

ORIGINAL

Legal challenges of Knowledge Management and Knowledge Societies vis-à-vis Corporate Social Responsibility. Case study: Empresa Renderixarte S.A.S. Sincelejo, Sucre, Colombia, years 2023-2024

Desafíos legales de la Gestión del Conocimiento y Sociedades del Conocimiento frente a la Responsabilidad Social Empresarial. Estudio de caso: Empresa Renderixarte S.A.S. Sincelejo, Sucre, Colombia, años 2023-2024

María del Carmen Sierra Buelvas^{a*}  , Lady Andrea Diaz Álvarez^a , Berónica Narváez Mercado^a

^aUniversitaria Del Caribe, Facultad de Derecho y Ciencias Políticas. Sincelejo, Colombia.

*Corresponding Author: María del Carmen Sierra Buelvas 

How to Cite: Sierra Buelvas, M. del C., Diaz Álvarez, L. A., & Narváez Mercado, B. (2024). Legal challenges of Knowledge Management and Knowledge Societies vis-à-vis Corporate Social Responsibility. Case study: Empresa Renderixarte S.A.S. Sincelejo, Sucre, Colombia, years 2023-2024. Edu - Tech Enterprise, 2, 65. <https://doi.org/10.71459/edutech202465>

Submitted: 12-04-2024

Revised: 03-08-2024

Accepted: 26-12-2024

Published: 27-12-2024

ABSTRACT

Knowledge management and knowledge societies arise from the meeting of the components of science, technology, innovation and society. For this reason, it is difficult to imagine a single context in which these elements do not coexist; knowledge today is not limited to academic spaces, precisely because the dynamism and multiplicity of the sciences and their interaction with society make homogeneous visions impossible. The speed at which transformations in different productive environments must be assumed has facilitated the discussion on how knowledge societies, intellectual production and human capital must adapt to the accelerated rhythms of globalization and digitalization. This socio-legal research, with a qualitative approach, through primary and secondary sources, seeks to study the concepts, regulations, doctrine and jurisprudence and to define the progress made in corporate knowledge management in Colombia. The promotion of ethical and sustainable business practices has become a global imperative as stated in several sustainable development goals, which poses significant legal challenges for the Colombian State and the country's productive sector. Therefore, the legal challenges are addressed through a case study applied to a small enterprise (SME) in the city of Sincelejo, Sucre.

Keywords: knowledge management; corporate social responsibility; colombian private law.

RESUMEN

La gestión del conocimiento y las sociedades del conocimiento se dan a partir de la reunión de los componentes de ciencia, tecnología, innovación y sociedad. Por tal motivo, es complejo imaginar un solo contexto en el que no coexistan estos elementos; el conocimiento en la actualidad no se encuentra limitado a los espacios académicos, precisamente porque el dinamismo y la multiplicidad de las ciencias y su interacción con lo social imposibilita las visiones homogéneas. La velocidad en que deben ser asumidas las transformaciones en diferentes entornos productivos ha facilitado la discusión sobre cómo deben adaptarse las sociedades del conocimiento, la producción intelectual y el capital humano a los ritmos acelerados de la globalización y la digitalización. La presente investigación de tipo socio jurídica, con un enfoque cualitativo, a través de fuentes primarias y secundarias, busca estudiar los conceptos, normativas, doctrina y jurisprudencia y definir los avances que ha tenido la gestión del conocimiento empresarial en Colombia. La promoción de prácticas empresariales éticas y sostenibles se ha convertido en un imperativo global como se señala en varios objetivos de desarrollo sostenible, lo anterior plantea desafíos legales significativos para el Estado colombiano y el sector productivo del país. Por tanto, se aborda en qué consisten los retos legales mediante un estudio de caso aplicado a una pequeña empresa (PYME en adelante) de la ciudad de

Sincelejo, Sucre.

Palabras clave: gestión del conocimiento; responsabilidad social empresarial; derecho privado colombiano.

