention from the negative impacts of a project while improving their reputation (Perks et al. 2013; Cone, 2007).

However, companies should not be blind to examples of when corporate deceit, manipulation or malpractices have been revealed and consequently impacted upon legitimacy, reputation and profit. In the infamous case of Nike, the company projected a socially responsible image but was revealed to have employees suffering from appalling labour conditions (DeTienne & Lewis, 2005). Following the revelation in 1996, and the follow-up Global Exchange report in 1999, the sales of Nike products fell by nearly 8 per cent in 1999, and from 2000 to 2001 stock fell by 15% (Wazir, 2001). This case demonstrates how companies can suffer both from violations of human rights, and misrepresentations of the truth. Furthermore, the probability that malpractice will be uncovered is growing. Current technology facilitates information sharing, globalisation has made people more aware of international injustices, and third party appraisal of corporate reports is becoming more prominent (Haarstad & Fløysand, 2007; Kapelus, 2002; Perez & Sanchez, 2009). In KPMG's Sustainability Reporting Survey (2013) it is predicted that the call for external assurance is on the rise. In 2013 assurance rates among the world's 250 largest companies reached 59%, an increase from 46% in 2011 (KPMG, 2013). This is in spite of France and South Africa being the only countries to mandate external assurance of the 41 countries surveyed (KPMG, 2013). Therefore, the fallibility of corporations has never been more apparent than it is today.

In sum

It is clear that the literature from moral and business perspectives recognises the moral obligation of corporations to respect stakeholder rights with their communications. Moreover, corporations stand to benefit from fulfilling this moral obligation. Evidence shows that they can potentially lower their risk of public opposition, reinforce their legitimacy, and improve their reputation with communications. It is economically rational that corporations aspire to communicate in a way that best meets their goal of profit maximisation. What this chapter has shown is that self-interest is not in conflict with the demands of morality. With the prospect of so many positive outcomes, communication that accords with universal moral principles of humanity may realise this aspiration. On that account, the question must be considered as to whether it is possible to further improve communications if the corporation follows acclaimed international reporting guidelines and has already reached the highest grade from external assurance bodies? As seen in the previous chapter, numerous large corporations follow international reporting guidelines. The next chapter will outline several moral principles that are relevant for corporate communications. From these, an assessment framework based on the fundamental moral principles for human dignity is generated. The operating corporations of Rolleston Coal, which claim to follow the GRI guidelines and have received the highest report assurance rating (Xstrata, 2010; 2011; Glencore, 2013), will be assessed against this framework. This will help determine if it is possible to make further improvements that could benefit both the company and the local communities it works with.

Chapter 3: Assessing communication according to moral principles

This chapter outlines a framework for the moral assessment of communication practices. This framework will be based on a different perspective from those more commonly used in assessing corporate communications. A moral discourse is one that is constructed to meet the moral principles of society (McCarthy, 1992). These fundamental principles allow people to discern the distinction between right and wrong actions. They are grounded in a respect and valuing of human life, and the idea that each individual is equally deserving of dignity (Beauchamp, Bowie, & Arnold, 2009). They are designed to guide human behaviour towards this respect for humanity. As discussed in the previous chapter, corporate bodies are considered to be members of society. They must thus adhere to fundamental moral principles that Jürgen Habermas, a prominent sociologist and philosopher, has explored in depth. Habermas reasons that moral principles can be met or thwarted by communication. In his critical theories on communication and discourse ethics, he identifies the conditions of equality, truth and impartiality that must be met in order for communication to achieve an 'ideal speech situation' (Habermas, 1984; 1987; 1990; 1992; 1996; Benhabib, 1992; McCarthy, 1992).

Moral theories

Moral principles provide guidance for human behaviour by outlining rules for the actions of members of society to uphold human dignity. One can begin to understand the moral principles of society by realising that they rely on universality, impartiality, and justification through rational reasoning. Universality means that the moral principles apply to all persons (Beauchamp et al., 2009). For example, as Williams (2002) states,

> There are some general forms of trust on which all social interaction depends, in particular the expectation that other people's behaviour will not be unpromptedly aggressive. (p. 88)

Impartiality in judging the morality of an action means that an unbiased assessment is made (Chambers, 1995). For example, cheating someone who is very wealthy is no less morally wrong than cheating someone who is very poor. Rational justification refers to an appeal to reason to show an action is right. The reasons should hold up against public criticism and evaluation so that all persons may accept their soundness (Beauchamp et al., 2009).

Rational reasoning can be drawn from different ethical theories, with utilitarianism and Kantian deontology two of the most commonly cited. Utilitarianism is a widely recognised consequentialist tradition by which one can assess decisions and actions. It asserts that an act or choice is ethically right if its consequences produce more 'good' (i.e. generates more happiness or welfare than pain or hardship) for more people than any other act by the same agent. It is not the act itself that is ethically judged, but its outcomes (Hartman & DesJardins, 2011). The difficulty with using a utilitarian rationality to assess the morality of a potential action is that it relies on accurately predicting the outcomes of that action (Sinnott-Armstrong, 2014).

In contrast, deontological theories argue that what makes an act or choice right is whether its motivation conforms to moral norms. That is, actions are more morally correct if the motivations that underpin them are considered morally right, rather than if the outcomes they produce are good (Alexander & Moore, 2012). Immanuel Kant, one of the chief philosophers of deontology, formulated the 'moral categorical imperative' (or the ultimate moral obligation) which says, "act so that you treat humanity, whether in your own person or in that of another, always as an end and never as a means merely" (as quoted in Bowie, 2011, p. 140). This can be understood to mean, as explained by Hartman and DesJardins (2011), that

> Our fundamental duty is to treat people as subjects capable of living their own lives and not as mere objects that exist for our purposes… Humans have their own ends and purposes and therefore should not be treated simply as a means to the ends of others. (p. 110)

Therefore, the motives for an action are essential to determining whether it is moral, that is to say whether or not it has been performed for the right reasons (Beauchamp et al., 2009).

