On the company's bounded sense of social obligation

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Abstract: The chapter routes through demise and expulsion, sweatshops and distressed ecologies, to say something about the harms, repressions, and tragedies that lurk in the recesses of corporate networks. It uncovers parts and existences that corporate costings repeatedly leave out, and that form into deposits and accumulations of neglect under the surfaces of law. A critical feature of these sub-surface deposits is that they are depleted in their ability to generate obligations, an effect traced to the company's bounded and managerial mode of interaction with the world. The chapter problematises the length of time that some existences spend in a state of disregard; governance is struggling to look after existences at the far-flung reaches of corporate networks and assemblages, it claims. But time also marks out the chapter's journey towards new methods for reaching under law's sub-surfaces. These draw together critical thinking about law and governance with thinking about the 'legacy' of corporate organisations, human and non-human accumulations of scale that reach into 'the geologic'. The chapter uses legacy and the geologic mode to give existential meaning and force back to forgotten existences, and to introduce a new formula for corporate obligation.

1. Recesses

Here is a picture of the Rana Plaza factory building, which collapsed on the outskirts of Dhaka, Bangladesh (Figure 1). Over 1,100 workers died and many more hundreds suffered injuries (Polaski, 2015). The eight-story factory was a manufacturing hub for clothing destined for retailers in Europe and the US. The tragedy was described as the 'worst industrial accident to hit South Asia since Bhopal' (Anon, 2013) and 'brought worldwide attention to deathtrap workplaces' (Clean Clothes Campaign, 2017).

Figure 1: '2013 Rana Plaza Building Collapse', Rijans 007 (2013)

The tragedy occurred in April 2013, but was far from an isolated incident. A decade long pattern of comparable health and safety disasters precede the tragedy in Bangladesh (Bair 2017 and Ross 2016). This pattern includes the under built buildings and weak structures that proliferated as Bangladesh's production share of the world's cheap clothing grew (Rogers 2016; Hoskins 2015). It includes the weak oversight and regulatory curtailments, long hours, forced overtime, low pay, restricted workers rights, and troubled histories of unionisation that extends in both directions, to before and after the tragedy (Labowitz and Baumann-Pauly 2015; Human Rights Watch 2015; Merk 2011).

A 'flattened out' map of the industry (Figure 2) tries to put a number on the employees and families living - or submerged - in these situations. Factories stack together in transparent layers on the map, which is interactive (on the website). We click and get details about the factories, products and annual production capacity, registrations, and the number of employees at each facility. The map shows over 7,000 ready-made garment (RMG) production factories in Bangladesh, and more than five million workers employed in the industry (Goss 2015).
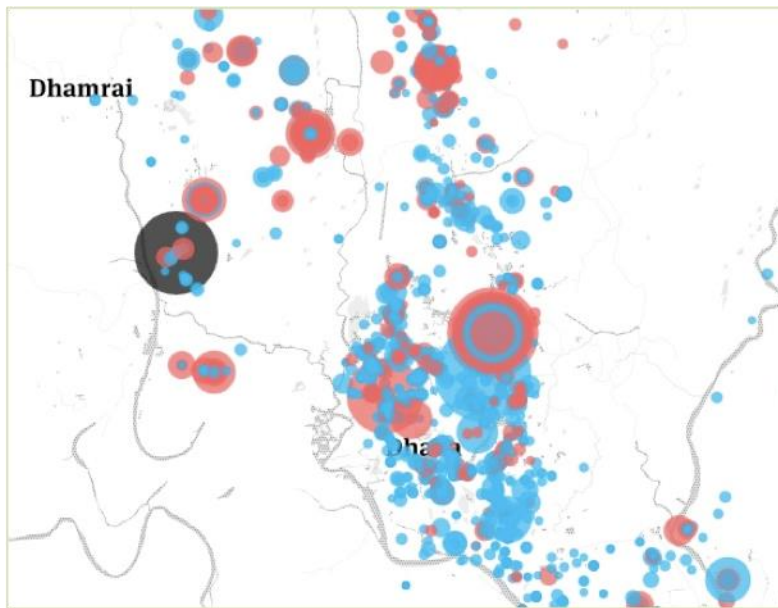

Figure 2: 'Map: Garment Factories in Bangladesh' by Anneka Goss (2015), produced in association with Stern Centre for Business and Human Rights. The site of Rana Plaza is shown at the black circle; the red circles locate factories that are signatories to the Alliance or Accord (see below); the blue circles indicate factories that are registered with the government or trade unions. See the interactive map at: http://people.stern.nyu.edu/twadhwa/bangladesh/#

Importantly, many of these factories and workers were 'invisible' to regulators and other officials before the mapping exercises (Labowitz and Baumann-Pauly, 2015). It took the tragedy and the associated public outrage to cast light on the long complex chain of action, and *existence*, which stretches from the factories in Bangladesh to high street retailers in Europe and the US. Links are now traceable on the signatory pages of the 'Accord on Fire and Building Safety in Bangladesh' (listing 200 signatories, retailers headquartered in Europe and UK) and the 'Alliance for Bangladesh Worker Safety' (29 US-based retailers).[i] These agreements are the result of the multi-stakeholder negotiations, which followed the tragedy. They set out the commitments of multinational corporations in respect of workers' health and safety in the region until 2018.[ii]

This chapter begins with Rana Plaza, and the revelations concerning existence that flowed from it, as a case that allows us to say something about harms, repressions and tragedies that lurk in the recesses of corporate networks. The lists and maps produced by scholars, policy makers, lawyers, trade unions, the media, reporters, and activists, in the wake of the tragedy, teach us about life in and among the networked hierarchies and competitive pressures associated with corporate formations in the twenty first century. We learn about a mass of beings (workers, managers) and things (laws, factories, beams) through which companies 'have had to pass' to make, sell, and distribute their goods (Latour, 2013, 432-3). We learn about the anticipated and unanticipated consequences linked to corporate actions, and about existences frustrated and harmed by their entanglement with corporate projects in the RMG industry. Importantly, for the present chapter, we learn about experiences that *form at the back of the scene* in GVCs and RMG, amidst the 'relentless price pressures' that their formations carry (Rogers, 2016, at 142).

This interest in *acts of unfolding* and *in what happens in the background* is a foundation for the chapter's (coming) *geologic* re-assessment of corporate law, governance and social responsibility. The chapter takes an interest in the *recesses* to corporate networks and other corporate formations as a space-time with events and happenings essential to the constitution of present-day corporate obligation. Law and governance practices already contemplate as much. What we learn from each other, and from companies, NGOs, social media, technology, science, or even the earth itself, informs not just our sense of how to live in the world, but also juridical practices in the present era of privatisation and globalisation (Teubner 2010). The productions inform public opinion, market discipline, policy making, and standard setting activities across borders. They provide 'fodder' for domestic and transnational regimes of governance in the absence of (hard) law (Fransen, 2017; Nolan, 2014; Teubner, 2012 and 2010; Merk, 2011; McBarnet, 2009; Painter-Morland, 2007).

