Proximity, Responsibility and Temporality at Resource Frontiers

Corporate-Community Relations in the Colombian Mining Sector

Laura Knöpfel

Abstract: This article discusses the relation between proximity and temporality in the negotiation of corporate responsibilities in the Colombian coal mining sector. Corporate responsibility practices and discourses are oriented towards the future closures of coal mines and centred on self-reliance and independence of communities affected by the mining business. By invoking the future closures, the coal mines were temporalised in ways that turned the corporate responsibility into the personal and public responsibilities of the affected communities and the state. The article argues that the anticipation of the future closure served as a mode to cut proximity-based relations of corporate responsibility. Furthermore, it is suggested that the law has not (yet) sufficiently considered the relations between past corporate presences, lasting proximities, and corporate responsibility.

Keywords: coal mining, Colombia, corporate social responsibility, extractive industries, proximity, temporality, time work

Thursday morning, in the community relations office of the coal mining corporation Prodeco Group (Prodeco) in La Jagua de Ibirico, a municipality in El Cesar, Northern Colombia, Linda, an official of the corporation's Social Relations team, was busy explaining to several young men that the mining corporation could currently offer neither work nor training opportunities. Twice a week, Linda received the residents of affected communities in the office, recorded, wrote down, and forwarded their queries to her managers. For the most part, the queries were about the economic possibilities offered by the mines. Linda's answer was always the same: 'The mines are already closing and therefore we cannot offer any training or job opportunities.' Instead, she

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directed the job seekers to the municipal job centre, a programme run and funded by the mining corporation, the municipality and the departmental chamber of commerce.

During my fieldwork with the Social Relations (SR) team of Prodeco, a Colombian coal mining corporation and a subsidiary of the Swiss commodity enterprise Glencore PLC, the future closure of its two coal mines in the North Colombian department El Cesar was omnipresent.¹ The officials of the SR team (SR officials) depicted the finitude of the resource frontier—soon to be exhausted and new frontiers discovered—as a ‘fact’, an objective, undisputable and unmodifiable event that already yielded effects in the present. The temporality of natural resources significantly influenced the content of Prodeco’s corporate social responsibility (CSR) regime, defined here as the entirety of programmes, policies, practices, techniques, discourses and statements by which a corporation continuously defines, manages and governs its relations to broader society, in particular communities living in close vicinity to a coal mine. The CSR regime was oriented towards the closures of the coal mines in that it sought to foster visions and possibilities of a future that is independent of the coal mining industry. As Linda explained, local residents must learn that the mines are ‘not there forever’ and they thus need to become ‘self-reliant’. This article delves into this discourse of temporality in order to situate the emphasis on the closures of the coal mines in the context of the negotiation of corporate responsibilities for the livelihood and well-being of local residents. It suggests that the temporalisation of the global resource frontier served to deter attributions of responsibility that had originated from the territorial and social proximities around extraction sites.

The article is based on nine months of fieldwork carried out within the mining corporation Prodeco in Colombia in 2017 and 2019, supplemented with three months of fieldwork with two Colombian NGOs that work on the issue of extractive industries and local communities in 2015. Prodeco is a Colombian mining corporation that is fully integrated into the global value chain of the multinational enterprise Glencore PLC, headquartered in Switzerland. The mining corporation operates the two coal mines La Jagua and Calenturitas in El Cesar, a northern department of Colombia, and is headquartered in Barranquilla. Within Prodeco, I spent most of my time accompanying the SR team in its work with local communities, state entities, and international and non-governmental organizations.

This article is structured as follows. In the first part, this article presents the coal mines of Prodeco in El Cesar as a global resource

frontier. It thereafter discusses the role the law plays in defining corporate proximities and responsibilities regarding the livelihood and well-being of communities and local residents. It is argued that the law turns the geographical presence of a coal mining corporation into social proximities by imposing responsibilities for the economic development, health and education of local communities. As a result, and much to the worry of the SR team, local residents attributed far-reaching responsibilities to the corporation. In a second part, this article discusses how the SR team reacted to these attributions of responsibility. It suggests that they engaged in strategic temporalisation of the resource frontier by invoking the future closure of the coal mines. The temporalisation of the resource frontier, the argument continues, served to detach and disconnect the corporation from relations of responsibility. As will be argued, the law has not yet succeeded in ‘fixing’ the multinational enterprise as a subject of responsibility in time and space.

