Introduction

Mine-community relations in the Global North and South

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From the microchips in cellular devices and cars to aluminum cans, mining provides the raw materials necessary to build the infrastructure and instruments used for everyday life by humans (Carvalho, 2017). As minerals become increasingly critical to societal functions and economic growth, relationships of dependency have grown stronger through globalization and the pervasiveness of modernization, promising to eradicate poverty across the Global North and South. Global forces such as international treaties and economic relationships, climate change and technological innovations all exert powerful influences over the mining sector. However, viable mineral deposits are only found in specific locations; hence mining operations are also subject to local politics, economies, histories and most importantly perhaps, local socio-cultural relationships with the land.

The nature of the industry is, as a result, simultaneously vulnerable, place dependant and resilient, evolving in many instances at the nexus of large corporations operating at the local scale within communities hosting extractive operations, by choice or not. Over the last five decades, the contribution of mining to economic development has varied profoundly across the world. In some, it has been an engine for economic prosperity. In others, disputes have erupted over land use, property rights, environmental damage, and revenue sharing.

Neoliberalism and Extractivism

To this day, various aspects of neoliberalism remain foundational to the landscape and operationalization of contemporary extractivism and resource governance. Harvey (2005) defines neoliberal capitalism as,

> a theory of political economic practices that proposes that human well-being can best be advanced by liberating individual entrepreneurial freedoms and skills within an institutional framework characterized by strong private property rights, free markets, and free trade.
>
> (p. 2)

During the global liberalization of the 1980s and 1990s, elite political actors and international lenders in the Global North drove harsh economic transformations

across the Global South through Structural Adjustment Programs (SAPs) (Camba, 2015). SAPs were imposed to eliminate threats to transnational mining profits, with powerful Global North actors utilizing neoliberal reform to counter the Global South's attempts at national industrialization and extinguish endeavours towards greater control of national resources (Brisbois, 2021).

Despite neoliberal reforms promising improvements in quality of life, economic growth has frequently failed to transpire across mineral rich nations in the Global South; a distinct characteristic of the "resource curse" phenomena (Coumans, 2019; Gamu et al., 2015; London and Kistring, 2016). For example, since 1995, the Philippines implemented substantial neoliberal mining reforms, yet the industry contributed 0.89% to the gross domestic product (GDP) (EITI, 2016). Moreover, Philippine provinces hosting large-scale mining operations embody acute wealth inequality, with poverty incidences at 30–60% (Magno, 2015). However, disparities in resource richness and economic prosperity are not isolated to Global South countries, the phenomenon remains evident across marginalized and underserved communities across the Global North as well. Take Appalachia for instance, richly endowed in mineral resources and simultaneously one of the most economically poor regions of the United States (Hendryx, 2010).

Overwhelmingly similar experiences of power and wealth imbalances in the mining industry have led scholars to emphasize the neocolonial nature of large-scale resource-led development (Gamu et al., 2015; Gordon & Webber, 2016). Foreign interests and power relationships founded on extractive modes of accumulation have existed for centuries between the Global North and Global South (Camba, 2015). However, the neocolonial nature of extractive relationships have manifested through several forms, such as acute inequalities in wealth creation for Global North actors; illicit financial flows enabling tax evasion and money laundering; large-scale mining outstripping underserved communities of their land and water resources; the criminalization and legal oppression of mining resistance; and the relinquishment of mine host nation and Indigenous sovereignty through conditional loans and corruption (Brisbois, 2021; Deneault & Sacher, 2012; Kistnasamy et al., 2018; Misoczky & Böhm, 2013), amongst other methods of domination and control.