These acts of unfolding are potentially exhilarating. Our information circuits continue to expand the vibrant amount of information that can be produced and collated, including for law. But the focus of *this* chapter is the other side to the fieldwork that surrounds unfolding or routing through the background. It concerns a simultaneous move to cut, shut down, or to shroud certain parts to the picture. Because as quickly as the information pathways that attend a tragedy like Rana Plaza unfold, some of the lines of exposure also falter and cloud over. Evidence, testimony, and information that flow in the short term begin to lose their rigour and contract. Millions of lives, to stress the point, remain submerged in sweatshop situations and other recesses, despite the public scandalisation surrounding tragedies like Rana Plaza (Human Rights Watch, 2015). Their persistence suggests the vulnerability of some beings and things in the information circuits to de-selection, muting and management*,* amidst the jostling that supports agency. And it suggests that within the immense matrix of beings and things that resource corporate action, some existences are set further back from *obligation* than others.

We see this process of de-selection, muting and management, when we look closely at regulatory responsiveness to Rana Plaza, and at how communities and workers were treated and accommodated by factory owners and multinationals. The scope of the remedial programs set out in the Accord and Alliance, for example, is limited to five years and includes less than 2,000 of the 7,000 RMG factories operating in Bangladesh (Labowitz and Baumann-Pauly, 2015, at 26). Limited funds and enforcement powers against factory owners, similarly, limit the remedial impacts; just 49 out of the 1,660 factories covered by the Accord had completed corrective action plans or were on schedule to do so by late 2016 (Accord Website, 2017). Audits and inspections are commonly not made public or easily accessible, making effective stakeholder discipline over corporate actors difficult to raise and maintain (Kasperkevic, 2016). The result is de-selection in the sense that some of the productions - about the lives of workers affected, about the conditions in the factories - are shut down in whole or part; there is a dispersal of some information and some lives into the ether. Muting or management occur, too, where companies include their 'regard' for existences harmed or frustrated by corporate action in their disclosures and policies to do with corporate social responsibility (CSR). But, as I have argued elsewhere (2015), this 'regard' aggressively manages beings and things by *taking charge of* the meaning and fulfillment of related claims and obligations.

Obligation, here, arises between discrete entities in the company's network - between companies, shareholders, workers, consumers, creditors, communities, infrastructure, materials, technology, and so on.[iii] It emerges in encounters and interactions, and not as an abstract or stand-alone moral or legal concept (Phillips, Freeman and Wicks, 2003, at 489-90). Accountability of the corporation, in turn, is understood as 'a kind of contingent responsiveness to emergent stakeholder concerns and interests' in an open network of interactive relationships (Painter-Morland, 2007, at 516; see also McBarnet, 2009). Directors are duty bound to consider the effect of their actions on a wider network of stakeholders as part of their responsibility to secure the 'success' of the company for the benefit of the members (Jensen, 2002). They look to wider interests to ensure that the 'trust and confidence' necessary for the system to function are able to effectively develop (Painter-Morland 2007, at 528).

The problem that the present chapter draws attention to is a material accumulation of beings and things at the back of the scene, where the traction and voice necessary to make claims, create and *impose obligations,* is difficult to foster and sustain. Progress *is* made on health and safety after the tragedies in Bangladesh (International Labour Organisation, 2015), as it is in other networks for transnational governance of the corporation (Fransen, 2017, 258-9). But, as the above examples of muting and management suggest, the practical benefits noticeably accrue to some existences and not all. It is the specific task of *this chapter,* then, to think about the failures in social obligation that beset this 'not all' - the 5,000 factories and millions of workers that lie out with the negotiated agreements

at Rana Plaza, and that still matter; the wider problem of sweatshops and of other existences cast to the back of the scene in the region and beyond.

How might *these parts* to a corporate network or assemblage strike forth? What tools or concepts might we use to capture submerged existences and the obligations that they potentially carry? The chapter seeks out existences that bear affect hunkered down in among the recesses of corporate constellations, and whose neglected or shrouded qualities allow for the unaccountable resourcing of corporate action (with sweatshop labour, distressed ecologies, etc.). The chapter, in its methods, takes inspiration from the hub of scholarly excitement around network analysis (Latour 2005; Callon 1998) and teachings on the inscriptive power of (socio-legal-economic) assemblages (Bennett 2010). But it draws these ideas towards a theorisation of the parts to our entrepreneurial networks and assemblages that corporate costings iteratively leave out. The chapter looks between the (legal) scripts and frameworks that companies adhere to, to trace existences that fall into the irregular zones, places, and times that come with de-selection from recognised juridical worlds.

The chapter attends to the recesses of corporate formations, like this, because of *the (long) time* that is spent by some existences in a state of disregard and disconnection. This 'time' factor is important for the chapter in two ways. First, and most obviously, the time spent by some existences in a state of disregard suggests not only that some existences are set further back than others, but also that the popularised reversion in our institutions to governance is struggling at the far-flung reaches of corporate networks and assemblages. This standard reversion makes beings and things neglected by (legal) frameworks, and the actors that wield them, into 'an always available, ready to be mobilized reserve army capable of complicating – or rather of implicating – the economy at any moment' (Callon and Latour, 2011, at 22).[iv] Like the Alliance and Accord above, this 'implication' can sparks the creation or renewal of obligations (arousing a mix of public and transnational private regulation) (Fransen, 2017; Nolan, 2014).[v] But being in a sweatshop is mostly not this dynamic or exciting. Many beings and things cast to the back of the scene will never, *in their time*, experience such mobilisation or implication. What of their lives and existences? Here, the 'time that passes' is a driver for the chapter's *critique* of governance and present-day institutions for corporate social obligation.

But I want to suggest that time is also important for another reason, and this has to do with the opening that the chapter seeks to create for extending engagement with responsibility questions in the epoch of the so-called 'Anthropocene' - a term that marks our entry into a geologic time period of human influence over earth's systems or processes (geologic, biospheric, atmospheric, hydrologic), a time visited upon by human actions and institutions as the agents of planetary change (Bonneuil, 2015; Crutzen, 2002). Crucially, for the chapter's purposes, the Anthropocene is a time where *all of the parts to all of our actions come unavoidably together, and assume geologic force*; a time, as the

philosopher Timothy Morton says, of 'no away' (Morton, 2013). This matters for the present chapter because beings and things *distanced* from responsibility systems take on a life of their own in this epoch (of no away). They form into high-rise or enduring accumulations and (as the chapter will call such enduring matters) 'legacies', which condition existence on earth. These legacies, in the case of corporate organisations, include the entrenched inequalities of which the sweatshop is but one part, as well as other accumulations created by the processes of de-selection, from oceans of plastic and food waste to global warming.

Time, here, marks out the chapter's journey towards new methods and modes of enquiry for reaching under law's sub-surfaces to redress the problem of corporate responsibility. These methods and modes draw together critical thinking about law and governance with thinking about human and non-human *accumulations of scale* that reach into 'the geologic', into the materials and forces that compose a world and which companies take up and transform when they make, distribute, and sell. The chapter draws on the vibrant research and scholarship generated by a recent geologic turn in the humanities and social sciences, as well as law, in support of this combination (Ellsworth and Kruse, 2013, Davis and Turpin, 2015; Bonneuil, 2015; Biber, 2016).