A global resource frontier in El Cesar, Colombia

Located in El Cesar, North Colombia, close to the border with Venezuela, the coal mines of the Prodeco Group, Drummond and Colombian Natural Resources, acquired in 2015 by the US company Murray Energy Corporation, together with the large coal mine Cerrejón, a joint venture of Anglo American PLC, Glencore PLC, and BHP Group Limited, in the neighbouring department of La Guajira, have turned Colombia into one of the largest coal exporters globally. A sophisticated transport system connects Prodeco’s coal mines to the global commodity market via the railway Fenoco and the port of Ciénaga in the Colombian department Magdalena. A coal mine in El Cesar is, in the words of Martín Arboleda, a ‘planetary mine’ that ‘transcends the territoriality of extraction and wholly blends into the circulatory system of capital, which now transverses the entire geography of the earth’ (Arboleda 2020: 20–30). The two coal mines of the Prodeco Group Calenturitas and La Jagua, represent in an exemplary way the Latin American extractivist models of the economy, models that, according to the Argentinean sociologist Maristella Svampa, are based upon a ‘commodity consensus’ among Latin American societies (Svampa 2015). This commodity consensus involves the focus on foreign direct investment, multinational enterprises and export of commodities (Gudynas 2011). Indeed, extraction of non-renewable natural resources, including coal, oil and gold, has been a significant driver of economic growth. In 2019, the extractive

sector represented around 5.55 per cent of Colombia's gross domestic product (3.69 per cent oil and 1.86 per cent mining) and coal was the most important mining export representing 14.35 per cent of all exports (oil accounted for 40.42 per cent).² The coal mines Calenturitas and La Jagua represent too the move from important substitution policies, policies that had restricted the import of manufactured goods and protected domestic industries, to the *apertura* (opening up) of Latin American markets in the 1990s. Until the 1990s, El Cesar's economy had been mainly based on the cotton industry but with the removal of tariffs and trade barriers, the promotion of foreign direct investments, and free capital flow, the industry became unsustainable. Glencore's investment into the making of a resource frontier in El Cesar coincides with this period of economic change. Glencore acquired the Colombian corporation Prodeco, the port Puerto Zúñiga and the Calenturitas coal mine in 1995. In 2005, Glencore also became the owner of the Carbones de La Jagua mine and in 2006 acquired the Consorcio Minero Unido mine. In 2007, by buying the El Tesoro coal mine Glencore completed the acquisition of 100 per cent of the La Jagua coal mine. As most the coal mines in Colombia, the La Jagua and Calenturitas coal mines are so-called Brownfield investments, meaning that natural resources had been extracted before the global firms purchased the concession titles for the area. Due to the raging conflict in the moments of investment, Glencore/Prodeco decided against opening its headquarters in the capital city of El Cesar, Valledupar, and instead opted for the more peaceful city of Barranquilla, the capital of the department Atlántico, a department neighbouring El Cesar.

Proximity at the resource frontier

In Prodeco's coal mines, the shifts start at 6 a.m. and 6 p.m. respectively and last for twelve hours. Always around 6 o'clock, long columns of people, cars, buses and motorbikes form at the entrances to the mines. Fences, walls and security guards separate the coal mines from their societal environment. Within the 'fenced off' area of the coal mine, corporate officials work, eat, sleep, go to the gym and occasionally take a swim the swimming pool. As described by James Ferguson and Hannah Appel in their respective studies of an oil corporation (Appel 2012; Ferguson 2005), the economic value generated in the coal mines should appear 'as if untouched' by social political conditions (Appel 2012: 698). Transported from the Calenturitas mine to the port