The international mining industry is ridden with geopolitical and environmental conflict, transcending beyond national borders across spaces, scales, and relations. Despite its necessity in global society, large-scale industrial mining remains highly contested for its operations' social, cultural, and environmentally calamitous impacts. This scrutiny lies in mining being intrinsic to the transformation of landscapes, with externalities running parallel to mass deforestation, erosion, depletion of surface and groundwater, metal leaching within critical watersheds, and devastating effects on livelihoods, sacred customary practices, and senses of self. Moreover, a mining license is a bundle of rights—the right to convert land from one use to another, to use water for mining purposes, and, to the extent that it allows the miner to discharge materials into the environment, to pollute (Bridge, 2002, p. 375). The geophysical impacts depend on site geology, competing resource uses, extraction and processing technologies and waste

management strategies employed, ultimately emerging as sources for various forms of conflict (Bebbington et al., 2008; Coronado & Fallon, 2010; Mainhardt-Gibbs, 2003; Martinez-Alier, 2001; Sandlos & Keeling, 2015; Slack, 2012).

Specifically paramount to the mining industry is access to water and land for excavation and mineral processing, amongst other needs. As such, water and land's essentiality to mining operations has repeatedly collided with human rights in local communities, with affected community members going to great lengths to defend their access to land, food security, lifeways, and agency. Women, children, marginalized members of affected communities, and those who depend on the land for sustenance bear a disproportionate share of the social, health, and violent externalities of mining conflict. Increasing conflict in large-scale mining regions has also led to human rights violations, with evidence of widespread displacement, host-community militarization; extrajudicial killings of community members resisting mining; and violent attacks upon environmental and Indigenous activists, amongst other forms of human rights abuses (Arce & Miller, 2016; Coumans, 2017, 2019; Doyle et al., 2007; Imai et al., 2016).

When examining industry issues at the macro level, the supply chain is highly stratified moving from producers, refiners, commodity exchanges, wholesalers, manufacturers, retailers, and, eventually, consumers (IIED & WBCSD, 2002). This stratification not only creates a great mental and psychological distance between consumers and the holes in the ground but also makes mining extremely vulnerable to fluctuations in commodity and capital markets. Adjacent communities ultimately bear the consequences of the shifts from boom to bust, the transition of permits between companies, and the reality that mineral resources are finite. Here lie additional sources of potential conflict and critical ongoing issues at the interface of a global mining industry within local contexts (e.g., Browne et al., 2011).

The Rise in Corporate Social Responsibility and Social Licenses to Operate

The general shift away from state authority to policies fixated on privatization and de-regulation continue to support the mining sector globally to the detriment of local communities. This shift is occurring as state-based regulations have also evolved to support power relationships within complex modes of resource governance between state, hybrid and non-state actors and institutions (Himley, 2010). This "new" and increasingly complex actor network has resisted binding regulatory reform in the mining sector as they seek profit maximization. As a result, much of the public outcry and local resistance have been subject to a proliferation of "soft" laws, otherwise known as voluntary instruments under the umbrella of Corporate Social Responsibility (CSR) and the pursuit of a Social License to Operate (SLO).

CSR programs are increasingly relied upon to manage company-community relations (Brueckner et al., 2014; Luning, 2012; Owen & Kemp, 2013). Kotler and Lee (2004) define CSR as "a commitment to improve community well-being

through discretionary business practices and contributions of corporate resources" (p. 3). CSR has proliferated to become an industry in and of itself, with CSR experts and consultants creating regulatory norms and codes of conduct for the global mining industry (See Mining Association of Canada Towards Sustainable Mining Initiative, United Nations Global Compact, International Council on Mining and Metals Sustainable Development Framework, for examples). Within this space, companies are encouraged to seek a SLO as a means of operationalizing CSR (e.g., one way, a company can act in a socially responsible manner). Nelsen (2006) defines SLO

> …as a set of concepts, values, tools and practices that represent a way of viewing reality for industry and stakeholders. Its purpose is to create a forum for negotiation whereby the parties involved are heard, understood, and respected. SLO is a means to earn accountability, credibility, flexibility and capacity for both stakeholders and industry.
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> (p. 161)

