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The making of an oil frontier: Territorialisation dynamics in Uganda's emerging oil industry

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ABSTRACT

Extractive industries are operating in an increasingly complex global context with concerns about human rights, environmental protection, and transparency high on the agenda. To establish a new oil project, oil companies must navigate a landscape of competing territorialisation processes, where the state and extractive companies put in place measures to recognise community rights, conduct ESIAs and provide local benefits. Indigenous groups, social movements and NGOs may challenge these efforts by demanding greater rights protection and benefits, or by resisting extractive industry projects. Drawing on the post frontier concept, this article explores territorialising and counter territorialising dynamics in Uganda during the pre-oil stages of the industry. We find that the drivers and agents of competing territorialisation processes change over time as the industry develops. This is due to the changing role and priorities of oil multinational companies (MNCs) over time, constraints on Ugandan civil society, and tension between the interests of the state to push through oil infrastructure projects and the pressure on oil MNCs to uphold international standards of human rights. We find that the Ugandan post frontier is emerging through a negotiated process, however, not one that is locally responsive and based on consensus but driven more by the changing priorities of oil MNCs and the need to mitigate risk.

1. Introduction

Extractive industries are operating in an increasingly complex global context with concerns about human rights, environmental protection and transparency high on the agenda (Bridge and Le Billon, 2017). The predatory forms of extraction that characterised oil and mining developments in the twentieth century, tragically demonstrated in the Amazon, Nigeria and Angola amongst others, are no longer viable (Larsen, 2015). As an outcome of decades of struggle by social movements, indigenous groups and other communities adversely affected by extractive industries, the contemporary extractives frontier is characterised by a variety of social and environmental practices and projects that are frequently subsumed under the banner of 'corporate social responsibility' (CSR) (Gilberthorpe and Banks, 2012; Hilson, 2012). This new regulated frontier, in which concerns for indigenous rights and environmental protection are pro-actively worked into resource management plans, is referred to as the 'post frontier' (Larsen, 2015). In the post frontier, oil companies must navigate a landscape of competing territorialisation processes, reflecting the contested nature of extractive industry projects. Territorialisation in this sense does not refer strictly to the claiming of territory, but involves multiple processes by which territorialisation is mediated, negotiated, and practiced through diverse forms of agency by states, extractive companies, indigenous groups, social movements and NGOs (Delaney, 2009; Larsen, 2015). These competing processes of territorialisation in the post frontier context can make extractive spaces dynamic and volatile (Haarstad and Wanvik, 2017; Larsen, 2015).

Through the post frontier lens, this article explores the competing processes of territorialisation in Uganda's oil frontier, where oil exploration in the remote Albertine Graben region began in the late 1990s during the so-called 'new scramble' for Africa's oil (Frynas and Paulo, 2007). By unpacking the dynamics of the oil exploration period, we highlight the negotiated character of the post frontier in Uganda and show that the drivers and agents of competing territorialisation processes are subject to change as the industry develops. This is due to the changing role and priorities of oil multinational companies (MNCs) over

Abbreviations: CSO, Civil Society Organisation; CLO, Community Liaison Officer; CSR, Corporate Social Responsibility; DGF, Democratic Governance Facility; MEMD, Ministry of Energy and Minerals Development; MNC, Multinational company; RAP, Resettlement Action Plan; SFI, Strategic Friends International; JVP, Joint Venture Partners; ESIA, Environmental and social impact assessment; EACOP, East African Crude Oil Pipeline.

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time, constraints on civil society activity, and tension between the interests of the state to push through oil infrastructure projects and the pressure on oil MNCs to uphold international standards of human rights.

We also highlight the importance of the subnational level as the space where the micro-politics of oil play out and contribute to shaping the context for the future oil industry. This has broader relevance for contemporary oil frontiers emerging in East Africa and beyond. Following commercial discoveries of oil in Uganda were oil discoveries in Kenya in 2012, significant gas discoveries in Tanzania in 2015, and offshore oil finds in Mozambique in 2017 (Graham and Ovadia, 2019). This boom in oil and gas discoveries was integral to the framing of East Africa as the 'last energy frontier' for the expansion of the global economy (DeLoitte, 2014).

Scholarly interest in the subnational dynamics of these nascent producers has stemmed from concerns about oil and gas production in historically marginalised regions and the potential impacts on conflict, identity and exclusion, often framed in terms of a 'resource curse' (Frynas and Burr, 2020; Orr, 2019; Poncian, 2019). Previous studies of oil in Uganda have focused on issues around land, livelihoods and local expectations in relation to oil in the Albertine Graben (Kinyera, 2019; Olanya, 2015; Mawejje, 2019).