in Magdalena with a privately owned train corporation, shipped directly from the train line into containers and on to a ship, the coal from Northern Colombia emerges as 'frictionless profit' in the United States, Europe, and Asia (Appel 2012: 693). Ferguson speaks, appropriately, from 'secured mineral-extraction enclaves' (Ferguson 2005: 38). He observes that mineral extractions 'are normally tightly integrated with the head offices of multinational corporations and metropolitan centres, but sharply walled off from their own national societies' (Ferguson 2005: 379). Hence, while extractive enclaves are 'linked up' in 'transnational networks that link dispersed spaces in a selective, point-to-point fashion' (Ferguson 2005: 380), they may be socially distant albeit geographically proximate to communities and people living in a commodity region. The governance structure of the multinational enterprise, self-contained infrastructure, detached transportation routes, fences and private security personnel 'manufacture' social distance between the corporate management and people affected by transnational business activities (Roberts 2003: 260).

This article suggests that the law regulating and governing coal mining operations at a particular resource frontier 'cuts through' the manufactured distances and creates social proximities between the corporation and some communities. Legal devices, including the environmental licence, the Social and Environmental Management Plans, the social programmes, the consultations, the community relations offices and the regular presentations about the impact and progress of the mining process, 'fabricate', to use an expression coined by Alain Pottage, legal as well as social proximities 'on the ground' of an extraction site. Fabrication refers to the technical devices, practices and forms of law through which persons, things and relations are envisaged and constructed (Pottage 2004: 1). For the case of the coal mines in Colombia, the law fabricates proximate relations by imposing social obligations on the corporation to come face to face with nearby communities. The law constructs social proximities, defined here in terms of micro-level interpersonal interactions, over a certain period of time.

A multinational commodity enterprise such as Glencore PLC is an agile economic actor that 'touches ground' in various jurisdictions and 'traverses through' many different legal orders (Snyder 1999; Turner 2016). In host state jurisdictions, there were capital travels to turn nature into a commodity, the responsibility of the multinational enterprise is determined by different regulatory regimes. In Colombian law, it is foreseen that mining may have adverse impacts on communities located in close vicinity to resource deposits. Colombia's regulatory framework

for mining assumes that in regions of coal exploitation, mining corporations and local communities are confronted with an unavoidable co-existence, a ‘terrifying simultaneity’ (Massey 1992: 83). Therefore, the Colombian Mining Code, Law 685 of 2001, contains provisions and mechanisms for compensation. Projects and activities that might have a severe impact on the societal environment require public authorization in the form of an environmental licence, which must either be granted by the National Environmental Licence Agency (Autoridad Nacional de Licencias Ambientales) or a regional environmental authority (Decree 1076 of 2015). In order to be able to apply for an environmental license the concessionaire is required to submit an Environmental Management Plan (*Plan de Manejo Ambiental*) and a Programme of Works and Constructions (*Programa de Trabajos y Obras de Explotación*). The submissions must include an overview of the socio-economic characteristics of the region and local communities, the expected impacts and changes to the livelihoods of local people and to local economies, plans for social and environmental mitigation as well as a programme for the permanent participation of local communities in the development of the mining project. It is the responsibility of the mining corporation to gather and compile that information and submit it to the National Environmental Licence Agency. The public authorities subsequently review the information, which is then incorporated into the environmental licence in the form of obligations.

The environmental license contains corporate social obligations, and particularly the obligation to develop and execute ‘social programmes’ in nearby communities (Ministerio de Ambiente y Desarrollo Sostenible 2018). The social programmes range from education, health and economic development to the strengthening of institutions. In addition, a mining corporation must run ‘community relations’ offices in which SR officials receive grievances, requests, and queries from nearby communities (Grupo Prodeco 2019: 138). Importantly for the question of space and proximity, if indigenous or Afro-Colombian communities are affected by the mining project, free, prior, and informed consultations must be carried out (ILO Convention 169, Law 70 of 1993). More recently, Article 22 of Law 1753 of 2015 requires the National Mining Agency to already include the obligation to develop and implement ‘Social Management Plans’ (*Planes de Gestión Social*) in concession agreements. Those plans should comprise programmes, projects, and activities in accordance with the scale and technical and economic capacity of the concessionaire. If a mining corporation does not comply with the social obligations laid out in the concession

agreement and the environmental licence, mining activities can be suspended.