In contrast, Owen and Kemp (2013) suggest that "social licence has emerged as an industry response to opposition and a mechanism to ensure the viability of the sector" (p. 29). Following CSR standards, mining companies invest in health (e.g., HIV/AIDS programs), livelihoods (e.g., income-generating activities for women), and education and training projects (e. g., building or repairing schools, providing scholarships) in host communities (e.g., Jamali, 2007). These programs frequently start during exploration, continue, albeit generally altered during production, or change of ownership (Browne et al., 2011; Luning, 2012), and are often abandoned during downturns or after exhaustion of the mineral reserve. Thus, it is common for CSR initiatives to capitalize on programs which fixate on the short-term needs of host communities, rather than the building of inter-generationally self-sufficient social capacities and infrastructure in the region (Coumans, 2019). Rather than companies engaging in the facilitation of social and environmental security nets for host communities during and after mine closure, CSR has been found to create a culture of dependency. Other critiques of CSR highlight its fundamental utility as an impression management tool, used to defuse critique amongst the public and create a signal of legitimacy to social performance amongst shareholders and key stakeholders (Ciupa & Zalik, 2020; Coumans, 2019).

By the 1990s, observers began suggesting that mine-community relations could be improved, with stakeholders and affected actors pushing for an ideological and political re-examination of the responsibility businesses play in society. As the role, scope, and depth of business transformed to include social and environmental responsibilities, the emergence of the sustainable development paradigm became critical to the evolution and operationalization of CSR. The discourse of sustainable development has been utilized as an instrument to address socio-environmental issues brought about by economic growth (Banerjee, 2003). Although the concept remains broad and ambiguously interpreted, the most common definition of sustainable development is that of the Brundtland

Commission, "a process of change in which the exploitation of resources, direction of investments, orientation of technological development and institutional change are made consistent with future as well as present needs" (WCED, 1987, p. 9). By September 2015, the United Nations General Assembly adopted the Sustainable Development Goals (SDGs), a universal framework that works towards actualizing social inclusion, environmental sustainability, and economic development. The SDGs remain a powerful discursive tool, with corporations positioning themselves as drivers of sustainable development within the global economic arena (Monteiro et al., 2019). For example, Frederiksen (2018) considers CSR as "an important way for the private sector to deliver development, linking economic and social goals to produce win-win outcomes" (p. 495). However, the effectiveness of CSR and related mechanisms for sustainable development have been called into question as mining companies continue to pursue destructive practices while claiming to be corporately responsible citizens. In summary, there is a need for greater insight into the juxtaposition of positive advancements in mining accountability awareness and the negative socio-environmental impact the industry has developed.

Purpose of This Volume

This book explores the challenges and opportunities at the intersection of the global mining sector and local communities by focusing on a number of international cases drawn from various locations focusing on Canada, the Philippines, and Scandinavia. These jurisdictions present rich and varied grounds for exploring mining company-community relations. All are among the world's top countries in terms of mining production value as percentage of GDP (ICMM, 2014) and the majority of mining operations are in areas associated with Indigenous Peoples' territories. They have in place legislation regulating mining exploration and production for establishing environmental security. They also have mining associations pushing for CSR to achieve sustainable mining in Canada (MAC, 2015) and responsible mining in the Philippines (GOP, 2013). In Canada, Constitutional protection of Aboriginal and Treaty rights requires the Crown to consult and accommodate Aboriginal Peoples when activities adversely impact proven or asserted, Aboriginal or Treaty rights; a duty that arises frequently in natural resource extraction (GOC, 2011). In the Philippines, mining proponents must obtain an environmental compliance certificate, consult with local governments and communities to obtain social acceptability, and in areas covered by ancestral domains, secure the free and prior informed consent of the Indigenous community (Yap, 2015). Revenue sharing with the host communities is argued to be severely wanting (Coates, 2015; Gorre et al., 2012). There are also important differences. Canada and Finland have no artisanal and small-scale miners whereas the Philippines has an estimated 300,000, whose operations are exempted from the provisions of environmental legislation. Canada and Scandinavia enjoy some of the highest levels of social peace globally. Meanwhile, the Philippines has faced ideology-based armed conflicts in 91% of its provinces