INTRODUCTION

Knowledge management, knowledge societies, and corporate social responsibility (CSR) are fundamental pillars of the 21st-century business environment worldwide. These concepts have become key elements for the sustainable growth, competitiveness, and legitimacy of organisations in an increasingly interconnected world that is aware of social and environmental challenges. In this context, the Colombian legal framework, particularly private law, plays a crucial role in establishing the basis for regulating and promoting responsible business practices.

The 21st century has witnessed a revolution in Knowledge Management and the emergence of Knowledge Societies, where information and learning play a fundamental role in the business world. In this context, Corporate Social Responsibility (CSR) has become an ethical and strategic imperative for companies seeking to operate sustainably and ethically.

These dynamics have given rise to significant legal challenges for companies, and the case study below with the company Renderixarte, located in Sincelejo, Sucre, Colombia, between 2022 and 2023. It provides an opportunity to explore these challenges in detail. Renderixarte, a company founded and managed by architecture students (now professionals) who decided to take their business model as a degree option through the initiative of the Caribbean University Corporation CECAR, which seeks under its social responsibility to motivate young people to create businesses and strengthen the productive sector, has been immersed in the field of technology, creativity, and innovation. As a growing company in a region with great potential for business development, Renderixarte faces a series of legal challenges related to Knowledge Management and CSR in Knowledge Societies.

Issues such as privacy and data protection in technology and creative projects, intellectual property of its developments, regulatory compliance in the technology industry, transparency in knowledge management, and social responsibility in the community of Sincelejo and Sucre will be analyzed. By exploring these legal challenges, it aims to illustrate how, through Renderixarte, knowledge societies have been formed, adopting CSR practices in their business strategy and their contribution to local development. In addition, it will highlight the opportunities and best practices the company has implemented to manage its knowledge ethically and sustainably in the regional context. This case study will provide an in-depth insight into the legal challenges and an understanding of how start-ups can contribute positively to society while navigating an ever-changing business environment.

How does the company Renderixarte face the legal challenges arising from Knowledge Management and Corporate Social Responsibility (CSR) in the context of Knowledge Societies within the framework of Colombian Private Law between 2022 and 2023?

Objective

To analyze the Legal Challenges of Knowledge Management and Knowledge Societies vis-à-vis Corporate Social Responsibility. Case study: Company Renderixarte S.A.S. Sincelejo, Sucre, Colombia, years 2022-2023.

METHOD

Research Approach

The research development will use a qualitative approach since it is directed at understanding the problem in front of normative dispositions without using numerical measurements to form the knowledge. According to Hernández Sampieri: 'It is important to highlight that this approach allows us to examine how individuals perceive or experience the facts that surround them, highlighting symbolic interactionism' (Hernández-Sampieri, 2018), which in a methodological sense reflects the variables and categories that will have to be taken into account to carry out the research linked to this approach.

Type of Research

The research will be developed through descriptive-explanatory research based on the analysis of the factors that have a significant impact on the management of knowledge and knowledge societies in the business environment through the investigation of the regulations within the legal system that regulates the subject, for which the political constitution of Colombia, the most relevant laws and doctrines will be consulted in order to scrutinize the factors that affect corporate social responsibility.

According to Sampieri: "The descriptive scope allows us to identify the characteristics, properties, dimensions, and regularities of the phenomenon under study. The explanatory scope of this research allows us to understand why the physical and social phenomena surrounding the object of the research occur and under what conditions they manifest themselves" (Hernández-Sampieri, 2018).

Research Method

The research method to be used corresponds to legal hermeneutics since legal texts and sources will be interpreted using the interpretative rules established in the Colombian civil code. Legal hermeneutics refers to the interpretation of law, traditionally of the legal norm, and is commonly located within the central themes of the philosophy of law. Socio-legal research centre at the Autonomous University of Mexico.

Sources and Techniques for Collecting Information

In the research, primary sources will be used in the case study applied to the company Renderixarte S.A.S. This information will be collected through an interview with the company’s legal representative. Secondary sources will also be the Colombian constitution, legal norms, jurisprudence regarding the factors that affect knowledge management and knowledge societies in corporate social responsibility in Colombia. These contain primary information that is synthesized and reorganized. They are designed to facilitate and maximize access to primary sources or their contents. They allow confirmation of research findings and expand the information content of a primary source.