Both of these ethical theories, and others that have not been mentioned, are grounded in a respect and valuing of human life, and the moral principle that each individual is equally deserving of dignity (Sinnott-Armstrong, 2014; Alexander & Moore, 2012). Numerous other moral principles have been developed to provide guidance on how to discern if different behaviours are (fully or partially) moral or immoral. However, all other principles stem from the fundamental moral principle of respect for humanity (Beauchamp et al., 2009).

Justification of using Habermas

This paper draws upon the theories of Jürgen Habermas to create a communication assessment framework. Habermas is a leading theorist of communication ethics, who has made substantial contributions to the field through his seminal work on the public sphere, and communication action. Habermas' theories fit within the tradition of critical social theory. According to Craig (1999),

> Critical theory appeals to commonplace values of freedom, equality, and reason, yet it challenges many of our commonplace assumptions about what is reasonable. It challenges the naturalness of the social order and questions the rational validity of all authority, tradition, and conventional belief, including traditional beliefs about the nature of reason itself, which, it claims, have distorted reason in the service of capitalism, racism, and patriarchy. (p. 147)

It is these characteristics of Habermas' theories that permit the development of a communication assessment framework quite different from more conventional and politically influenced frameworks, such as the GRI reporting guidelines that are so commonly used to assess corporate communications today (KPMG, 2013).

The moral-based assessment framework developed for this study is based upon Habermas' theories, as his work is considered foundational to the school of thought on morality in communications (Hillier & Gunder, 2003). Habermas is considered to be "one of the most influential philosopher's in the world" (Bohman & Rehg, 2014, para. 1). In addition, several studies have determined a Habermasian basis as useful in deriving normative frameworks to assess communications and communication processes. Wiklund (2005) has applied the principles of Habermas' theories to develop a deliberative democratic standard of best practice of public participation in environmental assessments. Based on previous studies of environmental assessment participation, the study analyses the potential for democratic deliberation in environmental assessment. It determines that, despite many barriers, there is potential for democratic deliberation in environmental assessment. Like Wiklund (2005), this project uses Habermas' theories to assess the communication processes between a corporation and its stakeholders. However, it differs in that it does not aim to determine whether the fulfilment of Habermas' moral principles is possible, but the extent to which fulfilment has been achieved.

Reynolds and Yuthas (2008) used a Habermasian framework to critique international reporting guidelines in terms of the degree that they advocate a moral discourse. These included guidelines by the GRI, the International Organisation for Standardisation, and the Institute of Social and Ethical Accountability. Similarly, Meisenbach (2006) based an assessment framework for organisational communications on Habermas' discourse ethics. By assessing a publicity scandal of the American Red Cross, it determines that Habermas' notions may be a useful tool for making organisational communications more ethical, and so avoid damaging scandals. Both of these studies were aimed at improving the ethical nature of communications, and show that a Habermasian framework has been successfully used to provide useful insight into improving communicative processes. This project's aim is essentially the same, however, unlike these studies, it uses Habermas' theories to assess the communications and communication processes between a corporation and its local community member stakeholders. This practical application of Habermas' theories provides an in-depth understanding of how moral principles can be used to inform corporate local level communication practices in order to uphold human rights.

Habermas' theories

Habermas (1984; 1987; 1990; 1992; 1996) has extensively explored moral principles that relate to the human behaviour of communication. He conceives communication as, "a self-sufficient act which the speaker always performs with a communicative intent, that is, so that a hearer may understand and accept his utterance" (Habermas, 1984, p. 289). This concept is based on the idea that,

> The necessity for coordinated action generates in society a certain need for communication, which must be met if it is to be possible to coordinate actions effectively for the purpose of satisfying needs. (Kanngiesser, 1876, as quoted in Habermas, 1984, p. 274)

In this way, Habermas reasons that all communication attempts to reach an agreement between the communicating parties so that they may coordinate their actions through an interpersonal relationship based on that agreement.

However, Habermas (1984) emphasises that there are different ways that people can reach an agreement. He sees an agreement that is made as a result of some form of influence that has been exerted by one party upon the other (such as coercion, manipulation, deception, or even provision of incentives) as a result of success orientated communication. In contrast, agreements made whereby individuals, “pursue their individual goals under the condition that they can harmonize their plans of action” (Habermas, 1984a, p. 286) are seen as a result of understanding orientated communication. This orientation toward understanding is portrayed as the more moral of the two approaches to achieving agreement because the communicator’s ends are pursued in such a manner that the goals of other individuals or groups are not obstructed in the process (Habermas, 1984). Evidently, Habermas’ moral perspective draws from the Kantian moral principle described earlier, that people should not merely be used for one’s own purposes, but as beings with their own purposes (Warren, 1995; Strong & Sposito, 1995).

As communication behaviour can be morally judged, there are implications for assessing corporate communications. As previously mentioned, companies rely on societal permission and acceptance for their existence. Corporate bodies have to reach an *agreement* with society that their activities are acceptable. This is a challenging objective, especially for mining companies that engage in practices that have been shown to significantly impact humans and the environment (Perez & Sanchez, 2009; Lockie et al., 2008; WCED, 1987). Companies use public communications as a mechanism for achieving agreement, to attain social acceptance, and to engender recognition of corporations as a legitimate member of society (Reynolds & Yuthas, 2008). Yet, according to Habermas (1984), agreement is not exclusively reached via morally guided actions. Therefore, it is conceivable that corporate communications may pursue agreement (and thus profit) in morally questionable ways.