Our use of the post frontier lens to explore subnational dynamics in the pre-oil stages of Uganda's oil industry highlights the changing and dynamic nature of the interests and actors involved in the making of a contemporary oil frontier, and brings a cross-scalar dimension to the analysis. By providing further insights to the social and political processes taking place as Uganda's oil industry develops, we contribute to the scholarship on oil in Uganda and to a broader understanding of subnational dynamics in the early stages of oil. We also add to recent scholarship that seeks to bring more nuance to analyses of contemporary oil producers in sub-Saharan Africa (Schritt and Witte, 2022).

The research for this article was undertaken during field visits to Uganda's Albertine Graben region between 2012 and 2015. We define the Albertine Graben as an oil frontier, given the global oil capital investment in what was previously a marginalised and peripheral area (Rasmussen and Lund, 2018; Tsing, 2005). We narrow the empirical focus to specific licence areas and the refinery site in Hoima District, and in Hoima town where engagements by oil companies and civil society organisations proliferated from 2012.

Semi-structured interviews and focus group interviews were carried out with community members in the oil licencing areas, including with village leaders, elders, women, youth, fishers and elected local government officials. Some of the research activities were part of a wider project with a Ugandan NGO partner and funded by the Democratic Governance Facility in Uganda. The research also draws on two field visits to Hoima District in Uganda in 2014 and 2015 and a follow up visit in 2016 as part of a PhD study. In Hoima town interviews were carried out with subcounty and district local government leaders and technical staff, Bunyoro Kingdom officials, oil company community liaison officers (CLOs), and subnational civil society organisations (CSOs). National CSOs working on oil and gas were interviewed in Kampala and Hoima. The lead author also observed two oil company stakeholder engagement meetings, and a CSO capacity building workshop in Hoima town. Interviews and observations were triangulated with analyses of documents and news items.

The next section engages with the literature on extractive industries and extractive frontiers, territorialisation and the post frontier. We then present the background of Uganda's oil industry. Next, we explore territorialising dynamics through three phases of the oil exploration period as the industry timeline progressed. Finally, we discuss the theoretical and empirical implications of the findings for the broader literature on extractive frontiers and extractive industries.

2. Extractive industries and the post frontier

2.1. Extractive frontiers

Extractive frontiers continue to expand, pushing into more remote, ecologically sensitive, and previously inaccessible locations. Historically, extractive frontiers have been sites of predatory capitalist expansion and violent accumulation (Rasmussen and Lund, 2018). In the post-colonial period, the expansion of extractive industry activity further into Southeast Asia, the Amazon, and the Niger Delta proceeded with blatant disregard for the environment and human rights, fomenting social conflict and economies of violence (Sawyer, 2004; Watts, 2009). The twenty-first century has seen a further deepening of the extractive frontier, driven by shifting geographies of resource supply and demand (Bridge, 2008). Many of these extractive projects are more land and resource intensive than previously (Frederiksen and Himley, 2020), and consequently, social conflicts relating to the extractive industries continue to proliferate across the globe (Andrews et al., 2017).

Extractive frontiers are often 'at the edge of the state', in regions where peasant and indigenous populations are economically and politically marginalized (Tsing 2005). Extractive activities exacerbate ongoing challenges of poverty and exclusion (Acuña, 2015; Buur et al., 2017). Global extractive companies become a dominant force in the region, appropriating land, enclosing natural resources, restricting access to vital livelihood resources, and contaminating water. Extractive policies become the priority and erase local rights to land (Watts, 2012). Dispossession, not only of land and resources, but of health, habitat, way of life, and gain from resources has longterm implications and increases vulnerabilities of communities (Acuña, 2015; Nixon, 2011).

Indigenous peoples and other rural or remote populations bear the heavy social and environmental costs of extractive activities on the lands they rely on for survival, while at the same time barely benefitting from the wealth generated (O'faircheallaigh, 2013). The dramatic increase of local resistance to extractive industries in recent years reflects the scale of opposition to their exclusionary and socially and environmentally destructive character.