RESULTS

Table 1.
Organisational processes for collecting and processing information

Stages of knowledge management /Categories to be evaluated	Description
Stage 1 - Capture and/or creation of knowledge	In this first phase, information is gathered on specific management practices that can improve well-being and are linked to productivity, or that are simply actions that can bring good results in any organisational aspect if practised in the short, medium or long term. This constant search, which allows for the promotion of fresh ideas and contributes to the creation of knowledge, elevates the mission beyond competitive aspects and allows knowledge to be generated and managed.
Stage 2 - Dissemination and/or transfer of knowledge	Once the first phase has been completed in accordance with the logical order, the information and knowledge sources found during this initial experience are shared so that this process can be appreciated and developed, but above all so that it can take on a collective character.
Stage 3 -Acquisition and application of knowledge	In the final phase, it is consistent with what has been learned to share and systematise it, especially if, when socialising, in addition to its acceptance, its usefulness has been verified according to the context in which it is to be applied. Compliance with these phases allows for the proper management of knowledge in the corporate environment according to the references studied in this course.
Application to context	Based on the stages described above, knowledge management processes in organisations are evaluated.

The previous stages are also the categories considered for the instrument’s design. These characteristics made it possible to establish a relationship between corporate knowledge management and how the parameters are established within corporate social responsibility below (table 2). The company’s majority shareholder, RENDERIXARTE, answers the questions established by phase due to their relationship with the category to be evaluated.

Table 2.*Processing of the interview instrument with the company Renderixarte*

Categories/	Questions	Answers
Stage 1 - Capture and/or creation of knowledge	How did you start your business idea?	
	What were the steps taken to formalise this business idea?	Our business idea began in the entrepreneurship course taught in the 6th semester of architecture. Initially we proposed an application that would allow students to 3D print furniture for their models. It then evolved by providing support and advice to students who had no equipment or knowledge of architectural design and visualisation software, thus Renderixarte, an architectural studio, was born.
	How long has it been since the establishment of your company?	First we explored the university market (2019), after a year we began to carry out the first business projects (2020), in the fourth year we entered the entrepreneurship centre of CECAR with a business model 'Renderixarte', with their support we achieved legalisation in the chamber of commerce (2022).
Stage 2 - Dissemination and/or transmission of knowledge	What have been the key processes for the growth of the company?	From 29 August 2022 to date it has been 1 year and 1 month.
	How many people work in your company?	The public-private relationship with entities and people, the constant learning, training received, attendance to fairs.
	What are the most relevant human resource areas for the proper functioning of your company?	13 (Thirteen)
Step 3 - Acquisition and implementation Procurement and implementation	Do you consider these areas to be knowledge-producing? What kind of knowledge?	Architect, Civil Engineer, Topographer, Lawyer, Accountant, Social Communicator, Artist, Graphic Designer
	Did you know that companies that have intellectual production can register it as effective processes for the growth of the industry or specific sector in which they are located?	Yes, professional and empirical knowledge given by study and experience.
	How could your company set an example and drive the growth of your economic sector?	We do not have extensive knowledge in this field.
	What strategy could you recommend to entrepreneurs and new entrepreneurs in terms of creative processes or human talent management in their organisations?	Our company gives the example of architectural designs designed for human habitation, beyond commercialisation. We can drive growth by generating employment and public-private investment.
Three Categories	10 Questions	10 Answers

Figure 1.

Photo of Renderixarte's participation in the Anato national showcase, year 2022



Source: Multimedia archive of companies Renderixarte S.A.S.

Figure 2.

Photo of the participation in public space intervention as a tactical urban planning and business marketing strategy with investors in Sincé, in the year 2023



Source: Multimedia archive of companies Renderixarte S.A.S.

After the theoretical, conceptual, and normative research work on the references of knowledge management and knowledge societies in the business environment in Colombia, it was necessary to consider the closest context and understand what changes have been occurring recently regarding understanding the productive environment. The experience of the sample with the founding partners of the company Renderixarte and their outstanding work at a very young age of no more than 25 years is a sign of how the company is taking on new modalities that adapt to an increasingly demanding system as it is no longer only about who knows but also how they apply it and what social, cultural and economic impact it has on the population where they offer their services.