The chapter's geologic move finds its justification in the work that the chapter does in the next part, called 'Surfaces, Voids', to trace existences that fall through juridical frameworks, broadly speaking, and between the lines of corporate social obligation, in particular. The chapter sets out processes of de-selection and then traces de-selected existences to the point of their deposit and settlement; some beings or things spend so long in a state of disregard, in short, that they acquire features of sediment. Here the chapter uncovers an unpredictable and conceptually subterranean terrain to law, into which disavowed artefacts and anthropologies are regularly thrown. This terrain is shrouded, void-like, and it is antithetical to obligation.

The chapter tries to redress the void-like qualities of this sub-juridical destination or space-time in the third section, which is called 'Sediments.' It casts a geologic lens over the subterranean settlements of beings and things by refusing to confine its juridical interest to what (only) lies above, *or reaches*, the surface (achieves implication). It looks directly, instead, to an exploration of law's sub surfaces under the neologism of 'le-geology,' after some geologists and an artist arrive in boats and carve out a different angle from which we might view the meaning of the present. With this, the chapter introduces a new angle or axis for understanding corporate action, as constructed by the chapter's le-geologist. It makes this contribution in a bid to pull the different parts to corporate action together, to affirm their world-making or geologic force. The chapter uses the geologic mode, in short, to give existential meaning and force *back* to forgotten existences, using what it calls 'le-geology' and 'legacy' to institute a series of *affective* and *political* openings.

Can this really work? Isn't the complexity that exists beyond the company's sense of right difficult to organise as a meaningful horizon for worldly action? Isn't this 'chaos' the very source of the corporation's hold over us, making it a being uniquely capable of riding through complexity by framing out other worlds (Hayek, 1967)? The chapter returns here to *obligation* to problematise this (now widely accepted) order of things - companies using profit and price to match the world to their sense of order, as a solution for living in a complex world. Because our sense of obligation, as Scott Veitch reminds us, comes about not only from abstract thinking about order or rules, but also in the 'real, affective and sympathetic interactions we experience with others in community' (Veitch, 2017, 416). The chapter seeks out this sense of affect in a world so animated by bounded sensibilities that even big and imposing legacies like sweatshops and plastic oceans are still being met with inertia or confined to otherly worlds. Importantly, the chapter's seeking out is necessary not just for the recovery of sense and political force for the implicated existences, though this must be the first and foremost goal (given the intense vulnerabilities involved). It is necessary, also, to understanding - and subverting ultimately - how companies relate to our present. The chapter ends with a new formula for capturing these two sides to corporate social obligation.

2. Surfaces, voids

The central charge that emerges in 'Recesses', in 1., concerns the unaccountable resourcing of corporate actions in our present: companies make money from beings and things whose capacity to make existential claims and catalyse obligation is depleted by their situation in a network. In this section, the chapter explains how such practices are able to arise. This critical analysis is important to set out why new lines of corporate accountability need to be established, and to identify general concepts and causes that can explain the associated legacies of social and environmental neglect, injustice, and harm.[vi] It starts with a discussion of how companies move around, make and mend social relations.

Corporate actions draw together lots of different actors, human and non-human. Their activities make ties with classically conceived stakeholders (such as employees, consumers, investors, suppliers, distributors, creditors, and communities). The company additionally draws on a body of less obvious (or less human) forces and materials, including environmental resources, infrastructure, the technosciences, bureaucratic processes and requirements, including the law. Some relations are internal to the company's governance process (employees, investors). Some are more external (nature, technoscience). 'Flattened out,' the ties and intermediaries that enable the motion of corporations spread out over space and time and form a network (Latour, 2005; Law, 1992). Or, understood as 'trajectories that cross and engage each other to different extents over time,' things aggregate and form 'assemblages' (McFarlane, 2009, 562; Bennett, 2010).[vii] In both views of things,

the inter-connectedness of economic action and global reach of networks ensure that ties are widely formed by companies.

On what basis, then, might we say that certain parts to the company's networks and assemblages are left out or cast towards the back of the scene? If accountability is a 'kind of contingent responsiveness to emergent stakeholder concerns and interests' (Painter-Morland, 2007), how do some parts to the web of relationships come to suffer from a lack of recognition, care, and attention? We need, it would seem, to name the particular mechanisms and rationalities that make corporate constellations *delimited*, or partial and bounded in the way that they account - and are held accountable - for the world.

Companies, as a starting point, are juridically dedicated to economic purposes, such as (to use the words of the relevant UK statute) 'to promote the success of the company for the benefit of its members as a whole' (Companies Act 2006, section 172). This dedication, alongside separate legal personality, produces an active subject, capable of forming a legible and defensible will (Barkan, 2013). The 'will' is economic in the sense that it puts the interest of the members first (Talbot, 2015, p. 141) and its members are understood as self-interested and economically rational (Keay, 2012 and Sandberg, 2011). The interchangeability of members and limited liability divest the business form of corporeal vulnerabilities, and increase its agility in sticky situations (Grear, 2015; Ireland, 2009). Put together, company law confers distinct organisational capacities on the corporate form, and effects 'complete instantiation of the rationalistic, accumulative, quasi-disembodied rights-bearer: homo-juridicus-economicus writ large' (Grear, 2015, p. 239).

The company's sense of order is further shaped by the demands of securing 'profitability *within the law*' (Parkinson 1995, p. 42, emphasis added). This is important. If corporate law provides the company with a sense of agency and purpose, it is the wider legal system that shapes the companies' journey by establishing legal standards and normative hierarchies. This net of law, which informs corporate agencies, includes social law, labour law, environmental protection, tax and securities law, and so on. Added to this are the obligations created by things like contract and property law (where the company is party), obligations imposed by delict/tort, criminal law, and regulatory authorities (such as financial bodies, stock exchange, reporting and accounting bodies, etc.). Relevant obligations extend from multiple legalities, too, e.g. regional, national, international, trans- or supra-national, soft-law and private orderings (Zumbansen 2006).

This list is not meant to be exhaustive. The important thing about these legal frameworks, for present purposes, is not so much the detail of their substance and content. It is, rather, the way that the law *enables* the company and its overlying sense of agency. The lines drawn by overlapping legal regimes do not work by totally binding the company or preventing it from all voluntary action. They

work, rather, by directing companies and directors on matters of concern whilst *keeping those very same actors moving* through the social landscape and time. This motion depends on the law for ordering, but exceeds it (Nedelsky 1990). It finds its energy and inscriptive capacities in negative rights, contractual paradigms and property, as per the modus of liberal political economy (Blomley 2010; Serres 1990).