since 1986 (Holden & Jacobson, 2007). It is also important to note the Canadian and Scandinavian mining interests operate in the Philippines allowing for interesting comparisons of corporate behaviours in the Global North and South. Second, the authors either live in the places they study and/or have spent considerable amounts of time studying these issues in these countries. This expertise also drives the case study selection and is unique to the author team.

Our work builds upon the premise that communities have diverse and complex site-specific development goals, interests, and needs as they engage with corporate actors. Mining companies, on the other hand, are multifaceted actors, not monolithic entities that behave uniformly. Yet conflicts persist in many settings, with high social, environmental, and economic costs for communities and companies despite a plurality of CSR mechanisms and regulatory frameworks in place, with an increased emphasis on SLO of late. The aim of this edited volume is to investigate the many factors that shape and characterize this complex space at the nexus of actors within the mining sector and host communities.

Overview

This volume is divided into two sections. The first provides four reviews of key topics in addressing the aim of the volume, namely the successes and failures of CSR and SLO mechanisms as well as the role of impact and benefit agreements (IBAs) in mitigating the negative externalities of mining, power inequalities, foreign ownership, and gender-specific issues that drive much of the conflict within the mine-community space. The second provides in-depth case studies exploring these key themes in a variety of contexts as well specific issues such as post-closure abandonment, infrastructure maintenance, impact mitigation and remediation, and climate change.

Chapter 1

Mining development has had a long history of conflict. In the 1990s, studies began to suggest how mine-community relations could be improved with early attention given to CSR and the pursuit of a SLO. In this chapter, authors begin with a brief review of the grounds for mining conflict and suggestions for improvements in the behaviours of firms. It then focuses on exploring ways communities view their relationships with the mining sector, particularly in the period when CSR and SLO became centre pieces in the debate over community-mine relationships. The chapter reviews examples and examines their often-ambiguous outcomes. It concludes that the literature offers only limited evidence of success from the community perspective. While much is promised, and some has been delivered, success remains elusive. It also finds that these ambiguous results can be explained by several factors: the inconsistent behaviours of companies, the offer of culturally or developmentally inappropriate programs, the diversity of goals found within communities; and the unanticipated and unpredictable impacts of mining that outstrip the capacity of communities to adapt. Even with

the help of ameliorative programs from companies and governments intended to compensate for such disturbances, the overall impact of mining developments for communities is questionable even when CSR is practiced, and social license is achieved.

Chapter 2

This chapter argues that the 21st century has seen a convergence of three historically antagonistic forces—Indigenous rights and aspirations, government social and environmental priorities, and corporate interests and management priorities—that produced intense conflict over mining and then converted these challenges into the foundation of mutually-beneficial arrangements. The transition has not been uniformly successful, working best in the industrial democracies and less effectively in developing nations that are unable to sustain the rule of law. Indigenous communities have been learning from and about each other's relationships with mining companies and those mining companies, many with extensive international operations, have been developing best practices in community relationships and applying them in different cultural settings. This chapter assesses the changing relationships between mining companies and Indigenous Peoples, considering the practical manifestations of CSR and impact benefit agreements. With mounting pressure to expand mining globally, the ability of Indigenous communities, mining firms and governments to find common cause and work towards mutually satisfactory arrangements that allow environmentally-sound projects to continue is of paramount importance.