The social obligations contained in the various laws of Colombia's regulatory framework for mining, in their entirety, create far-reaching corporate presences and proximities in the mining sector. In particular, the obligation to develop social programmes, to consult and inform nearby communities, and to open and run community offices require a continuous presence on the part of the corporation in nearby communities. SR officers must accompany, supervise, and control the implementation of health, educational, economic development and infrastructure projects. They require the corporation to actively engage with and respond to its societal environment. Corporate officials have to get to know the nearby communities, their suffering and expectations. They cannot stay in the air-conditioned Prodeco headquarters building in Barranquilla (located some 300 kilometres south of the coal mines) but have to spend their days in the heat of the nearby communities. The result is that the SR officials know the communities well and build close relationships with particular individuals. The extensive and continuous WhatsApp communication between SR officials and local residents testifies to this. The closeness of corporate-community relations is not particular to the Colombian mining context. In various ethnographic studies of mining corporations and CSR, anthropologists have observed 'entangled' and 'affective' relations between corporations, workers, and communities (Dolan 2008; Neve et al. 2008; Welker 2006; 2014), and 'blurred' boundaries between the corporation and communities (Golub 2014; Li 2015).

The resource frontier of the coal mines in Northern Colombia are more than 'just' a territorial and regional phenomenon. As Arboleda argues, extraction has become deterritorialised. 'Dispersed fragments of the planetary mine' connect jurisdictions, localities, and actors around the world (Arboleda 2020: 44). Resource frontiers, Anna Tsing writes, are 'projects in making geographical and temporal experience' (Tsing 2005: 29). The frontier is a 'traveling theory, a foreign form requiring translation' and 'an imaginative project capable of molding both places and processes' (Tsing 2005: 31, 32). As a result, the social proximity is constructed not only by the law of the resource frontier of the host state jurisdiction but also by the legal orders a multinational enterprise 'brings along'. By its own account, the regulatory framework of Prodeco's coal mines consists of the codes of conduct and policies of Glencore, the UN Guiding Principles on Business and Human Rights (UNGPs) and the national laws of the countries of operations. The corporate governance

policies emphasise the corporate responsibility to ‘our communities’, to adopt the term used in corporate social responsibility reports and reporting. They prompt the corporation to actively engage with the communities that live in close proximity to extraction sites. In particular, the influential concept of human rights due diligence (HRDD) asks the corporation to enter into conversation with the people affected and impacted by its business operations. The concept originates from the UNGPs, which the UN Human Rights Council endorsed unanimously in 2011 (Human Rights Council 2011).³ It denotes a corporate obligation to identify, prevent, mitigate, account for and report on the actual or potential adverse human rights impacts a corporation may be involved in through its own activities or business relationships. HRDD obligations mandate corporations to know about the manner in which their subsidiaries and affiliate firms influence the well-being of people along the value chain and to actively engage with the affected communities. Like the Colombian legal orders of the resource frontier, they envisage and fabricate spaces of embodied encounters between corporations and third parties. A common denominator of these legal developments consists in their attempts to bring corporations ‘closer’ to the social and environmental circumstances at resource frontiers. In some jurisdictions already adopted, and in others increasingly emerging, the obligations on the reporting of non-financial information, HRDD and civil liability prompt the corporate management to engage more deeply with corporate stakeholders affected by their business conduct. The legal orders of European jurisdictions are relevant to multinational commodity enterprises as many of them are either headquartered, or trade or sell commodities in the Global North. Multiple overlapping regulatory frameworks define and govern the business conduct at resource frontiers. Regardless of differences in scale and content they all establish new kinds of proximities between corporations and communities.