Intuitively one might think of legal structures as regulative and disciplinary - the net of law offers to shape, guide, slow, or restrict the actions of its subjects - making the present emphasis on mobility counter-intuitive. The reigns are, however, only part of the company's juridical story, which also concerns the 'facilitative, productive, even constitutive functions of law for the capitalist corporation' (Tombs, 2017, p. 351). Companies harness a particular force and kind of mobility from rights and liberal paradigms; these produce a subject that can use its internal governance processes to act 'in' and also 'on' the world. Regulations shape this action, yes, but themselves fall among the competitive opportunities that companies regularly dig out for their shareholders (Baars 2017; Rogers 2016; Haar & Keune 2014; Supiot 2010; McBarnet & Whelan 1999). The overlying dynamic is of legal frameworks and institutions that confer on companies the organisational capacities to navigate open terrain, and to set their acts apart from the world by *limiting* or *bounding* their responsibilities to the excess or immeasurable earth.

How does this boundedness play out, and what does it have to do with the uneven spread of obligations across a corporate network or assemblage? Is obligation not meant to come from the other side anyway (from the 'vitalism' (or not) of the actors and existences implicated in corporate projects (Bennett, 2010); from encounters or interactions between discrete entities in the company's network of relations (Painter-Morland, 2007))? The argument that I want to make here is about instances where this idealized or promised interaction fails for existences entangled with corporate governance. The extent of this failure is apparent when we look across time. And I want to suggest, in short, that this failure occurs because companies acquire the ability to indefinitely suspend obligations (to co-construction or participation) within the legal frameworks, structures, and institutions outlined above. Let me explain.

Corporate actors, entrusted with navigating between the spaces marked out by legal frameworks, select between ties and commitments according to their sense of right or purpose (profitability for the members). They do this, most simply, by not resourcing - or cutting - certain (costly) ties. This cutting is banal in one sense: it references only what it means to create the kind of closed interactional space that we associate with action, what it means to 'act' (Callon 1998). But, importantly, the demarcations enacted by the company in the pursuit of right also produce a set of lines, the other side of which concerns deficits in attention and (relatedly) obligation. Companies disconnect, in other words, the production of profit from some of the 'social, legal, political and

environmental entanglements' with which their action is deeply enmeshed (Appel 2012, p.442).[viii] Some of these demarcations might be illegal, and so demand law's corrective force; some might be temporary or positive, and so generate other claims and modes of recognition in the future.[ix] But others allow exiles to drift, as the beings or things that nobody wishes to claim or pay for.

The term 'negative externalities' is most famously applied to the situation, where a company 'fails to account in its calculations for the costs that it is imposing upon agents, who despite the fact that they are penalized by its activities, remain external to the sphere of economic relationships in which the company operates' (Callon 1998, p. 245). Recent trends towards the spread of unequal burdens, low pay and inequality, tax avoidance, sweatshops, climate instability, and other industrial marks on the commons and future (Figure 3) suggests the *patterning* that attends this drift of externalities - their forming into deposits and accumulations that mark the surfaces of the earth (Haraway, 2016, p. 100; Talbot, 2016, pp. 531-3; Stout, 2015, pp. 718-20; Sassen, 2016; Pikkety, 2013; Meiville, 2015; Nixon, 2013). The impacts mediated by corporate entities form into longer-range lines, too, of possession and dispossession, enclosure and industrialism, empire and colonialism, ecological exploitation and decay (Grear, 2015; Moore, 2015; Malm, 2015; Mawani, 2015a and 2015b; Wark, 2015; Capra & Mattei, 2015; Wood, 2002).

Figure 3: 'Tar Sands, Alberta' photo by Howl Arts Collective, Dru Oja Jay (creative commons licensed). Beneath muskeg and forest in northern Alberta, Canada, lies a 50,000 square mile reservoir of heavy crude oil. Environmental activists continue to express concerns about the mining of this area (Taylor 2014).

How does this happen? How do these patterns, deposits, and accumulations of exile and neglect come to establish themselves underneath the legal and contractual frameworks through which companies move? How do some things come to sit far enough back to neither make their way back to the surface nor disperse? Scott Veitch (2007) captures an important moment of establishment when he observes that legal institutions are not just involved in 'organising responsibility' but also 'irresponsibility'. Legal frameworks and norms limit the range of rights and obligations that attach to particular instances of agency, as well as deride and disavow links and/or obligations that fall outside these bounds. Existences live among this derision and disavowal (p.115); unaccounted for risks, harms, and effects seep across borders, jurisdictions, and generations (p.116). The dark lines that mark the Tar sands (Figure 3) derive not just from the drills and machinery, thus, but also from the laws that enable disavowal (e.g. land, licensing, health and safety, environmental laws, etc.). And law underwrites *the distance that we keep from* incalculable wastage and loss (the muskeg and boreal forests, Figure 3).[x]

Iris Young (2006, 2011) captures a related experience of negative externalities disappearing down a rabbit hole in the era of corporate capitalism. Young describes how global legal regimes work by isolating responsible agents, using concepts like 'causation', 'intention', and 'control'. Her work identifies a gap between these regimes and the responsibilisation of global production strategies and GVCs. Supply chains revolve around contractual relationships, which, by their nature, bound and fragment responsibility between the contributors. The sweatshop rises up, in this context, as an assemblage of entities that is beyond the law, or beyond the contractual responsibilities of the companies and buyers involved.[xi]

This chapter takes from these works the emerging outline of a shrouded space-time or void to the other side of accountability practices into which 'costly' entities and impacts are able to fall, and become 'sediment'. This void is dark because accountability practices routinely stop short of it, and because it attracts missing connections and missing times for which, increasingly, no one really knows the co-ordinates. These links are *not* missing because the company fails to make the ties - interfacing still widely occurs in the company's inter-connected worlds. They are missing, rather, because of the *multiplicity of scripts* (law, politics, economy, technology, etc.) within which the full schema of ties is never really counted out nor attended to by those who most benefit.

This bit about a 'multiplicity of scripts' is important. Because despite being cast out, there is meant to be a chance for excluded existences to get back in as part of the earlier noted 'ready to be mobilized reserve army capable of complicating – or rather of implicating – the economy at any moment' (Callon & Latour 2011, p. 22). This backstop would make the fall not into a void, but into a holding camp of some kind for obligation (at worst). But, against this possibility, juridical voids arise where certain scripts (financialisation, competitiveness, cheap consumer goods, fossil fuels, etc.) are

(either) unyielding or totally confident about *incorporating* competing demands and demonstrating socialisation. Elements and existences externalised remain outcast insofar as they are either stunned by the totalising stability of expansive networks (Sassen, 2016; Ireland, 2009), or they find their claims muted and de-realised (Al-Amoudi & Varman 2016; Moncrieff 2015, 2011). The result is the dramatic *surfacing* of legal frameworks with what feels like tarmacadam. *Time* in the zone of amnesia extends to years, decades, even lifetimes for some. We are speculative, but maybe also truthful when we think of this as inducing 'sedimentation' for some existences ('the process of settling or being deposited as a sediment' (Oxford Dictionary, 2017)), and as instigating the (juridical) division of our world into above surface and subterranean zones.