Chapter 3

Canada is a prominent leader in the global extractive sector, with more than 800 Canadian mining corporations active in over 100 countries across the globe. Canadian mining assets overseas are valued at $144.2 billion, accounting for approximately 65% of the nation's total mining assets. However, Canada's dominance in the international mining industry has come at a cost, especially for the Global South. Historically, Canadian mining corporations have been under scrutiny for taking advantage of weak legal systems in underdeveloped nations. The public has become increasingly aware of alleged human rights abuses and socio-environmental disasters involving Canadian mining operations overseas. Despite these behaviours, there remains an absence in global regulatory treaties litigating corporate accountability in the extractive industry. Liabilities from mining externalities have consequently been ignored through non-binding international frameworks, national policies, and CSR. However, the legitimacy of global frameworks and CSR practice have been called into question as socio-environmental negligence remains unabated across the Global South's extractive sector. This chapter reviews the international legal systems, national policies, and CSR mechanisms regulating the Canadian mining industry in the Global South. It specifically addresses gaps in knowledge related to Canadian

foreign ownership and CSR practice in underdeveloped nations, exploring the impact of Toronto Ventures Incorporated within the Philippines as a case study for analysis.

Chapter 4

The mining industry has been found to provide economic opportunities for local Indigenous communities, but these benefits are not always distributed equally. For instance, there is evidence of gendered socio-economic impacts of mining within traditional lands or treaty territories of Indigenous communities that have resulted in instances of violence against women. In Canada, the 2019 National Inquiry report on Missing and Murdered Indigenous Women and Girls (MMIWG) revealed the linkages between mining and extractive activities with spikes in violence against Indigenous women, girls, and gender-diverse people. The report includes five recommendations that are related to extractive and development activities to address the rights and safety of Indigenous women in mining territories. In this chapter, authors build upon the premise that mining companies have a responsibility to uphold Indigenous women's needs and wants through meaningful engagement that is consistent with the 2019 National Inquiry report. They emphasize that there are well-documented advantages to involving Indigenous women as significant rights-holders in projects. This chapter first examines the literature regarding Indigenous women's experiences with extractive mining projects in resource-based communities in Canada. The authors identify the context of gender and mining, including violence against Indigenous women. Second, they determine the extent and significance of Indigenous women's involvement in the mining sector. Third, this chapter explores opportunities and strategies that affect the wants and needs of Indigenous women that aim to counter racism, sexism, and misogynistic patterns observed within the mining sector. Last, highlighted is the relevance of these findings for a range of actors involved in policy, practices, planning, and corporate behaviours. Overall, this chapter finds that Indigenous women are essential actors at the nexus of mining companies and local communities. The authors believe that acknowledging this role can improve Indigenous women's realities and agency while contributing to the equitable development of mining economies in Indigenous communities.

Chapter 5

The mining sector has become something of a touchstone for the Indigenous (Sámi) People of northern Scandinavia. The region, one of the wealthiest and best-supported parts of the Circumpolar World, has developed its mineral resources more slowly than most northern areas in the past 40 years. Several long-operating properties, like the remarkable iron ore mine in Kiruna, have remained in operation, becoming icons of modernization and positive labour relations. Others, as is the norm with mining, worked through their life-cycles and closed, causing significant local economic and social dislocation. The Sámi

have rarely been actively engaged in the mining sector, save for as occasional opponents of proposed projects. In recent years, however, the governments of Norway, Sweden, and Finland have taken steps to revive the industry, leading to substantial debates between Sámi activists and the states. This chapter examines the historic relationships between Indigenous Peoples and the Scandinavian mining sector. Specifically, it reviews contemporary Sámi perspectives on the industry and related environmental considerations and examines government policies for Indigenous participation and consultation in the development of mining policy and the review/approval of specific projects. It also documents the significant Indigenous concerns about the proposed expansion of mining activities, including impact on reindeer herding, and the apparent hardening of government resistance to the extension of Indigenous rights in this area.