To differentiate between the different paths to agreement, Habermas (1984) has identified the characteristics of communicating that allow for it to be ‘orientated toward understanding’, or a morally right behavioural action. In his writings on discourse ethics, Habermas identifies the ideal speech situation, which he perceives as the necessary conditions for a human communication to achieve its consensus aims while respecting moral principles (McCarthy, 1992). These conditions particularly relate to upholding the fundamental human right of self-determination (Warren, 1995; UN General Assembly, 1986). McCarthy (1992) explains that any means used to influence a person's decisions, other than rational reasoning, detracts from that person's autonomy and hence are viewed as harmful to their human dignity. This is because autonomy exists only when people are "free to make their own choices, particularly when they relate to their own lives" (Wicks, Freeman, Werhane, & Martin, 2010, p. 10). To ensure the autonomy of communication participants, and therefore the moral rightness of a communicative act, Habermas has determined that communication should espouse the moral principles of *equality, truth,* and *impartiality*, while it should avoid all forms of manipulation (Benhabib, 1992; Warren, 1995; Chambers, 1995; Outhwaite, 1996). These principles will now be explored in more depth.

Equality

Equality in communication occurs when all communication participants are free from any power relations that may constrain their participation or articulation of opinions or positions (Benhabib, 1992). Equality features prominently in Habermas' ideal speech situation, as Benhabib (1992) summarises:

> Each participant must have an equal chance to initiate and to continue communication; each must have an equal chance to make assertions, recommendations, and explanations; all must have equal chances to express their wishes, desires, and feelings. (p. 89)

This equality requires a democratic discourse with the ability to produce a communicative agreement that is subjectively acceptable to all parties. No person is coerced, manipulated or influenced in any way to make the agreement. They make it of their own will once they can see that the agreement is reflective of their own perspective and values. Equality in discourse is also the only way of knowing what is normatively acceptable to all parties (Coles, 1995). Habermas explains that, "only those norms are valid that meet (or could meet) with the approval of all affected in their capacity *as participants in a practical discourse* [*sic*]" (Habermas, 1990, p. 66). Warren (1995) explains that Habermas presents discourse ethics as dialogical. He states, "individuals can develop principles of judgement only by conversing with those affected" (Warren, 1995, p. 178). Consequently, to ensure statements will be normatively accepted, communicators must engage in an equal, democratic discourse.

The principle of equality, and its implications for stakeholder participation, has been criticised by some academics. McCarthy (1992) questions how it can be possible to achieve authentic consensus on a large scale in a pluralistic society. This is a fair challenge to Habermas' theory, in which achieving a moral communication rests on participants having an equal opportunity to object to and criticise an assertion. However, Meisenbach (2006) argues that even if the discussion only results in unreconciled differences, discourse ethics remain useful, as participants are at least likely to have gained a better understanding of one another's true positions. Benhabib (1992) raises the further criticism that Habermas' communication theories rely on the impossibility of equal power relation between dialogue participants. She argues that this is particularly the case for traditionally disempowered groups, mentioning women specifically. This criticism relates to the practical application of Habermas' theories. However, as Dryzek (1995) states, "communicative reality is not supposed to be an attainable ideal, but rather a critical principle" (p. 104). This route to agreement is merely defended as the more morally right approach, it is not claimed to be easy, or even possible, in many circumstances.

The case study in this paper will assess corporate communications for evidence of equality in their stakeholder discourses. It will seek to determine whether communications have been influenced by dialogical engagement of stakeholders. Corporate communications may be considered sufficiently participatory if corporate bodies have provided an equal opportunity for stakeholder participation to support their right to autonomy (Steurer, Langer, Konrad, & Martinuzzi, 2005). An effort must be made to seek out impacted groups (Benhabib, 1992) and obtain their viewpoints in a non-threatening manner. Finally, it should be clear how stakeholder engagement processes have informed the decisions of the corporate body. While these aspects do not guarantee total consensus among stakeholders, they do equate to the dialogical, democratic discourse that Habermas morally substantiates.

Truth

Truth in communications must be achieved on an objective and a subjective level (Habermas, 1984). A communication is objectively true if it is representative of reality. To use a famous example, the sentence “the snow is white” is true if and only if the snow being referred to at that time is in fact white (Williams, 2002, p. 64). A communication is subjectively true if the person making it is sincere, that is, they may be transparently expressing their beliefs, values or motivations (Habermas, 1984). An example of a claim to sincerity is the statement, “we act with integrity in our relationships with stakeholders and fulfill our promises and obligations to them” (Xstrata, 2008, p. 2). This type of statement is “made only credible in the consistency of what he [the speaker] does” (Habermas, 1984, p. 303). Williams (2002) succinctly explains the two aspects of truth,

> Truthfulness implies a respect for the truth. This relates to both the virtues that ... I shall call Accuracy and Sincerity: you do the best you can to acquire true beliefs, and what you say reveals what you believe. (p. 11)

Hence, truth in communications can be understood to entail both accuracy (objective truth) and sincerity (subjective truth) from the communicator.