There is something else to say. We must add to our understanding of the recesses set out certain additional consequences. We need to attend the further possibility that the same legal and governance structures that allow the company to push 'costly' parts of the network out of reach or focus, also, encourage the company to move on through, and make money from, the resultant voids (in accountability).

What does this mean? It means, as above, that negative externalities are routinely detached from the revenue centers of corporations, and that groups of implicated existences fall into a void somewhere below the thresholds of accountability. But, also, that wider encouragement given to corporations to self-govern and to manage public impressions extends their direct command over what happens on the other side of the boundary. Beings and things deposited by the corporation form into lands and terrains, accumulations of scale, which are stabilised and made available to competitive logics precisely because they are made of beings and things that are *set back* from obligation. This settlement of exiles allows companies to resource their efforts with labour or affects for which no one is responsible (with sweatshop labour, sub-prime, an invisible stratosphere, etc.). This resourcing is possible because the implicated beings and entities are *processually* stripped of obligation.

I have written in other pieces about the complicity of law and the governance turn, in general, and corporate governance and corporate social responsibility (CSR), in particular, with extending the company's sovereign sway like this (Moncrieff 2015, 2011).[xii] CSR and the governance turn admit the company as a self-governing actor, capable of looking over the substrate and making decisions about future accommodations reflexively (e.g. based on its own interactions with artefacts and anthropologies). But if it is right that sub-surfaces and shrouded voids mark the other side of corporate legal thresholds, these governance prepositions begin to look seriously problematic.

Why? Because the shadow described (above) references the (growing) absence of known co-ordinates for existences disavowed and externalised by companies as they navigate open terrain.

Landscapes, seas, rocks, animals, and atmospheres under threat, workers and borrowers exploited, unequal burdens: the connections that could explain these things increasingly accumulate over the border, in the void where it is dark. This shadow is vital and productive for businesses in the era of corporate governance and CSR. It allows them to take charge of responsiveness, and to manage existences according to their own sense of right and profitability (Tombs 2017; Al-Almoudi & Varman 2016; Moncrieff 2015, 2011; Fleming & Jones 2013; Banerjee 2008), and to do so under the cover of law (Fortun 2014). The result is the materialisation of 'sludge' (ibid.), and of existences untethered from their moorings and congruent sense of self. Exiles lose their shape in their interactions with corporate actors due to the persistent misrecognition that befalls them in corporate management processes, or due to the continuing pressure to be flexible and 'to work' (to satisfy the company's sense of right).

This reach of the company over submerged and subterranean existences brings us back to the problems that we identified in 1., and the failures in social obligation that beset the 'not all' - the millions of workers, communities, beings and things, which experience impacts beyond the law and beyond the reach of accountability practices. The corresponding collapse of governance narratives in respect of these same existences is also arresting. It confirms our need for new lines of interaction, which can extend obligation to the relevant modes of existence - to life in the recesses of corporate constellations, to the accumulations of scale that form amidst exposure. By thinking about this, we might begin to aim more meaningfully at establishing interactions that have in sight a better way of their being in corporate formations (than being stripped of obligation).

3. Sediments

Here is a piece of Anthropocene art: twelve blocks of ice are melting on the streets of Paris (Figure 4).[xiii] It is December 2015. Artist Olafur Eliasson and geologist Minik Rosing bring the ice blocks to Paris from near Nuuk, Greenland's capital, upon the Prime Minister of Greenland's boat. The blocks are free floating icebergs from the region and consist of snow compressed over a period of time that reaches upwards of tens of thousands of years. Eliasson and Rosing arrange the works at their site in Paris for the occasion of COP21, the UN Conference on Climate Change. 'The work raises awareness,' they say, 'of climate change by providing a direct and tangible experience of the reality of melting arctic ice' (Eliasson & Rosing 2015a).

Figure 4: 'Ice-Watch' (2015) by artist Olafur Eliasson and geologist Minik Rosing.

The blocks were brought to their Paris/ UN COP21 site from Greenland, and consist of snow compressed over tens of thousands of years.

'The industrial revolution,' says Rosing, 'shows up in the ice as a spike in levels of Co2'; the invention of money (by the Greeks in the 6th Century B.C.), 'a spike in lead.'

Look at how the blocks are arranged in the form of a circle in the picture. The shape draws its wandering audiences among the imaginary dials of an ice clock - metaphors for the 'time that is passing' or the 'time that is running out', perhaps. But watching the ice melt with acceleration in a Western European clime is also to experience what we might call our own *legacies* - to witness the cumulative force of past actions as they 'fall forwards' into the present (Malm, 2015, p. 9). 'Inside the iceberg,' says the geologist Rosing, 'you see snow layers in sequence as you go back in time. Because it is compressed, the air between the snowflakes that fell thousands of years ago is trapped in tiny bubbles' (Zarin, 2015). And 'For years,' says Laurent Fabius (President of COP21) on the website for the work, 'this region [Greenland; the north pole] has been sending us signals that we cannot neglect anymore. The International Community must hear them and turn them into acts' (Eliasson & Rosing, 2015b).

How might the submerged and neglected parts to a corporate network or assemblage reach us? What lines of interaction might we use to hear about the 'legacies' of action and assemblage, to search out claims, allegations, and obligations that might support a meaningful change in action? Eliasson and Rosing return us to our starting questions. They hire a boat from Greenland to drag before us tangible evidence of ties and impacts dispersed over time by the actions and assemblages of industrial capitalism. And they tell us about deposits and accumulations of scale that emerge as a result: 'The industrial revolution,' Rosing says, 'shows up in the ice as a spike in levels of Co2;' the invention of money (by the Greeks in the 6th Century B.C.) as 'a spike in lead' (Gordon 2015).

What might we hold before the company, and ourselves, to hear about existences that fall between the lines of corporate social obligation? Where might we walk if we want to count out the legacies of neglect in corporate capitalism - the things that nobody wants to claim or pay for? For the last three decades, the voices of stakeholders (shareholders, employees, creditors, communities) and drivers for CSR (consumer patterns, reputation, technology, etc.) have been relied upon for an answer to these questions (McBarnet, 2009). These groupings are regularly invited to have their say in forums like CSR, or to fill the company's immediate spatial environment with communications and demands that pertain to their state(s) or existence(s). Learning and discipline over the company are expected to flow from the resultant flurry of existential expression, according to corporate and governance scholars, and a record of the companies' actual impact to develop part by part.

There are, however, problems with relying on this set of tools for learning about impact and creating obligations, which are captured in 2. The juridical frameworks that encourage companies to navigate open terrain allow companies to match beings and things to their sense of order, and not the other way around. This means that at least some of the voices or bodies, which might discipline corporate actors, fall into juridical voids and struggle with remaining interactive. It no longer makes sense to describe *their* participation as on the brink of governance or implication. They are, rather, exiles that take on the distressing look of *sediments* - beings and things transported and deposited into the substrate through persistent fracture - and *sludge* - parts to an action that lose their shape or moorings as the *length of time* in the zone of amnesia becomes protracted.