Chapter 6

Mining companies can provide opportunities to enhance the social infrastructure of local communities, but once mines are abandoned, corporate accountability to sustainable development is often neglected. Sipalay is a copper deposit in the southern region of Negros Island, Philippines. Interest in the copper deposits came as early as the 1930s but mining operations did not materialize until the 1950s. Residents who lived to witness the glory days of the mines would recall how "wealthy" their community was. Household income, as some Sipalaynons would claim, more than met their daily needs. The economic activities skyrocketed as the mining operations required more workers to answer the demand for expansion. As a result, the municipality was promoted to city status due to increasing populations and income generated from the mine. The mine provided electric and water services to the barangay; a term used to refer to the smallest administrative division in the Philippines. A school, named after the owner of the mines, was established and scholarships were offered to many. Infrastructure projects, funded by the mining company, were also developed to aid the local government units and nearby community. From a CSR standpoint, the Marinduque Mining and Industrial Corporation (MMIC), later Maricalum Mining Corporation (MMC), is lauded for its provision of social services and infrastructure to local barangays. However, throughout five decades of operation, the municipality has significantly suffered from the damages of numerous mining disasters. These disasters heavily impacted the livelihoods of farmers, yet MMIC/MMC failed to provide just compensation packages. Although the school continued to provide accessible education to the community, electric and water services were cut off when the mines closed, demonstrating that the gains derived from the mining operations were short-lived and unsustainable. It left the municipality with an abandoned mine site that brought about danger to the community, millions in unpaid taxes, and hundreds of unemployed and retrenched workers who remain uncompensated to this day. This chapter discusses the case of the MMIC/MMC operations in Southern Negros, highlighting the mine achievements and failures through the narratives of local interviews. This chapter aims to explore the main issues within MMIC/MMC's abandoned mine sites and failed CSR efforts.

Chapter 7

When the uranium industry unfolded in northern Saskatchewan, Indigenous Peoples (First Nations and Métis) were largely bystanders to the development of a multi-billion-dollar commercial sector. The unequal distribution of the benefits of mining in the early years resulted in considerable Indigenous dissatisfaction and a desire for a greater role and better return for Indigenous communities. Local pressures, corporate concerns about workforce development, community relations, and Canadian jurisprudence regarding Indigenous legal and treaty rights, convinced the company to respond to First Nations and Métis demands. Over a 20-year period, the company and community partners restructured the flawed relationship, a process highlighted by the negotiation of substantial IBAs that transformed the place of Indigenous Peoples and communities in the sector. While major challenges remain, including those of vulnerability to global market forces, the Indigenous-Cameco relationship has enhanced employment and business opportunities, produced substantial community benefits, and ensured Indigenous communities a more substantial role in the long-term development of uranium in northern Saskatchewan. This chapter reviews the history of Indigenous-Cameco relations, current agreements, and the intersection of corporate and community aspirations for the economic development and environmental protection of the Métis and First Nations homelands.

Chapter 8

In Canada, industrial developments, and resource extraction, in particular, have been responsible for much of the landscape level change within Indigenous ancestral lands. As a result, Indigenous Peoples in Canada are not only increasingly vulnerable to a changing climate, but experience synergistic, cumulative effects due to extractive industries that operate predominantly within their traditional territories (Birch, 2016; Odell et al., 2018). This chapter explores the nexus of mining and climate change within the unique context of Indigenous communities in what is presently considered Canada, focusing on the province of Ontario (Odell et al., 2018). It reveals, in particular, critical barriers to climate change adaptation that impede efforts to build community capacity and resilience, as well as highlight strategies for Indigenous communities seeking CSR. However, we found that studies exploring this relationship between climate change, mining, and Indigenous Peoples were found to be scant in the context of Ontario, despite numerous studies of these themes independently and bilaterally. This chapter seeks to initiate a discussion around the complex intersection of these three themes, while exploring the role of CSR and other mechanisms used to uphold ethical mining practice principles within the context of our review. The chapter uses a novel conceptualization to structure our exploration of the literature and emerging research need.

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