In the past, it would not have been easy to connect an architectural studio with alternative works that the national media could take up. Still, today's everyday life shows us that it is possible but necessary to resort to noisy strategies

to generate changes in collective dialogue. It is also a way of measuring what the public thinks about specific actions before turning them into a line of business. As a result of the interview, it stands out that Renderixarte is a company with few years of experience in the market. Yet, it has accumulated meaningful participation in local and national showcases for its innovative offers and services that could be called atypical, something that its partners use as a competitive advantage, even if the participants of the sample cannot see it as knowledge generation or do not know how to identify it under that conception, there is an interesting production of information that could be used as an impulse for similar industries in terms of their corporate name and branding, and this has a direct impact also on how the developments at the legal level should be to regulate the avant-gardism and all the practices that companies in their relationship with multidisciplinary factors are constantly developing.

The relevance of knowledge management in organizations stands out in any environment; nowadays, a company can't function correctly if it has not considered the strategies with which it intends to sell its brand/product to its public and, above all if it does not consider doing so responsibly, understanding its social function, because communication is one of the most basic and instinctive aspects of human beings.

Through the possibility of interacting, many other actions are achieved, needs are created, needs are met, and new perspectives are formed and shared. Therefore, the work of an organization that seeks to adapt to the constant social changes consists of permeating the social vision of solutions of creations in terms of trends, advising those who need it through the expansion of their ideas, and, for all of the above, it is a task that requires constant research to be able to use all the media resources that are available, We talked about how little by little the virtual world is gaining ground over physical shops for example and how marketing must transcend so that communication is effective between the parties, maintaining a close relationship that generates credibility is complex but possible if it is planned with accuracy.

Companies that implement Knowledge Management practices tend to be more competitive, which can positively impact the country's economy. Knowledge Management-driven CSR can improve the corporate image of companies in Colombia, generating greater trust from consumers and society. The need to adapt to a changing business environment, growing social awareness, and the relevance of complying with legal and regulatory requirements drive the significance of these approaches, which in turn has a positive impact on sustainable development, business competitiveness, and the improvement of corporate image in the country.

CONCLUSIONS

In response to the problem question about the legal challenges of Knowledge Management and Knowledge Societies about Corporate Social Responsibility in the case study, the result and synthesis of the literature search and the normative and jurisprudential interpretation was that companies as indispensable actors in the dynamization of the economy and the labor market have a relevant social mission for the construction of knowledge and intersectoral work that benefits sustainability, the overcoming of poverty, technological advances, among other elements that are directly related to the development of the country. The right combination of processes in the company positively impacts achieving results, thanks to the automation of tasks, adequate use of time, increased productivity, strengthening of organizational communication, and generation of a culture of change and continuous innovation.

However, the key to the success of this combination depends on the leadership capacity to inspire employees, define achievable objectives and strategies, evaluate, correct, and eliminate processes and tools that do not work in achieving the result, and make assertive decisions for the transformation and competitiveness of the organisation through the satisfaction of customer needs. Therefore, management must be given through quality control of these processes involved in the changes and innovations necessary to materialize Corporate Social Responsibility principles. Hence, Knowledge Management and Knowledge Societies pose several legal challenges in the field of Corporate Social Responsibility (CSR):

1. Privacy and data protection: knowledge management involves collecting, storing, and using large amounts of personal data. Companies must comply with privacy and data protection laws, such as the General Data Protection Regulation (GDPR) in the European Union, and ensure that data is used ethically and securely.
2. Intellectual property: knowledge management often involves creating and sharing intellectual content. Companies must respect intellectual property rights, such as patents, trademarks, and copyrights. This means respecting the rights of others and protecting their intellectual assets.
3. Regulatory compliance: companies operating in Knowledge Societies must comply with various regulations and standards, such as those related to information technology, cybersecurity, and environmental protection. CSR involves compliance with these regulations and the adoption of ethical practices.
4. Liability for damages: knowledge management can lead to situations where companies are liable for damages or harm caused by disseminating erroneous or damaging information. Companies should be aware of their liability and take measures to prevent harm.
5. Transparency and accountability: CSR implies the need to be transparent in how knowledge is managed and used. Companies should report on their knowledge management practices and their impact on society. This may involve publishing sustainability reports and being accountable to stakeholders.