2.2. From predatory frontier to post frontier

The expansion of the extractive frontier into Uganda, and East Africa more broadly, is taking place as the 'rules of the game' for the extractive industries are being transformed (Larsen, 2015). Decades of struggle by peasant movements, indigenous groups, and civil society organisations for the rights of extractives-affected and resource frontier communities to be recognised has led to the granting of community land titles, the creation of territorial reserves and protected areas, and policies to safeguard indigenous rights (Ibid.). At the same time, mounting public distrust of extractive industries and pressure from a range of constituencies (including shareholders) spurred industry action to explore their role in sustainable development and create initiatives to govern the sector (Buxton, 2012). Global NGO campaigns exposing extractive companies' complicity in human rights abuses and corruption led to pro-active efforts by several major oil MNCs to standardise practices around community engagement, and advance the international transparency agenda (Van Alstine, 2017).

Larsen (2015, 2017) terms this new situation the 'Post Frontier', which "entails a narrative shift from governance modalities of discovery, conquest and extraction to modalities of recognition, environmental protection and social safeguards" (Larsen, 2015: 2). In the post frontier era, the acceptability of extractive companies can no longer be taken for granted and companies engage in pro-active legitimacy seeking for their operations (Billo, 2015; (Smith and Van Alstine, 2022). A challenge is that while states assign rights to an oil field or mining concession through exploration licences, access to that land must be gained and maintained over time (Frederiksen and Himley, 2020). There is a tension therefore between the rights to the subsoil and the users of the surface;

and one that is rarely resolved as exploration begins (Bebbington and Bury, 2013; Bridge, 2008). Gaining access to the subsoil therefore requires not only a legal permit, but ongoing acceptability by the local population with user rights to the surface land, known in industry terms as the 'social licence to operate' (SLO). The deployment of pro-active post frontier practices and techniques is integral to a company earning and maintaining the SLO, which broadly denotes community acceptance and approval of the company to carry out its activities (Joyce and Thomson, 2000).

Today, environmental and social impact assessments (ESIAs), social management plans, risk mitigation strategies, community benefit agreements and social investment programmes are pro-actively incorporated into the extraction plans of most major companies, along with the language of sustainability, shared value and win-win outcomes. This range of social and environmental practices and projects are often subsumed under the catch-all banner of 'CSR' (Hilson, 2012). For Frederiksen and Himley (2020) these practices embody the 'quieter' forms of power of negotiation, manipulation and persuasion to control the resource space and ensure accumulation, as opposed to the overt forms of accumulation by dispossession as seen in the past.

Yet Larsen (2015) does not see post frontier practices as overt deception to ensure that corporations can continue their predatory behaviour, but rather as part of the broader governance shift in the neoliberal era. The extractive frontier continues to expand, intensifying socio-environmental crises, at the same time as rights recognition and enhanced approaches to CSR , a situation which Larsen refers to as the 'post frontier paradox'. As Tsing (2005) also remarks, a feature of the contemporary resource frontier (or post frontier) is that "making, saving, and destroying resources are utterly mixed up" (2005: 32).

2.3. A landscape of competing territorialisation processes

The shift to the post frontier implies that extractive companies must navigate a landscape of competing territorialisation processes (Larsen, 2015). Territorialisation in this sense refers to the ideologies, discourses, and practices employed to ensure that one development strategy prevails over others (Delaney, 2009). In the case of oil, territorialisation may no longer be imposed through claims of space or territory, but rather involves processes that are mediated, negotiated, and practiced through diverse forms of agency (Larsen, 2017). On the one hand, the state and extractive companies put in place measures to establish the oil project by recognising community rights, conducting ESIAs and providing community benefits. On the other hand, indigenous groups, social movements and NGOs may challenge and seek to counter these efforts by demanding greater rights protection and benefits from projects or resisting extractive industries.

Haarstad and Wanvik (2017) highlight the importance of competing territorialisation processes through their concept of the 'carbonscape'. The carbonscape concept highlights that in the post frontier era, territorialising and counter territorialising processes take place across multiple scales. It is the connections to other 'assemblages' (Delanda, 2006) that can stabilise or destabilise the carbonscape for example, CSR practices, climate discourse, market shifts or sudden changes in the global oil price. Haarstad and Wanvik (2017) show that competing processes of territorialisation (through impacts assessments, benefit agreements and CSR) and counter territorialisation (through climate discourses, environmental and social impacts), make carbonscapes inherently unstable and unpredictable. This, they argue, demonstrates the potential for change and agency in an industry such as oil that is usually presented as hegemonic and impervious to change. The concept of territorialisation understood as involving competing processes across scales is highly relevant, give the contemporary era in which Uganda's oil is of interest to a range of actors from the local to the global.