At the same time, there is a new arrow (pointing the way forward). We know that so-called 'voids' host claims, arguments, and (potential) obligations crucial to evaluating the companies' wider impact. We saw this in the lists and maps produced after Rana Plaza (in 1.). And we (now) know that there is no road or boat to this space-time from the company's sense of order. The void outlined (in 2.) pertains precisely to the wake that forms behind the company's bounded movements, meaning that we can (finally) do away with the idea that the company can resolve this problem alone (big arrow pointing forward). This is not to dispute that the beings and things affected by companies (stakeholders, the things grouped together as drivers, etc.) are the proper ones for telling us about impacts. Of course they still are. But our aim is to catalyse obligation towards existences persistently exposed to misrecognition and living as sediment in a tilted world, e.g. precisely the communities already struggling with voice, and for some time now. We need, in these circumstances, an *opposing axis or tilt* for interacting around the company, and a more affective and irruptive way of gathering existential meaning and force from the background, from the submerged parts (where the company already is/acts).

Legacy, evocatively, names our interest in gathering the fragments of corporate action, like this. Defined by the Oxford Dictionary as 'something left or handed down by a predecessor' (2017), it

names our interest in tracing the externalities left behind by companies as they take the form of patterns, deposits, or other formations above *and* below the surfaces of law. Legacy concerns the planned and unplanned, positive and negative, tangible and intangible effects created for and by corporate formations, and which 'remain longer' than the action or event itself (Gammon, 2015, p. 446).[xiv] Importantly, the term refers not to individualised pieces or parts, but to accumulations of scale that might be linked to corporate action, and to law (because the forces involved stem from legal and contractual frameworks, as set out in 2.). Legacy offers these things to us due to its open address of the space-time of *obligation,* the horizon inscriptive of corporate actions and right, and due to its other major source of enrichment, *time*.

'Time', said eighteenth century geologist, James Hutton (2010), 'is often deficient to our schemes … [it] cannot be bounded by any operation that may have an end, the progress of things upon this globe' (p. 8). In 1788, Hutton set out in a boat from Dunglass in the UK to tie together his own disjointed experiences of the earth's surfaces and sub-surfaces (his thesis is sketched in Figure 5, the 'Unconformity') (SNH, 2017). Hutton famously drags before a centuries-long audience evidence of the different layers and types of rock, which lie beneath the ground; he dates and explains different chapters in the earth's history and geological record. He investigates where the different layers and (also) times *adjoin* (Northcott, 2015).
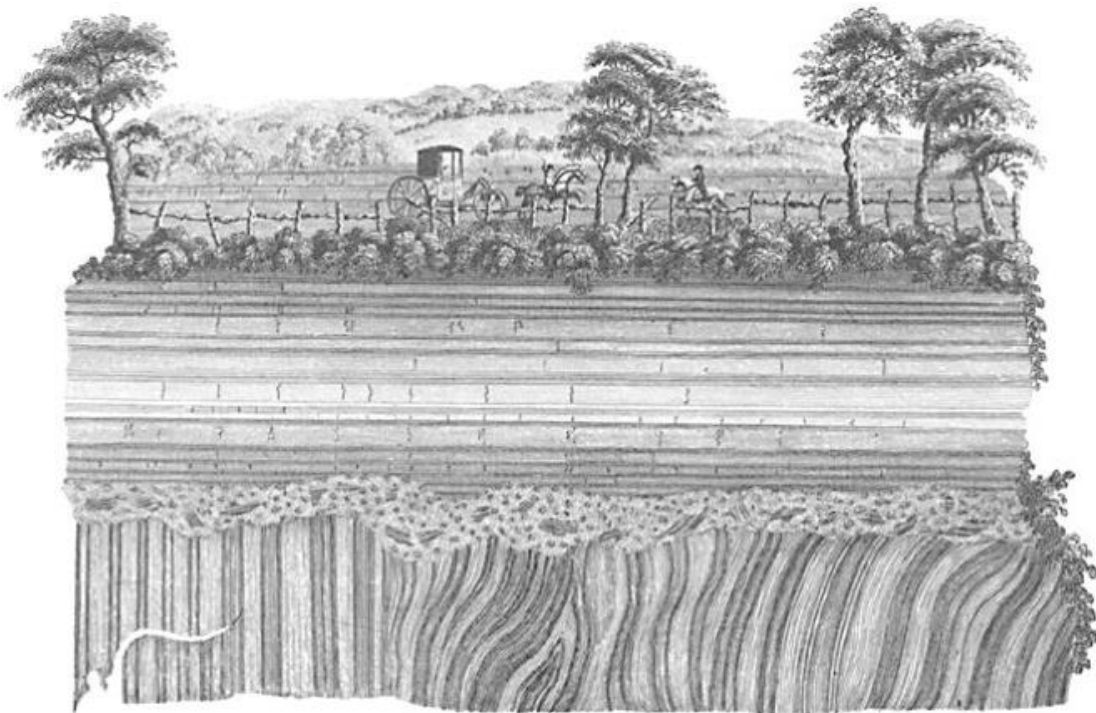

Figure 5: Drawing of 'The Unconformity' at Jedburgh, Borders, John Clerk of Eldin (1787); the drawing featured in Volume I of James Hutton's Theory of the Earth (1795); the section drawn illustrates where rock formations created at different times and by different forces adjoin.

227 years later, Eliasson and Rosing take to their boats. In the time between their journey and Hutton's journey, the so-called Anthropocene 'happens': fossil and industrial capitalism take root, boom and bust intermittently; new markers from the agricultural, industrial and post-war (nuclear) eras enter our bodies, oceans, minerals, and soil. The artist and geologist drag before us pressing signs of the legacies and inscriptions of this capitalist progress - of the 'great transformation' as Polanyi famously names it (Polanyi, 2002), or 'post-1950s acceleration' (Steffan *et al*, 2015).

Updating Hutton's journey for this epoch of the Anthropocene, we might then say that today's geological forces likely include society/nature networks and assemblages (Bonneuil, 2015; Ellsworth & Kruse, 2013; Kolbert, 2011; Crutzen, 2002). [xv] Global flows create complex and shifting entanglements of earth materials, technologies, infrastructure, chemicals, weather, information, people, and objects; the 'geologic' forms into a 'teeming assemblage of exchange and interaction among the bio, geo, cosmo, socio, political, legal, economic, strategic, and imaginary' (Ellsworth & Kruse, 2013, p.23). [xvi] Corporate networks command our attention as a source of some of the most 'brutal inscriptions': 'it is not the products of *humanity* that come to be stratified but the externalities of Monsanto and DuPont, the radiation of nuclear bombs, and the oil spills of Exxon Mobile' (Davis & Turpin, 2015 p.7, emphasis in original). Their presence among the geologic, applying Hutton's formula for time above, opens up new chances to vouch for the existence of those neglected by the present order of things and to expand redress.