The autonomy of stakeholders relies on the truthfulness of corporate communications. This is because, as Bok (1978) emphasizes, deception (meaning “*evasion* or the *suppression* [emphasis added] of relevant information” (Bok, 1978, p. xxi)) has consequences for those who have been deceived because, “to be given false information about important choices in their lives is to be rendered powerless. For them, their very autonomy may be at stake” (p. xvii). By limiting the ability of people to assess the actions of a company, so too is their ability to make informed judgments about permitting activities that will affect their lives, and inhibit their right to autonomy. Transparency supports stakeholders in assessing the rational reasoning for choices that a company makes to determine whether they are rationally justifiable. Secrecy about projects or their impacts removes accountability (Bok, 1982). Secrecy impedes accountability because it gives the company power to deceive and manipulate, which, as Williams (2002) states,

> Approximates to a paradigm of injustice, … the system is unjust because the supposed legitimization of it is accepted by the disadvantaged only because of coercion… [and] coercion in itself cannot constitute legitimization. (p. 221)

Therefore, in order for corporate communications to be useful to stakeholders, and so stakeholders can hold companies accountable for their actions, the information they contain must be totally transparent (Reynolds & Yuthas, 2008).

The case study will evaluate the transparency, and therefore truth, of one corporate entity's communications. It will seek to establish whether or not the communication has genuinely attempted to represent the objective and subjective truth. Truthful corporate communications should outline the corporation's economic, social and environmental impacts. A democratic discourse is essential to determining what information stakeholders need to develop their opinions and positions towards a corporation. Thus, communications will be searched for evidence that the corporation has sought to fulfil this need. Corporate communications should demonstrate how the claims of the corporation are put into practice. All reports that are necessary for stakeholders to analyse changes in the corporation's performance over time, how impacts have been managed, and how stakeholder issues have been responded to should be available. This information allows for the sincerity of the corporation to be evaluated.

Impartiality

Impartiality is the act of taking an objective perspective on an issue. According to Habermas (1992), it is a precondition of rational discourse and the approach one must take in order to make just assessments and decisions. He determines, "we have to consider what general interest all those involved would agree upon if they were to adopt the moral standpoint of impartiality, taking into account all the interests affected" (Habermas, 1987, p. 94). Chambers (1995) explains this principle as the act of, trying to see a situation from the perspective on another. This "role taking" action in communication incorporates the work of theorist G. H. Mead, who suggests that conversing parties should consider the perspective of the other party in order to overcome personal bias and reach a communicative understanding (Outhwaite, 1996; Honneth, 1995; Moon, 1995). Wiklund (2005) emphasises the importance of role taking in discourse by suggesting, "if participants do not do this, the deliberative process, no matter how structurally equal, will not be productive" (p. 285). Thus, it is by distancing themselves from their own interests that participants can agree on what is in the general interest of all (McCarthy, 1992).

However, impartiality is a difficult moral principle to fulfil. This is because in "complex, highly differentiated societies" stakeholders occupy "a diversity of life situations" (McCarthy, 1992, pp. 59-60), and so alternative resolutions of issues have vastly different consequences depending on the stakeholder. McCarthy (1992) questions how a universally agreeable normative-based judgement could ever be made in such circumstances. Yet to revisit the aforementioned explanation, Habermas only seeks to describe the moral ideal, where "participants question and transcend whatever their initial preferences may have been" (Habermas, 1992, p. 449). Chambers (1995) argues that a discourse achieves impartiality if all of its participants at least *attempt* to achieve mutual understanding of all viewpoints. In this instance, parties will obtain an understanding of one another's issues, viewpoints and arguments, and in the ideal circumstance they will arrive at a shared understanding (Chambers, 1995). However, it should be understood that only *sincere* efforts to consider the perspective of others would result in the moral standpoint required for communicative action (Chambers, 1995; Habermas, 1984).

The case study assessment for impartiality will look for several identifying factors. Corporate bodies can demonstrate their application of impartiality by recognising stakeholder interests in their reports (Reynalds & Yuthas, 2008). Stakeholder interests are attended to if stakeholders are granted input into the content of reports, perhaps through choosing reporting metrics or requesting specific data. Communications may be considered balanced, or impartial, if they sufficiently reflect positive and negative aspects of the corporation's impacts on all stakeholders. Impartiality may also be verified if third party assurance is sought. Corporations can employ external evaluation companies to verify their data and provide evidence of attempts to employ impartiality. Finally, impartiality implies that participants do not act strategically. Rather, it implies that they engage in discourse with the sincere intention to view matters of concern from the perspective of others and to try to find an independent stance (Wiklund, 2005).

In sum

By setting an ideal, Habermas provides a standard against which it is possible to criticize real world practices (Dryzek, 1995, p. 109). Habermas identifies the moral principles that are conditional to an ideal speech situation. If followed, these create the possibility for communication in which,

> All concerned could assent in a communication unconstrained by overt coercion or relations of power in which all participants are free and equal and in which only the force of the better argument holds sway. (Warnke, 1995, p. 139)

The following chapter considers whether a corporate body demonstrates evidence of equal relations in their communications. It also assesses if the communications show evidence of sincere attempts to represent the truth, and to meet the information needs of its stakeholders. Lastly, communications are examined for indications of balance and impartiality. If these principles are met, corporate communications are far more likely to meet the satisfaction of their participants, and to support their right of self-determination.

Chapter 4: Case study of Rolleston Coal Mine, Queensland

The context

This case study of Rolleston Coal Mine in Queensland considers the communications between a corporate group and its local community stakeholders. The mine is a joint venture between Glencore Coal Queensland Pty Ltd (75%), Sumisho Coal Australia Pty Ltd (12.5%) and Itochu Coal Resources Australia RPW Pty Ltd (12.5%) (Rolleston Coal, 2013a). Before 2013, and the merging of Glencore and Xstrata, Xstrata was the majority participant in the Rolleston Coal Joint Venture and the mine operator since 2005 (Rolleston Coal, 2014). Xstrata Coal Queensland Pty Ltd has now changed its name to Glencore Coal Queensland Pty Ltd and this party is the operator of the current mine. To avoid confusion, from now the corporate communicator in this case study will be referred to as 'Rolleston Coal'.