Given the complexity of how frontier spaces are shaped, and the range of actors involved at multiple scales (Barney, 2009, Tsing, 2003, Li, 2001), the contemporary extractives frontier is better understood as a process (Watts, 2012); it is something which 'takes place' (Rasmussen and Lund, 2018). In this article we follow this scholarship in conceptualising the Ugandan oil frontier as not only spatial, but also political, economic and social.

3. The Albertine Graben: an emerging oil frontier

Although the presence of oil was known of in Uganda in the early 1900s, the current era of oil exploration began in the late 1990s, during a period of stability after the turbulence of the country's post-independence period. Hardman Resources (Australia) found oil in 2006, after which Tullow Oil (UK/Irish) purchased Hardman and went on to have a run of successful oil finds throughout 2006 and 2007, taking Uganda over the commercial threshold for oil in 2009.

In Uganda, major oil players Total E&P (France) and CNOOC (China) entered into a joint venture partnership (JVP) with Tullow Oil in 2011, to each share a third operating interests in all three blocks. From that time, the industry became mired in setbacks and delays, including tax disputes, accusations of oil companies bribing ministers, and disagreements about the best way to develop the industry (Hickey and Izama, 2017).

President Museveni pushed for Uganda to develop its own refining capacity, which the oil companies thought uneconomical and unfeasible, but an agreement for a 60,000 barrels per day oil refinery in Hoima District was finally agreed upon in 2011 (Anderson and Browne, 2011). Negotiations continued about development plans for the Albertine Graben, including the oil pipeline, and as a result, the production licences for Total and Tullow Oil were withheld until 2016, while CNOOC was awarded the production licence to develop the Kingfisher basin in 2013 (Smith and Van Alstine, 2018) . In the meantime, the oil price fell to below $50 per barrel in 2014 and compounded the financial difficulties Tullow was already experiencing. Total purchased a further 21.75% interest from Tullow Oil for $900million in 2017, making Total the lead partner in the Uganda oil project. Tullow Oil then sold its remaining stake in Uganda to Total for $575 million in April 2020, marking its complete exit from the project (Nasralla, 2020).

While the wait for 'first oil' in Uganda continues, there has been a myriad of activities on and around the shores of Lake Albert in the remote Albertine Graben region. Since the late 1990s there has been ongoing exploration and development work: seismic surveys, test well drilling, heavy machinery transported in, infrastructure built (roads, drilling rigs, workers camps, bridges) permanent and temporary land acquisition (people moved, houses demolished, crops destroyed, bush cleared), noise and dust. The region is one of the poorest in Western Uganda and communities living close to the drilling sites are isolated and marginalised, being physically cut off from the rest of Uganda by a steep escarpment or by the lake. A major part of oil exploration and discoveries are in the Bunyoro region which is home to the Bunyoro Kitara Kingdom, one of Uganda's seven cultural institutions and custodian of land in Bunyoro. Oil discoveries increased tensions over land in this region that has a complex land tenure system and continues to claim colonial era injustices as a source of the region's underdevelopment (Kinyera, 2019; Sjögren, 2013).

In December 2021 the Ugandan parliament approved the East African Crude Oil Pipeline (EACOP) construction, amidst concerns about the environmental and human rights impacts of the oil project increasingly voiced by civil society actors (Tumuhimbise, 2021). Opposition to the oil pipeline continues to mount as the climate crisis deepens, with new evidence suggesting the pipeline will produce more carbon emissions than claimed (CAI, 2022). A question mark still hangs over the date for first oil in Uganda.

4. Territorialisation

4.1. Territorialisation in the early exploration phase

In the early period of oil exploration in Uganda, before commercial discoveries in 2006, territorialisation efforts by oil companies and the Ugandan state were focused on securing physical access to the oil exploration sites in the Albertine Graben region. The Ugandan state provided access rights to companies through oil exploration licences, and intensified the security presence in the region, ostensibly to protect the oil fields from incursions by neighbouring DRC (Patey, 2015). There was little interest from larger oil players at this time given the uncertainty of Uganda's oil prospects, and exploration activities were carried out by junior wildcatter oil companies; companies that explore for oil and when oil is found, move on to a new oil patch. While the wildcatters had legal rights to explore for oil, they needed to negotiate access to the lake and to land communally owned by the communities on the shores of Lake Albert, both of which provide essential livelihood resources for the lakeside communities.