How so? It is so because even forgotten existences still express presence and changes in condition where there is no possibility of their going anywhere but into our bodies, air, seas, rocks, and soil. Carbon deposits, debris in the ocean, human and non-human lives wasted and dispensed with as part of the everyday: all these things mark and condition life on earth in a time of 'no away' (Morton 2013, 94). Their parts linger and express themselves underneath the surface of daily actions and intentions; they gather new meaning and force over time, as they aggregate and form into high-rise accumulations of scale. The chapter calls these accumulations legacies, an axis or object that it presents for juridical evaluation of the company and its obligations; an axis or slice through the world and time that could capture the rigour and shape of corporate impacts over time as big or 'hyper' objects (Morton 2013), which straddle human and non-human, bios and geos, above and below surface. [xvii]

Could a legacy view present us with new ways forwards for relating existence and crossing worlds in the case of corporate action and assemblage? Could it transform the 'tremendous inertia' towards distressed ecologies and sweatshops that falls on the side of the modern, with its political ontology of 'away' (Morton, 2013, 94)? Practically speaking, we might propose that investigations and (eventually) obligations, which attend a longer temporal frame to those entwined with the 'success' of the company, could help us to reach under (laws') surfaces. We cross check the companies' words

with new rulers and instruments, which bring us into contact with forgotten worlds. We detect changes in the condition of (even) submerged beings and things by accounting over a longer period of time (Lyell 1997, p. 356, for the geologists' classic view).

If we add a *le-* for 'legal' to our entry into this new geologic mode, we might also express commitment to grappling with the legacies that stem from legal and contractual frameworks, more specifically. We attend the sub-surface le-geologies of our present by tracing the life changing and geologic forces that flow from liberal legal frameworks and corporate legal institutions for so many. Importantly, we do so by not (only) by waiting to see what of existence reaches the surface, as the mantras of governance suggest. We refuse in the Anthropocene to confine our juridical interest to 'what works' in this sense (Morton, 2017; Fortun, 2014; Haraway, 2016). Le-geology requires, rather, that we look directly under law's surfaces and create new lines of interaction with parts or existences struggling with the company's bounded sense of purpose over time. Or that we make new pathways for the discovery of law's own *unconformities*, accumulations that form at unorthodox angles to the surfaces of our accountability practices (their apparent normative success). These things are part of recognising the responsibility that we have for the institutions through which we try to live together; and for recognising when and where these institutions frustrate or mis-manage existences that still matter (in 1. and 2.). Constructing accountability practices that can address the *actual state* of our world, like this, we might see Hutton in his boat and before the newly formed Royal Society of Edinburgh in 1785, underscoring for us the importance of relating or interposing surface and (irruptive) sub-surface developments.[xviii]

We need something else, as well: a new scene for making sense of this new juridical object, legacy, and mode of engagement, le-geology. It might be difficult for readers to understand what either mean without a mode for making sense of the obligations that the two together potentially carry (towards companies, towards wider society). This sense making is also critical given the vast uncertainty that accompanies any sight of the world beyond the scripts and institutions that we rely on for order in our present (Hayek, 1967). However, this new scene is already with us. It is the figure of 'the section' (the slice through the world in Figure 5).

The sectional view of things takes us from the pictures of Rana Plaza and the Tar Sands in Alberta (Figures 1 and 3) where we look upon beings and things, the earth itself, as cast into chaos. We have no idea of where to focus. We look, then, upon a map of the company's network laid out 'flat' (Figure 2). We have no reliable way of accounting for what lies between the company's (or the ethnographers') words (what is not said, what is still submerged in the negotiations or disclosures). But as we arrive at 'Ice Watch' (Figure 4) and 'the geological section' (Figure 5), by contrast, we are thrown among submerged layers, atmospheres, and legacies, which lie deep under the earths' (physical, juridical) surfaces. We are surprised by their patterning and by the difference that our

experience of these legacies makes: 'I thought,' said the artist, Eliasson, in Paris, '"I know what ice looks like" … But, when I opened the truck … I put my hand to it and suddenly I drew my hand back! I said to myself, "The ice is really cold"' (Zarin, 2015).

The encounters that legacy and le-geology bring us could be affective, like this. If they renew and extend presence for submerged parts of the company's network. If they make up the spectrum of interactions (claims, arguments, allegations) that pertain to the actual state in which companies leave the present. To catalyse this opening for interaction and (importantly) obligation, however, this sense of presence needs to gather irruptive and political force. It needs to stand tall as legacy, rather than as manageable parts and matter for the hyper-reflexive company. This is important to avoid processes of de-selection, muting and management, starting over again (in case legacy too is transformed into only 'capitalizable expression' (Pavoni, 2015)). We need to *curate* legacy, in other words, with a sense of time and topography that can avoid any additional exposure, and, yet, can check and cut across the reflexive picture. This curation is vital, collective and political work. It is a necessary alternative, too, to allowing work on these horizons to continue as present (shrouded, reachable in the dark, in 1 and 2.).

What might this involve? In an earlier version of this chapter, I thought about the rigour and the shape of legacy in terms of the *evidential* demands of the encounter that the chapter imagines, and of how we might 'link seemingly disparate events across the globe;' of examining 'the ways in which human and non-human realities emerge together in a variety of co-productions and surprising interplays' (Biemann, 2015, pp. 117, 129). I stressed how these links might be captured within a legal apparatus, or sit alongside more routinely projected sensory, spatial, temporal and legal severances that exist between sites of cause and effect. And I said something about new concepts and tools to support the practical development of links between the company and its more amorphous impacts; we need, I said, new ways of making the 'points of contact' show up (Moncrieff, 2016).

But as I continue to think about the world in which we live, and all of our places in it, I realise that these evidential questions are not the only or first frontier for making the difference, essential though they are as areas for advancing interactions around legacy. But we need also to be really careful not to look at new objects (legacy) with old models or tools (e.g. the liability model and its history of disavowals). We need, instead, to come to grips with the precise nature and scale of the challenges that face us in a time of profound interconnection and accelerated flows, and to observe the limits and complicities of our institutions, structures and systems of liability when tackling things that concatenate past, present and future.

Scholars of the geologic turn talk about reinventing '"what we know" from an entirely different angle (the vertical accelerating rise)' (Ellsworth & Kruse, 2013, p.8) and about 'capturing the

new unconformities' (Baker & Gordon, 2013). This is close to what the chapter proposes. The chapter says something about the harms, repressions and tragedies that lurk in the recesses of corporate networks and assemblages. But - and this 'but' is really important - the aim of this work is not so much to air more grievances as to create arguments for *why and how we might turn the world on its side* to look for the vertical rise (in abandonment). The chapter fulfills this goal by reconfiguring law's understanding of the world (as geologic), enhancing our ability to find force among the existences that crisscross worlds (by creating interactions around legacy)*.* And, importantly, where this interaction projects a rise (in abandonment), it interrupts and subverts the company's capacity to match beings and things to its (economic) sense of order by *taking the flat earth away from it* (we see this in the section).

There is a formula for this double aspect to corporate social obligation and it turns on legacy. Legacy is a means for gathering the remains of corporate action, patterns of externalities dispersed through time and the company's gifts over generations. But as we trace how the world takes its shape over time, like this, legacy also marks the company itself out as a benefactor of delegated functions, a 'body sent out on a mission' (from the word's medieval Latin origins in *legatia* and old French *legatie*).