Responsibility at the resource frontier

Bogotá, on a Tuesday morning in a conference room of a fancy hotel, the Centro Regional de Empresas y Emprendimientos Responsables (CREER), the Colombian branch of the Institute for Human Rights and Business, had invited the three coal mining corporations Prodeco, Drummond and Cerrejón of the Working Group on Human Rights and Coal to a multi-stakeholder meeting with different government agencies about early warning systems and urgent measures in El Cesar

and La Guajira. The meeting was part of a larger project to define the corporate responsibilities for the well-being of communities living in close proximity to extraction sites, human rights and the environment. A member of CREER began the meeting by explaining that the purpose of the project consisted in developing a model that clarifies the role of public institutions and corporations concerning 'local problems'. The corporations, she continued, have a territorial presence that allows them to understand and react to local urgencies. The leader of the meeting asked, 'how far do the responsibilities of the corporations reach?' The representatives of the mining corporations were united in the belief that in the everyday of the mining operations, attribution of responsibility by local residents would go too far. Fernando, the human rights official in Prodeco's SR team confronted the present public officials with his own experiences. A couple of weeks ago, he recounted, in a meeting with one of the local communities he was approached by worried coffee farmers. They were anxious about the upcoming coffee harvest because they feared robberies by armed gangs. They asked Fernando whether the mining corporation could send their security personnel to grant them protection. Fernando recalled that he and his team for a brief moment considered the request but ultimately decided against it. However, he had promised the community to contact the police on their behalf. At this point in the meeting, the corporate responsibility official of Drummond came and explained, 'see, we are always made responsible'. For the representatives of the mining corporations, these attributions of responsibility went far beyond their actual responsibilities.

The social presence of a mining corporation had led to diverse attributions of responsibility 'on the ground'. In meetings with local communities, the SR team was often confronted with claims in regard to a variety of problems. After the presentation of a human rights impact study, the SR team divided the participating residents into different groups. In the groups, the SR team asked them to discuss the human rights impacts and the solutions they had presented. On a piece of paper, which a member of the SR team had handed them, a group of women jotted down further impacts and possible solutions. They broached the themes of unemployment, the missing economic prospects of their young people, robberies and raids, the prostitution of young women and a lack of health facilities. After having picked up this list, the SR team responded that they were aware of these problems and planned to discuss them with local authorities. They explained that the primary responsibility for the safety and health of the local residents lies with the state. In contrast to the mining corporation, Linda of the

SR team explained, the state ‘will always be here’. In regard to the local authorities, the SR team presented the role of the corporation as that of a facilitator between nearby communities and the state.

I suggest that these instances of direct corporate engagements are empirical manifestations of the social proximities fabricated in the legal orders of the multinational enterprise mentioned earlier. Through the implementation of social obligations, corporate officials come into direct contact with affected communities, as the proximate ‘Others’, to draw upon Emmanuel Levinas’s philosophical account of the relation between responsibility and proximity (Levinas 1969, 1982, 1991). In proximities, Levinas tells us, the person comes face to face with a vulnerable and suffering ‘Other’. In this encounter with the ‘Other’, responsibility arises. Responsibility and proximity are thus, according to Levinas, inextricably linked. The responsibility in Levinas’s writings is relational but asymmetrical and non-reciprocal; it is penetrating, persecuting and obsessing, and does not depend upon the actions or reactions of the opposite person. In the everyday meetings with local communities, the corporation appears with a human face, or to put it more concretely, with the human faces of the members of the SR team (Shever 2010). Behind the corporate person, in front and within the corporation natural persons take decisions, act and react to the societal environment of the corporation (Roberts 2003). As the brief examples above illustrate, the attribution of responsibility to the corporation originate from the proximities fabricated legal orders and ‘lived’ on the ground in the programmes, meetings, and engagements with communities. With Levinas, we might conclude that the social proximities fabricated in the law are pivotal for the assumptions and attributions of corporate responsibilities (Becker 2013; Burggraave 2006; Manderson 2006; Mansell 2008; Roberts 2003; Soares 2008).