Wildcatter companies distributed benefits within communities, and these benefits played an important role in ensuring community support and acceptance of the companies and oil exploration activities. Village leaders, rumoured to be on the payroll of the companies were "earning 150,000 shillings a month"[40 USD] (Local government official, July 2014). In villages where oil exploration activities were taking place, village elders, women, fishers and business owners discussed in interviews a range of benefits, including handouts of cash, temporary jobs, donations of building materials, medicines and books, and opportunities for local people to lend vehicles and supply food to the industry. Two oil companies constructed primary schools and health centres. One elder reflected: "there has been a very great improvement, the developments, the road, the school and water, and many people coming in to boost business" (Village elder, July 2014). A female community member noted improved access to healthcare: "We used to go to a private clinic but now Tullow built the health centre" (Community member, July 2014). Benefits from CSR therefore played a key role in negotiating land and resource access and was perceived by communities as being a sort of compensation for them giving up land (Frederick and Himley, 2020). "The community gave the land in expectation of things to come" as one community leader remarked (Community leader, July 2014).

As such, the direct benefits to local people were driven by the immediate needs of companies to gain access to land and resources during the exploration period. Given the 'out of sight' nature of the Albertine Graben region and the transient character of wildcatters, whose aim it is to strike oil and move on, territorialisation was ad hoc and not driven by long-term considerations or global industry standards around social engagement.

The indirect benefits from oil exploration in the region also helped to ensure community acceptance of the oil industry. Oil companies began construction of the road connecting the drilling sites at the lake to the top of the escarpment (the Hoima to Kasio road) and therefore connecting communities to the rest of Uganda by road for the first time. "They've opened us up to access and people to come. The market has increased, business has benefitted" was a typical quote (Community member, July 2014). By enabling people to access services and trading opportunities more easily at the top of the escarpment, the road had a significant impact in terms of a territorialising role, as one local government leader commented, "Whoever builds a road is a hero" (District government leader July 2014).

The centralised control and management of oil effectively constrained any counter territorialising processes at this early stage of the industry. A directive from the Uganda Ministry of Energy and Minerals Development (MEMD) in 2009 prevented access to the oil fields, excluding the traditional Bunyoro Kingdom and subnational leaders in the five-tiered decentralised government structure. Oil companies dealt directly with the MEMD at the national level, and with village level leaders at the local level. In interviews in 2012, district government and Bunyoro Kingdom representatives claimed that their requests for engagements with oil companies throughout the early exploration period were rejected; "We deal only with the Ministry of Energy" was the companies' response (Bunyoro Kingdom representative, December 2012). As one district official said: "I'm supposed to have all the information but I don't have any" (District government leader, December 2012).

The exclusion of the Kingdom at this stage of the industry fed into ongoing perceptions of exclusion given the historical marginalisation of Bunyoro (Doyle, 2006). The Bunyoro Kingdom in Uganda has curtailed political powers since the reinstatement of Kingdoms in 1996, and sits in contrast to other Sub-Saharan extractive industry contexts where cultural authorities play an important political role in negotiating access to mining concessions, such as in Zimbabwe and Sierra Leone. The lack of engagement by oil companies further exposed the exclusion of subnational government leaders and traditional authorities from the oil industry at this stage. "We are spectators in our own lands" a Kingdom official explained (Bunyoro Kingdom representative, December 2012).

Ugandan civil society organisations (CSOs) were also excluded from physically accessing the oil areas. While there was evidence of national CSOs in villages in 2008, CSO access was restricted by the 2009 MEMD directive that "no one should reach out into the villages in the oil producing areas without any permission from the Permanent Secretary" as one CSO explained it (CSO representative, January 2013). The directive also affected journalists and academic researchers, but Ugandan CSOs faced additional constraints due to Government legislation limiting their work on political issues, especially oil. Further, the work of Ugandan CSOs (most of them new to working on oil and gas issues), was focused on challenging and shaping oil legislation at the national level prior to 2012 (Van Alstine et al., 2014). As such, any pro-active counter territorialising processes in the oil region at this stage were not evident and wildcatter oil companies operated without much scrutiny or challenge.

However, this is not to suggest that there was no evidence of underlying discontent relating to the changes taking place and the exclusion of important actors. It was the case that the people benefitting from CSR projects and unskilled labour opportunities tended to be in the immediate vicinity of the oil companies' camps or connected to the village leaders. This situation had led to some discontent amongst local people who perceived they were negatively impacted and yet received no share of the benefits. Complaints heard by the research team included health concerns about dust, increased noise, cracks to houses from drilling, garden plots trampled during surveys, and animals killed by trucks. Loss of access to fishing and other resources was an issue for some local people. Fishers explained in interviews that they had lost access to the lake for periods of time: "They tell us to stop fishing for a whole week without compensation" one explained (Fisher, December 2012). In a focus group interview women discussed how access to areas used for firewood and herbs for medicines was reduced: "We can now access the areas two days in a week whereas before it was free every day" (Community member, December 2012).