How so? It is so because legacy traces a longer-range relationship of affect between companies and the communities of beings and things that resource corporate activities. It is so because the gifts that corporate organisations bestow on the world must pass, on account of this range and relation, through a 'legacy test': a slice through the world that looks for the vertical rise in abandonment, and registers the length of time that some existences spend in a particular location or state. Obligation passes, with this, from a site or ability that lies mainly with companies (to match the world to their sense of order) to a community of beings and things that *put a bend* in the company's bounded sense of right. This bend, or double turn to corporate 'social' obligation and the company's legacies, pushes forth in a juridical that is inescapably geologic.

Conclusion

This chapter has spent its time exploring the space-time of corporate obligation, thinking about the immense matrix of beings and things that resource corporate projects. It deconstructs the presumptive claims of governance to these matrices, and to the associated bodies and voices that it imagines as leaning on corporate actors (through governance and CSR). Serious problems set in, the chapter argues, in the governance vision when the bodies and voices of this immense matrix are assumed to be regular and disciplinary to the corporation. This assumption underestimates an unpredictable and conceptually subterranean terrain upon which disavowed artefacts and

anthropologies regularly find themselves. This terrain is volatile, shrouded, and it is antithetical to obligation.

The chapter's geologic view of corporate obligation demands that we cross the threshold, instead, to look past governance processes for beings and things struggling with the boundedness of corporate obligation over time. The essence is to give meaning and force back to forgotten existents, as they show up in enduring accumulations of scale and legacies of the corporation. The *rise* and *affect* of these legacies is fundamental, as the source of an ability 'to *judge* of those operations by which a world, so wisely ordered, goes into decay' (Hutton, 2010, p. 10, emphasis added). We relativise the bounds and limits of our open interactive networks by placing them in correspondence with the legacies to which they *adjoin.* Assuming that we can agree on the worth of this, and that there is more to our communities than the company's sense of right, we need now to turn our attention to it.

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i Details of these agreements can be found on the organisations' websites at http://bangladeshaccord.org/ and http://www.bangladeshworkersafety.org/ (Alliance) (all sites accessed 12 July 2017)

ii For a comparison of the two agreements see Bair (2017) Rhumkorf (2015) Chapter 7, and Haar and Keune (2014)

iii On ANT and the 'embedding of regulatory forces within materials and technologies' sometimes invisible to our (usual) legal sensibilities, Cloatre and Dingwall (2013); see also Appel (2012)

iv In Barry and Slater (2002), network theorist Michel Callon speaks of a 'struggle' that involves laboratories, experiments, restructuring activities, and processes of entanglement and dis-entanglement (Barry and Slater, 2002); and extends the invitation at 302: 'If you consider that the organization of markets is a growing concern for numerous groups, the next step is to ask: where will I go in order to participate in an experiment about the organization of markets? You could choose, depending on your habitus!' Cloatre and Dingwall (2013) make the link between the effects created in socio-technical assemblages and legal or regulatory effects.

v Transnational private regulatory instruments emerge in a 'field of recurring political contestation about the conditions of production' for Fransen, (2017) at 257; see also Teubner (2012) and McBarnet (2009).

vi A (small) selection of readings and testimonies: Sluiter (2009), Ross and Rogers (2016), Soule (2009), Murphy (2013), Banerjee (2000), Schrempf-Stirling (2014) and (2011), Kantor and Streitfeld (2015); Dunkley (2015), Kolhatkar (2016).

vii On the distinction between actor-networks and assemblages, see Muller 2015.

viii Appel's ethnography powerfully depicts the entanglements and then disentanglements of American oil and gas companies in Equatorial Guinea, and links the latter to a series of abdications and disavowals of corporate responsibility. See 2012. Appel, like the present chapter, uses disentanglement in the sense set out by Callon, e.g. 'disentanglement, implies investments and precise actions to cut certain ties, and internalize others' (Callon 1998).

ix Callon (1998) addresses the concept of 'positive externalities'. The case of the positive externalities is distinguished from the (negative) externalities under consideration in the present chapter because they are externalities that others will *wish to claim* and reap benefits from (hence 'implication' (Latour & Callon, 2011) still operates).

x Of the lines that mark Tar sands: 'Legislation dictates that companies whose mining would disturb or destroy habitats cannot be mined unless said habitats are proven able to recover to their natural state, or be restored to an "equivalent land capability" afterwards. However, equivalent land capability has become somewhat of a loophole on the oil sands as it defines agricultural land of equal capability to arboreal land in its land use. This

means that although some oil-sand mine land had been restored to wood bison pasture, the muskeg and boreal forest that was originally there had a much higher conservation significance, which is now lost' (Frontier 2017).
xi On the failure of corporate governance and CSR, as they currently stand, to address human rights concerns, environmental issues, and inequality (and so create the kinds of cracks or voids Young is talking about) see also Tombs (2017), Santoso (2017), Danielson (2015), Rogers (2016), Locke (2013) and Ruhmkorf (2015)
xii The sphere in which corporate decision makers try to 'integrate social, environmental, ethical, consumer, and human rights concerns into their business strategies and operations' (European Commission 2011). For a description of the concept and practice of CSR, see McBarnet (2009), Horrigan (2010) and, on 'integrative' practices, Garriga and Mele (2004).
xiii On art in (response to) the Anthropocene, more generally, see Davis and Turpin (2015).
xiv Legacy is a new concept in the corporate context, to the author's knowledge. This description of legacy is thus adopted from Gammon's work, which relates to the more familiar 'sporting' or 'Olympic' legacies.
xv See Haraway (2016) Moore (2015), Malm and Hornborg (2014) and Malm (2015) on the arguably more fitting designation of the 'Capitalocene', in light of the patterns under analysis and the 'intra-species inequalities' that are part and parcel of the inscriptions generated by capitalist relations. These relations make 'anthropos' a controversial subject of action and/or responsibilisation for the present age.
xvi 'Neither natural nor cultural but a mixture of both,' Edgeworth 2015; also see Malm and Hornborg (2014) and Ellsworth & Kruse 2013.
xvii There is considerably more to be said about what legacy is, e.g. axis, object, hyperobject, but too little room in the present chapter; I will shortly return to this, to what kind of object or thing a 'legacy' is, and at how it might press on the claims and schemas of responsibility. I accept that more explanation might be needed for the reader to accept this statement in this publication at this time.
xviii The chapter's interest in the Royal Society of Edinburgh Meeting at which Hutton presented his Theory of the Earth for the first time, in 1785, is not in the immediate success of his claims, as the 'founder of modern geology', but in the difficulties he faced - illness in anticipation, a dismissive and hostile reception for radical and potentially *subversive* ideas about the earth's systems and processes in 1785. See Dean (1992). The irruptive dimensions to what we can't see in Hutton (e.g. heat) are important to the present analysis and its concern with the voice of submerged existences; new lines of interaction form around the irruptive claims and allegations of submerged existences in legacy.

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