Rolleston Coal is an open cut thermal coal mine. It is located in the Bowen Basin, Queensland, 16 kilometres West of the town Rolleston (population 129), and 58 kilometres southeast of the town Springsure (population 1,048) (Australian Bureau of Statistics, 2011a; 2011b). It has a workforce of 450 full time positions, the majority of which (approximately 80% mine employees and 90% contractors) are held by non-resident workers who live in the workers' accommodation village when on shift (Rolleston Coal, 2013b). During their seven day stays (as per the shift cycle), up to 852 people can be accommodated in the mine's residential village (Rolleston Coal, 2013b; 2013c). There is currently a pending proposal for an expansion of the current mine. This expansion will result in an estimated workforce increase to 660 full time positions over a ten-year time frame (Rolleston Coal, 2013b).

In order for the expansion project to receive government approval, Rolleston Coal has had to undergo an extensive Environmental Impact Statement (EIS). Under Queensland law, proponents of projects may be required to prepare an EIS if it may have significant environmental effects (Queensland Government, 1994). Within the Environmental Protection Act 1994, the *environment* includes:

(a) Ecosystems and their constituent parts, including people and communities; and

(b) All natural and physical resources; and

(c) The qualities and characteristics of locations, places and areas, however large or small, that contribute to their biological diversity and integrity, intrinsic or attributed scientific value or interest, amenity, harmony and sense of community; and

(d) The social, economic, aesthetic and cultural conditions that affect, or are affected by, things mentioned in paragraphs (a) to (c). (Queensland Government, 1994, section 8)

Consequently, Rolleston Coal's EIS must incorporate social impacts. It is this aspect of the EIS that will be focused on in the case study, along with the processes that were used to gather information. Thus, all communication processes, including community consultation meetings, workshops, surveys, newsletters and letters to community members, will be considered by the case study. The study is limited to communications surrounding the creation of the EIS because these are the only ones publicly available on the mine's website, and therefore these are what is easily accessed by stakeholders.

Justification of mine selection

Rolleston Coal Mine has been chosen as a case study for this research for three reasons. The first is because the corporation Glencore (and previously Xstrata) run the mine. Both Glencore and Xstrata follow GRI reporting guidelines, and received A+ reporting ratings for sustainability reports against the guidelines, from independent external assurance providers (Xstrata, 2010; 2011; Glencore, 2013). In addition, both corporations claim to operate with respect to human rights, as shown in the following statements:

a) "We uphold and promote human rights within our areas of influence." (Xstrata, 2008, p. 2)
b) "We care profoundly about our performance in compliance, environmental protection, human rights and health and safety." (Glencore, n.d., p. 5)

Other corporations have not achieved the same rating against GRI benchmarks, nor associate themselves so strongly with respecting human rights. Therefore, it is reasonable to expect that communication by Glencore, and previously Xstrata, to be of a relatively high standard. Assessing the communications of the highest standard will assist in discovering whether what is currently considered the ‘best’ can be improved upon.

The second reason Rolleston Coal Mine has been chosen is for its Queensland location, where there are few laws that regulate its communications. The Queensland Environmental Protection Act 1994 states, “an EIS requirement is in force in relation to an application for an environmental authority for a mining activity that is, or is part of, the project” (section 37(1)). Simply, an EIS must be produced for large-scale mining lease applications. However, this is essentially the extent of legal mandates in Queensland for mining corporations to engage with local communities in developing their communications. Unlike in other jurisdictions, such as NSW, in Queensland it is not a legal requirement that mining corporations create an Annual Environmental Management Report involving public consultation, nor that formal complaints be accessible for public viewing (New South Wales Government, 1979; 2012). Thus, the case study gives an example of how corporations may approach communication in the absence of strict government regulation.

The final reason for selecting Rolleston Mine, instead of another Queensland mine, is because it has existed for a considerable length of time (under Xstrata since 2005). As a result, local community members are likely to have a relationship with the mine, and have already experienced some of its impacts and opportunities. This allows for an assessment of how power is balanced (or imbalanced) in the relationships, as well as determining how the corporation has responded, and so might in the future respond, to the needs and concerns of its stakeholders. The following assessment will follow the framework outlined in the previous chapter. It will critique Rolleston Coal’s communications against the universal moral principles of equality, truth and impartiality that have been identified as important in upholding human rights.

Assessment of Rolleston Coal’s social communications

Equality

As outlined in the framework chapter, processes that are dialogical can provide the opportunity for equality-based communication. To meet the requirements of the Queensland Terms of Reference for an EIS, mining corporations must develop a

Social Impact Management Plan (SIMP). Rolleston Coal explains that it plans to consider this document as its Social Involvement Plan (SIP) "a 'live document' which will be updated during project development" (Rolleston Coal, 2013c, p. 3). Therefore the terms SIP and SIMP are used interchangeably throughout the document. It is claimed that the SIP "has been developed to assist in engaging with the communities in which we operate" (Rolleston Coal, 2013c, p. 3). Some aspects of the report support this claim. However, it is unclear whether this "engagement" is managed in a way that achieves a dialogue where all parties and their contributions are considered equal.