The temporalisation of the resource frontier: Unmaking corporate proximities and responsibilities

To the SR officials, the attribution of responsibility for the general well-being of nearby communities by public actors as well as by the communities themselves created significant challenges. These challenges had already been anticipated before the removal of the first piece of coal. In the Environmental Management Plan, one of the documents required to apply for an environmental license, the good management of local expectations was identified as essential for the good function-

ing of the mining operations (Lozada 1995). The entire chapter on the 'social question' centred on the issue of local expectations. Nearby communities might expect that the arrival of the mining corporation would result in an economic upturn of their municipalities and cities. According to the chapter in the plan on the social question, the mining corporation should 'manage' these expectations in order to prevent disappointments and resulting resentments. In a similar vein, in a commissioned report that the corporation's consulting firm conducted on human rights and risk, the fact that local expectations and attributions of responsibility are far-reaching and extend into the realm of public responsibility figured prominently. The report notes that unemployment, a lack of future prospects and the feeling of insecurity had caused and could cause moments of indignation and upheaval directed against the mining corporation. Hence, from the very start of the extraction projects, the corporation has been concerned with finding a balance between responding to calls for responsibility made by public actors or nearby communities and delimiting the scope of its responsibility.

The local expectations mentioned in the reports showed and defined the everyday work of the SR team. As mentioned at the beginning of this article, in the community relations office, when Linda was asked for employment and training opportunities in the coal mine, she responded by referring to the closures of the coal mines. Her evocation of the temporality of the resource frontier was not a one-off matter, on the contrary. In meetings with local communities, the SR officials time and again evoked the closure of the mines. In the presentation of the human rights impact study, Fernando, the leader of the SR team at the La Jagua mine, stated that 'soon we will be gone, and you will no longer have these kinds of meetings'. Therefore, according to the corporate officials, it would not make much sense for them to look for work in the coal mines. After having being confronted with the problem of unemployment for a couple of years, the SR team developed various employment initiatives with public authorities and institutions. In the main municipalities in their area of influence, they opened job centres running labour market integration and training programmes. Fernando often explained to the residents of nearby communities that the job centres would help them take care of their own welfare, become independent of the coal mine and develop self-reliance. In that regard, the head of the SR team, Oscar, in a meeting with representatives of an international NGO explained that 'we do not educate them so that they [nearby communities] can work for us. Quite the opposite; we work with them so they will not work with us.' Together with interested

residents they had developed 'microbusinesses' that were supposed to become financially independent of the mining corporation. A key term for the SR team was therefore 'self-sustainability'. In general, one of the greatest worries for Oscar consisted in the long-term viability and sustainability of their social projects. They were supposed to endure and survive the closure of the mines. Directing the attention of nearby communities and NGOs to their alternative employment initiatives, the SR officials resolved what Dinah Rajak has described as 'tension between social responsibility and externalisation' (Rajak 2011: 137). The SR team showed that the mining corporation assumed responsibility and acted responsibly by creating training opportunities and fostering employment outside the mining industry. The job centre represented an instance of corporate responsibility by externalisation, thereby dissolving the tension Rajak observes in her study of corporate social responsibility. For the SR team, the corporate responsibility consisted in turning the local residents into independent, self-reliant and self-sustainable actors. They employed corporate responsibility programmes, practices, and discourses that worked towards this objective. The social obligations of the environmental license and the Environmental Management Plan were interpreted and implemented in a way that promoted shifts in responsibility, from the responsibility of the corporation to the individual self-responsibility of the resident and the responsibility of the state.