6. Supply chain social responsibility: companies practicing CSR should consider not only their operations but also those of their suppliers and business partners. This ensures that ethical and environmental standards are applied throughout the supply chain.

7. Human rights: knowledge management and Knowledge Societies often operate globally, which raises challenges in respecting human rights in different jurisdictions. Companies need to be aware of the human rights implications of their operations and take steps to prevent violations.

In the study of the company Renderixarte, it was identified that they are currently in a stage of growth and positioning in the market whose challenge and main legal challenge is to achieve alliances with local and national brands and companies through knowledge management processes, intersectoral work, and synergistic collaborations. Therefore, the recommendations based on the findings were the following:

1. To build customer loyalty under the vision of a service that offers much more than architecture: CSR allows people to know in depth the purpose of a brand and feel part of the common objectives if the value proposition of Renderixarte is the positive social impact through public space intervention programs, it must have the legal tools that allow the transfer of knowledge can occur in an organized and fair way with those who wish to participate and thus reduce labour risks, possible claims for tort liability, discrimination, intervention of protected environments, among others.

2. Ethical use of data: given the nature of some spaces' interventions, it will be necessary to handle volumes of essential data and sensitive socio-economic information on communities, artists, painters, and other professionals with whom we work in intersectoral collaboration. Renderixarte must have timely legal advice to make responsible and ethical use of the information requested through the appropriate formats, thus avoiding possible conflicts or controversies that could arise due to corporate responsibility in this regard.

3. Personalised advice for the application of contract law: due to the contracting needs that may arise from the public exhibition, it is recommended that Renderixarte and any other local company that wishes to implement a knowledge management system resort to personalized advice regarding the drafting of contracts of a commercial, labor, and public nature, among others. This is the only means of protecting the company against foreseen eventualities and external factors outside its own operation.

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FINANCING

None.

CONFLICT OF INTEREST

The authors declare that there is no conflict of interest.

AUTHORSHIP CONTRIBUTION

Conceptualisation: María del Carmen Sierra Buelvas, Lady Andrea Diaz Álvarez, Berónica Narváez Mercado.

Data curation: María del Carmen Sierra Buelvas, Lady Andrea Diaz Álvarez, Berónica Narváez Mercado.

Formal analysis: María del Carmen Sierra Buelvas, Lady Andrea Diaz Álvarez, Berónica Narváez Mercado.

Research: María del Carmen Sierra Buelvas, Lady Andrea Diaz Álvarez, Berónica Narváez Mercado.

Methodology: María del Carmen Sierra Buelvas, Lady Andrea Diaz Álvarez, Berónica Narváez Mercado.

Project management: María del Carmen Sierra Buelvas, Lady Andrea Diaz Álvarez, Berónica Narváez Mercado.

Resources: María del Carmen Sierra Buelvas, Lady Andrea Diaz Álvarez, Berónica Narváez Mercado.

Software: María del Carmen Sierra Buelvas, Lady Andrea Diaz Álvarez, Berónica Narváez Mercado.

Supervision: María del Carmen Sierra Buelvas, Lady Andrea Diaz Álvarez, Berónica Narváez Mercado.

Validation: María del Carmen Sierra Buelvas, Lady Andrea Diaz Álvarez, Berónica Narváez Mercado.

Visualisation: María del Carmen Sierra Buelvas, Lady Andrea Diaz Álvarez, Berónica Narváez Mercado.

Writing - original draft: María del Carmen Sierra Buelvas, Lady Andrea Diaz Álvarez, Berónica Narváez Mercado.

Writing - proofreading and editing: María del Carmen Sierra Buelvas, Lady Andrea Diaz Álvarez, Berónica Narváez Mercado.