Within Rolleston Coal's EIS, there is evidence of some attempts to communicate with local communities in a dialogical, participatory manner. Several strategies were used to give community members the opportunity to identify any issues or concerns about the project. As stated in the Social Values chapter of the EIS, "consultation for the SIA was carried out to assist in the development of the baseline community profile and to identify stakeholder issues and concerns in relation to the Project" (Rolleston Coal, 2013b, p. 5). Consultation methods included: providing contact details (email and 1800 information hotline); establishing a shopfront (open Thursdays, 8.30 am to 5.00 pm); community surveys; distributing newsletters that provided updates on the project expansion, how to obtain more information and provide feedback; Community Reference Group (CRG) meetings; community information workshops; and holding stakeholder briefings for landholders and elected members (Rolleston Coal, 2013d; Rolleston Coal, 2013c). Several of these communications are clearly one directional, with Rolleston Coal providing information to their stakeholders. Yet, some of these activities are indicative of the dialogical communication that Habermas deems essential to communication orientated towards achieving understanding, or one that meets moral principles (Habermas, 1984).

Facilitating participation does not necessarily equate to equal distribution of power between communicating parties. Rolleston Coal, run by a giant transnational corporation, and as a long-term and integral part of the local economy, is incredibly powerful. There is no recognition of this powerful position in the SIMP. However, some measures were taken by Rolleston Coal to balance power relations when conversing with local community members. For example, in the description of the community workshops Rolleston Coal employees appear to facilitate rather than influence the discussions (Rolleston Coal, 2013d). This is evident in the statement, “[workshop] questions were not targeted towards particular topics or issues to ensure that the issues identified at the workshop accurately represented the community’s perceptions of the Project” (Rolleston Coal, 2013d, p. 11). The two questions proposed to participants of the community workshops were:

> (1) What opportunities and benefits do you think will result from the Rolleston Coal Mine Expansion Project?
>
> (2) What are your issues and concerns regarding the Rolleston Coal Mine Expansion Project? (Rolleston Coal, 2013d, p. 11)

These questions allowed participants to criticise or make comments about any aspect of the Project. Thus, by permitting criticisms of proposals Rolleston Coal has managed to establish a situation in which rational arguments and opinions can be expressed.

While engaging in a rational discourse is the first step to equality-based communication, it does not mean that the suggestions or arguments of all parties are valued equally. Rolleston Coal (2013c) claims,

> Socially beneficial impacts identified during the SIA have been used to identify and structure socially-beneficial arrangements between a proponent and the community. (p. 7)

However, there is little indication that the “socially-beneficial arrangements” referred to have been mutually agreed upon by the stakeholders that they affect. Rolleston Coal appears to have identified what might be issues to stakeholders (Rolleston Coal, 2013e), but there is no evidence that it involved those stakeholders in a discussion about suitable methods to address their issues. In the SIMP, Rolleston Coal has identified the strategies and actions to address the potential impacts of the Project. It is stated:

> Rolleston Coal is aware of its shared responsibility for cumulative social impacts, and works closely with other industry players and all levels of government to plan and implement social strategies. (Rolleston Coal, 2013c, p. 19).

This statement does not indicate that local community members are included in the discussions that decide how the impacts on themselves will be managed. Therefore, although stakeholder concerns were acknowledged, it does not appear that they were empowered to influence management decisions.

A lack of publicly accessible minutes from CRGs and community workshops make it impossible to assess whether Rolleston Coal employees have ever sought to determine what might be acceptable solutions to various issues from the perspective of local community members. This disclosure deficit is an additional impediment to an equal discourse for community members who were unable to attend community meetings. The absence of minutes means that these persons are not able to determine whether their perspectives and interests have been adequately represented, or whether any agreements that have been made are acceptable to them. In assessing Rolleston Coal's communications, there is a distinct impression that the information disclosed is only what the law explicitly commands. It is concerning when a lack of legal regulations is exploited by corporations (Glencore and previously Xstrata) that have achieved assurance of high quality reporting, and that claim to implement codes of conduct that respect human rights in all of their operations (Xstrata, 2008; Glencore, n.d.). As shown, such exploitation can result in a failure to meet the moral principle of equality.

Truth

Truth, the second criteria of the moral assessment framework, appears to be aspired to in Rolleston Coal's communications, though it is not necessarily always achieved. As outlined in chapter three, truth consists of two aspects: accuracy of information and sincerity of expression. Together, these aspects equate to a transparent communication. In its Business Principles, Xstrata (2008) gives the impression that it aims to wholly uphold the moral principle of accuracy: "we report financial and business performance information that is complete, accurate, honest and timely" (2008, p. 4); and sincerity: "we act with integrity in our relationships with stakeholders and fulfill our promises and obligations to them" (p. 2). The former company even goes as far as to say, "we are committed to the maximum transparency that is commercially possible in our business" (Xstrata, 2008, p. 2). In a similar fashion, Glencore (n.d.) states in its Code of Conduct,

> We value relationships and communication based on integrity, co-operation, transparency and mutual benefit, with our people, our customers, our suppliers, governments and society in general. (p. 5)

Such effusions give a strong impression of highly virtuous institutions. However, upon close examination, this case study analysis reveals that these lofty claims do not always reflect practice.

Rolleston Coal's communications seem to contain largely accurate information. The information contained in the EIS extensively, specifically, and clearly, outlines the environmental, economic and social impacts. The introduction of the EIS states,

> Environmental impact assessment is a systematic analysis of a proposed development in relation to existing environmental values. The outcomes of an environmental impact assessment are subsequently documented in an EIS that is submitted for regulatory and stakeholder review and made available for public comment. (Rolleston Coal, 2013a, p. 6)

This is an accurate description of the document and its appendixes. While Rolleston Coal has not employed a third party to externally review the evidence presented in the document, revision by state regulatory bodies and stakeholders provide assurance that there are no major discrepancies between reality and what has been presented as factual information.