This article considers that these shifts in responsibility, the deterrence of attributions of responsibility that had resulted from social and territorial proximities of extraction sites, are affected by a temporalisation of the resource frontier. Accordingly, the SR officials evoked the closure in an almost mantra-like way not only in their encounters with nearby communities but also within the corporation. The discursive efforts necessary for the temporalisation of the resource frontier was 'constantly performed in the everyday operations of management' (Cross 2016: 113). The anticipation of the closure governed the corporate responsibility regime, the programmes, practices and discourses, 'at almost every scale, as if the future is what matters most' (Adams et al. 2009: 248). Following the sociologist Michael Flaherty, I shall call those corporate efforts to temporalise the resource frontier 'time work' (Flaherty 2003). Time work is the work that goes into promoting or suppressing a particular temporal experience (Flaherty 2003: 19). Felix Ringel, drawing on Flaherty's work, explains that the time work seeks to uphold 'certain temporal orders, structures, rhythms and endurances that should catch our attention' (Ringel 2016: 393). The time work of the

SR officials sought to fold the future closure into the present in order to generate effects in the here and now. The anticipation of the closures was to become a 'lived affect-state of daily life' determining the manner communities, the state and NGOs were to come to 'think about, feel and address . . . contemporary problems' (Adams et al. 2009: 247–248). Especially with regard to the problems of unemployment and security in the mining regions, the SR officials sought to present the state as the responsible actor. In anticipation of the closure, the spatial presence and the temporality of a resource frontier were juxtaposed. The intended effects of that juxtaposition consisted, I propose, in disconnecting and detaching the mining corporation from societal expectations and moral claims regarding corporate social responsibilities. The temporality of resource extraction served to cut the relations of proximity and responsibility described above. By emphasising the future closures of the coal mines and absence of the commodity enterprise, the SR team disconnect the corporation from a moral economy of connection' (Gardner 2012; 2015). They fashioned an ethics of detachment and disconnection by establishing the temporal endpoints of extraction (Cross 2016; Gardner 2012; 2015). The CSR programmes, policies and statements, with their emphasis on self-reliance, personal responsibility and sustainability created these temporal endpoints. They induced a distance between corporate responsibility and the general well-being of nearby communities. In short, the insertion of distance served to decouple responsibility from the spatial presence of a coal mine and redistribute responsibility across a larger network of actors (Crook 2000; Li 2015: 68–69; Strathern 1996). The temporality cut the relations of proximity and responsibility.

In order to generate the responsibility limiting effects, the SR team made the temporalisation of the resource frontier a matter of concern also for the other corporate departments. Fernando explained in an internal meeting on the closures of the coal mines that people would only believe into the temporality of the coal mines if all the corporate officials are communicating the same message. The SR team therefore organized several workshops with officials from the various departments—from finance to procurement and operations—on the issue of the closure. Oscar, the head of the SR team, explained in the meetings that 'thinking of the closure' should come to accompany the day to day 'life' of the entire business. In the internal workshops, the SR team stressed that the entire corporation needed to convey the message of closure. For example, Oscar stated that the procurement department was no longer to advertise new positions within the nearby communities while they,

the SR team, had been busy telling residents that there were not and would not be any more jobs at the mine.

The representatives of the various departments were invited to brainstorm the different kinds of risks the closure of the mines might entail. It was a difficult task that required a lot of creative ‘out-of-the-box’ thinking. Oscar expounded on the fact that Colombia had not had any experience with the closure of large-scale projects and that the regulatory framework would thus largely be silent on the issue. In fact, from the viewpoint of the SR team, Prodeco could draw on more knowledge resources than the state. First, they already had some experience with the closure of an old port. In the process of closing the port, Oscar recounted, mistakes were made that could now be avoided. Second, within the Glencore enterprise network, many mines had already closed, and Prodeco could benefit from the experiences of other subsidiaries and affiliates. In addition, Glencore had required Prodeco to develop and adopt a closure plan that should steer them through the process of closing and abandoning the mines. Although Colombia’s mining laws do require the concessionaire to develop a ‘closure and abandonment plan’ as part of the Environmental Management Plan (Art. 45 of Law 685 of 2001, and, similarly, Art. 24 Law 1753 of 2015 and *Resolución* 428 of 2013), the SR team was working on such a plan rather to comply with a request of the parent company. Oscar, who was originally trained as a lawyer, explained that apart from the general obligation to submit a closure and abandonment plan, the law is silent about the temporality of mining activities. The law only refers to the closure of mining projects in broad terms and does not regulate the modalities of closure (Ángel Huertas 2019: 27). In the past two decades, Colombia’s Ministry of Environment and Sustainable Development (*Ministerio de Ambiente y Desarrollo Sostenible*) has time and again addressed the issue of environmental liabilities (*pasivos ambientales*) but, to date, without any feasible regulatory results (Calderón Acosta 2020). Less still, the issue of social liabilities has not yet found entry into a regulatory debate on the lasting effects of mining. The SR officials regarded the relative legal silence on the temporality of natural resources as an opportunity to develop and suggest the manner of closure. Oscar reminded his SR team that in the absence of state regulation they could set an example of a ‘good closure’ in Colombia. Also, he continued, the public officials would surely gladly receive their proposals and plans on how a good closure is carried out. It would be their chance to not only set an example but also influence the standards of closure.