However, information contained in communications should be both accurate and useful. As outlined in chapter three, if stakeholders find the factual information useful in informing their decisions about the company then the communication is adequately transparent. However, if there is a gap in the information provided, or the information is not useful, there is a transparency flaw. This is a possibly a shortfall with Rolleston Coal's communications. In the summary of consultation findings "more drugs in the community" was identified as a "mining related change" in the community over the past three to ten years (Rolleston Coal, 2013e, p. 3). The community consultation process also revealed that local community members are concerned about a further increase in the availability of drugs in the community with further expansion of the mine (Rolleston Coal, 2013e). In light of this concern, community members may have found it useful if Rolleston Coal provided more information on drug use by their employees by disclosing the results of random drug tests that it claims to conduct, or by providing other evidence that the measures (such as enforcing the employee code of conduct) employed to combat this problem are effective (Rolleston Coal, 2013c).

This is an example of where Rolleston Coal's communications could provide better information to inform stakeholder decisions.

Sincerity is also important in meeting moral principles. The sincerity of the commitments made by Rolleston Coal in the report is not always convincing. In the SIP, it is claimed that as a 'live document' the SIP will be updated annually (Rolleston Coal, 2013c). It states, "Rolleston Coal's SIP is updated every year to assess the effectiveness of communication and consultation strategies and performance against the SIP's objectives" (Rolleston Coal, 2013c, p. 22). This may have been performed by Rolleston Coal, however none of the previous SIPs are available on the project website to permit any assessment. The SIP also claims that it will disperse community newsletters every six months, and that it conducts community surveys every three years (Rolleston Coal, 2013c). Yet there have only been four "6 monthly" newsletters have been distributed in three years (Rolleston Coal, 2013d), and if the surveys have been conducted, again Rolleston Coal has failed to post these on its website for ease of access. Without past documents to refer to, it is difficult for stakeholders to discern how well Rolleston Coal has managed the mine's impacts, or whether they have been addressed at all. This shows that Rolleston Coal has not acted in the way their communications promise, and that their communications therefore lack moral rightness.

The sincerity of other claims within the document is also questionable. Rolleston Coal creates a misconception that it will take appropriate action to mitigate all impacts of the mine on stakeholders. It claims that,

> There are measures to reduce many social impacts associated with the Project to either an acceptable or tolerable level or to a level where they can be managed through ongoing monitoring, review and efforts to further reduce the risk level. (Rolleston Coal, 2013c, p. 5)

However, evidence from community consultations suggests otherwise. For example, in the community consultations,

> The young women reported that they felt less safe in the community, particularly with the prevalence of orange shirts (including but not restricted to Rolleston Coal employees) around town. (Rolleston Coal, 2013b, p. 25)

This impact of the mine is not portrayed as something new. The EIS refers to enforcing the employee code of conduct to address this issue (Rolleston Coal, 2013c), and yet there is no reference in the document to evidence that shows this action has succeeded in the past. Thus, it would be fair for the local community members to judge that Rolleston Coal's promises to mitigate impacts of the mine as merely a ruse. This, and the other examples identified, demonstrates transparency failures by Rolleston Coal and therefore an inadequacy to satisfy the moral principle of truth.

Impartiality

The moral principle of impartiality is the final criterion against which Rolleston Coal's communications will be compared. Explained in the moral framework as ensuring that communications demonstrate fairness, impartial communications provide a balanced perspective that is defendable through rational argument. This must be a feature of communications if they are to uphold the human right of self-determination. As earlier remarked, truly autonomous decisions, which rely on the disclosures of others, can only be made in the absence of manipulative influence. The GRI guidelines, which both Xstrata and Glencore have claimed to follow, explain that in reports, "the quality of the information is important to enable stakeholders to make sound and reasonable assessments of performance, and take appropriate actions" (GRI, 2013b, p. 8). Yet, this assessment of Rolleston Coal's communications brings to light several instances of partiality and manipulation.

Rolleston Coal largely communicates impartially about the positive and negative social impacts of its activities. The community consultation process to determine local community member perceptions of the opportunities, and the issues and concerns appears to have been extensive. The results from this process are disclosed in detail in the appendixes of the EIS (Rolleston Coal, 2013d; 2013e; 2013f; 2013g; 2013h). The SIMP summarises potential negative outcomes of the expansion project as,

> Possible reduced housing affordability, increase in the perceived social divide (between mine workers and locals), issues with road safety, increased demand on social infrastructure and challenges in the attraction and retention of skilled labour for existing town services (Rolleston Coal, 2013c, p. 5).

Such open acknowledgement of negative outcomes appears to be an act of impartiality. However, the phrase "increase in *perceived* social divide" (emphasis added, Rolleston Coal, 2013c, p. 5) implies that the social divide that stakeholders have noted as a concern may not actually exist. Rolleston Coal undermines the validity of the concern by expressing it in this way. Thus, the presentation of negative impacts and opportunities in the report is not entirely impartial.

The impartiality of Rolleston Coal communications is also flawed in that it does not convey the complaints it has received. Rolleston Coal explains that all complaints must be recorded so the administrating authority may review them. This can be understood in the statement:

> Under the specific statutory constraints for the site: All complaints received must be recorded including investigations undertaken, conclusions formed and actions taken. This information must be made available to the administering authority on request. (Rolleston Coal, 2013c, p. 4)

This shows that, according to Rolleston Coal, the absence of a legal requirement means that complaints need not be made accessible to the public. By not openly disclosing the complaints made by community members Rolleston Coal does not impartially represent the perspectives of its stakeholders. This has the potential to manipulate people's perspectives about the mine and community opposition towards it.

Rolleston Coal is also potentially manipulative in how it describes its data. The comments made by community members in consultation workshops are subdivided in different ways - into the categories of "benefits and opportunities" and "issues and concerns", and into different themes, such as housing, economy and education (Rolleston Coal, 2013d, p. 16). This sentence was used to describe the findings,

> More than half of the themes raised may be associated with a positive opportunity, however a greater proportion of comments made by individuals were issues or concerns. (Rolleston Coal, 2013d, p. 17)

By offering the two methods of categorisation for comparison in this way, readers may be confused as to whether community members perceived the potential impacts of the Project to be more positive or more negative. It would have been far clearer, and far less deceptive, to describe how six out of ten themes identified are associated with a positive opportunity, but that nine of ten made a negative comment about an issue or concern. Alternatively, it may have been simply stated that "a greater proportion of comments made by individuals were issues or concerns" without preceding the observation with a distracting and confusing reference to the thematic categorisation. Bias is evident in how the sentence describing data has been constructed to show Rolleston Coal in a good light.

Further partiality is apparent in the manner in which Rolleston Coal refers to the community concern of labour shortages. It draws on data from the Australian Bureau of Statistics to describe the employment rate in the area (Bauhinia Statistical Local Area [SLA]) in which Rolleston and Springsure are situated:

> Employment within the study area is predominately in the areas of agriculture and mining. In Bauhinia SLA in 2011, 41% of employed people were working in the agricultural industry (520 people) and 13% were employed in the mining industry (160 people). Between 2006 and 2011 there has been a slight movement toward more people working in mining and fewer people working in agriculture. (Rolleston Coal, 2013b, p. 16)

In the Community Consultation findings, it is apparent that the movement of people from the agricultural sector to the mining sector has considerably impacted agricultural producers and their businesses (Rolleston Coal, 2013e). Some of the mining related changes during the past three to ten years cited include:

> Agricultural producers compete with mines for carriers for cattle/produce; producers relying a lot more on 457 visa holders for labour – no continuity, have to train new people every season… Loss of skilled people to mines; skilled labour is difficult to attract and retain; permanent skilled labour is virtually non-existent. (Rolleston Coal, 2013e, pp. 4-5)

Yet in the SIMP this very real problem to local business sustainability is brushed over. It is mentioned as a potential negative impact on businesses simply as "difficulty in attracting and retaining staff" (Rolleston Coal, 2013c, p. 27), but no strategies or actions are expressed to address this issue. In this way, Rolleston Coal barely acknowledges the concern, and so acts as if it has minimal relevance. This blatant bias is far from achieving the moral imperative of impartiality in Habermas' ideal speech situation.

Concluding remarks

This assessment of Rolleston Coal's communications demonstrated that even corporations of considerable repute do not always communicate with their stakeholders according to moral ideals. This paper does not suggest that Rolleston Coal actively and consciously engages in immoral behaviour. However, aspects of the corporation's practices do have the potential to undermine their stakeholders' right of self-determination. While it makes some effort to communicate in a way that gives their stakeholders an equal standing, Rolleston Coal does not appear to converse with stakeholders about how to manage the impacts and opportunities the mine creates. This can have the effect of diminishing stakeholders' ability to control the degree to which mining impacts their lives. In addition, by neglecting to make the minutes from community workshops and meetings publically available, Rolleston Coal effectively excludes from the conversation those community members who were unable to attend the event/s.

Although the company discloses a considerable amount of (seemingly) accurate information, utility is an important characteristic of truthful communications. Rolleston Coal could have made a greater effort to seek out and provide the information that would have been useful to stakeholders. Moreover, some relevant information has been withheld, namely to SIPs from past years and complaints records, which were not available on Rolleston Coal's website. Withholding this type of information can affect stakeholders' ability to assess the actions of the corporation and does not create a positive impression of the corporation's integrity or impartiality.

To address the majority of these issues, Rolleston Coal would only need to make small amendments to how they practice communication. To greatly improve their transparency, the corporation need only to make more information easily accessible to the general public. Posting community meeting minutes, SIPs from past years, and complaints from community members onto the corporation's website would provide a richer volume of resources that local community members could refer to for assessing the corporation's performance. The corporation's practices would also reflect moral principles to a greater degree if it altered its community consultation approach slightly to consider community member's views on the best way to mitigate the mine's impacts. Local people should also be consulted about what types of information they would like to see in reports.

This case study has been useful in demonstrating how assessing corporate communications through a moral lens can provide insight into achieving continual improvement. Flaws in Rolleston Coal's communications have been revealed by assessing them against the universal moral principles identified in Habermas' writings on discourse ethics. This demonstrates how corporate bodies can develop their communication actions to best adhere to moral principles and, as a consequence, support human rights while making economic gains. In addition, the study has shown how corporations may approach communication in the absence of strict government regulations. In comparison to NSW, where governments explicitly mandate a greater degree of transparency, this Queensland mine has not made any concerted effort to exceed the meagre communication requirements demanded by legislation. This has implications for governing bodies as it clearly shows that corporate behaviour can be considerably guided by legal regulations.

The small number of documents published by Rolleston Coal that were available to be assessed has limited the study. Further insight to communication practices would have been achieved if community meeting minutes, community member complaints, and SIPs from previous years were assessed. In addition, as a stand-alone case study the findings cannot be assumed to reflect broader practice in the mining or business industry. However, the study has not been conducted to create a representation of current corporate communication practices. Despite considering only a single case, the paper has demonstrated how the application of a moral framework to assess communications can assist in discerning flaws in practice that may not otherwise have been identified. Although Habermas' ideal communication situation between corporations and stakeholders may be impossible to realise, using the highest standard to assess communications may be the key to bringing the ideal closer to reality.

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