Conclusion

This article has enquired into the relation between proximity, temporality and responsibility at the resource frontier. It has suggested that the evocations of mine closures by the SR team served to create the effects of time limitations in mundane, everyday negotiations of responsibilities. In situations of dominant spatial and social presences, the anticipation of the closure is intended to elicit corporate absences in the present: Social connections cannot be established to an absent, or soon to be absent, subject. Emphasising the temporality of business activities simulates a kind of statutory period of limitation in the present. The social connections appear more as an ephemeral moment than a stable basis for the allocation of responsibilities. The corporate responsibility programmes, practices, and discourses based upon the discourse of closure were oriented towards the temporality of the resource frontier. They either centred on capacity-building, empowerment, self-help and self-reliance or emphasised the responsibility of the state. In both instances, the evoked corporate absences produced a shift in responsibilities from corporate to personal and public responsibility. These shifts in responsibility ensue with the change from corporate presences to corporate absences, and the severing of the relations between responsibility and proximity by the dimension of temporality. The resulting social liabilities of resource frontiers have not yet been considered by the legal orders of an extraction site. A future role of law in globalisation might thus consist in upholding and preserving relations and connections, not despite but because of rapidly changing economic conditions, the making of new resource frontiers and alternating corporate presences and absences.

Laura Knöpfel is a Research Fellow and PhD candidate at the Transnational Law Institute of the Dickson Poon School of Law of King's College London. She works on legal anthropology of the multinational enterprise. Email: laura.knopfel@kcl.ac.uk

Notes

1. In this article, the corporation, places, and names of the mine are identified but the names of the people with whom I worked have been anonymised.

2. See for up-to-date data on the constitution of the Colombian economy the National Administrative Department of Statistics (Departamento Administrativo Nacional de Estadística): DANE Información para todos, 'Producto Interno Bruto (PIB) Históricos', <https://www.dane.gov.co/index.php/estadisticas-por-tema/cuentas-nacionales/cuentas-nacionales-trimestrales/historicos-producto-interno-bruto-pib> (accessed 2 September 2020).

3. Domestic legalisation on transnational corporate legal responsibility that is based upon the concept of HRDD include the Netherlands Kamerstukken I, 2016/17, 34 506, A ('Dutch Child Labour Due Diligence Law'); California Transparency in Supply Chains Act of 2010; Section 54 of the UK Modern Slavery Act; Australian Modern Slavery Act 2018; French Law No. 2017-399 of 27 March 2017 on the 'Duty of Care of Parent Companies and Ordering Companies'. In addition, in Switzerland, the public will vote about a popular initiative on a constitutional amendment that includes mandatory due diligence; the Finnish government committed to adopt a HRDD law; the Danish Parliament is currently discussing a parliamentary motion that calls for the introduction of HRDD; in Germany, an unofficial draft law on supply chain HRDD is circulating; the Italian government committed to assess legislative reform including HRDD; the UK Joint Committee on Human Rights has proposed an HRDD mechanism for corporate human rights abuses; in addition, in several countries (Austria, Belgium, Italy, Luxembourg, the Netherlands, Norway, Sweden, and the UK) civil society campaigns are calling upon their parliaments to introduce mandatory HRDD.

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