A further source of discontent was related to compensation for the people moved during construction of the Hoima to Kaiso road, which began in 2011. In field visits in 2012 and 2013 the research team heard multiple stories of people not yet compensated for land and crops that were assessed in 2009. Others had received compensation but said that land and property were undervalued; "somebody has a property that's worth 20 million [5300 USD] and is being compensated 450,000 shillings [120 USD]" was a typical quote (Community member, March 2013).

Therefore, given the exclusion of the Bunyoro Kingdom and district local government from decision-making and access, and low-level grievances around impacts and compensation, the seeds were sown for counter territorialising dynamics to emerge as the industry timeline progressed. However, in the early exploration phase these low-level grievances were not yet a challenge to the territorialisation process. In the context of limited engagement by subnational government, cultural leaders and CSOs in this early stage of exploration, oil companies were the main source of interaction and information on oil issues at the community level (Van Alstine et al., 2014). This level of company-community interaction, combined with the direct and indirect benefits from the industry meant that at the community level at this early stage, the industry appeared to be welcomed as a source of potential opportunity for the region.

4.2. Towards first oil and pro-active post frontier measures

In the post-2011 phase of the industry, with investment from major oil players Total E&P and CNOOC territorialisation shifted from the ad hoc engagement seen in the early exploration phase to a more professionalised approach reflecting industry norms and standards. Social issues management and risk mitigation became a priority as the project moved towards the production stage of the industry timeline.

After the commercial threshold for oil was passed in 2009, Tullow Oil transitioned from a wildcatter oil exploration company to an oil production company. Tullow went through a period of internal restructuring and placed greater emphasis on industry standards to guide operations (Tullow Oil plc, 2010). As a central government official reflected “Tullow brought in a professional as manager [in Uganda], and things had to be done to acceptable international standards of working” (Central government official, July 2014). In line with industry practice, Tullow employed Ugandan CLOs to manage the community relations function at the local level, meaning that interactions were no longer between senior management and local people (Smith and Van Alstine, 2022).

The arrival of Total and CNOOC consolidated standardised approaches to territorialisation as the two companies began to establish a presence in the oil region. In contrast to the earlier junior oil exploration companies, Total and CNOOC are global oil production companies with annual revenues (in 2014) of $212 billion and $44.7 billion respectively. Both companies state commitments to the principles of the UN Global Compact to meet fundamental responsibilities in human rights, labour, environment and anti-corruption, and both companies have developed human rights standards based on UN guiding principles (interviews with Total social engagement team, January 2013 and CNOOC social engagement team, July 2014 and February 2015). The increased investor interest, and the company’s membership of the FTSE 100 Index opened Tullow to greater scrutiny of its social and environmental performance and therefore Tullow began to draw on the same UN guidelines and IFC social performance norms to inform its corporate engagement strategy (Smith and Van Alstine, 2022).

As a result, in this phase of the industry there was clearer evidence of post frontier measures employed by all three oil companies; to manage the resource space in Uganda in line with international standards, build support for operations and mitigate risk. Like the wildcatters, the priority for the JVPs was to ensure land and resource access to enable activities to progress. However, reflecting the longer-term horizon of the companies’ involvement in Uganda and the fact that activities were going to scale up and become more impactful, company community liaison officers made explicit reference to the ‘social licence to operate’ in interviews, and explained that the focus of social management plans was “impact mitigation” and “social issues management” (interviews with Tullow Oil, July 2014; Total, January 2013; CNOOC, July 2014). Post frontier measures such as land acquisition policies, social baseline studies, local hiring policies, grievance management mechanisms and social investment projects were therefore pro-actively incorporated into social management plans, as CNOOC explained:

“We are working to ensure the social management plan is implemented, our contractors must have a social management plan, it’s CNOOC’s policy that they have to employ local liaison officers who know the local language and recruit local staff” (CNOOC CLO, July 2014).

Tullow Oil’s corporate engagement function was now directed towards "supporting operations". The village-level CSR which was the focus of the earlier exploration period was replaced by a "social investment" approach that was tied to managing impacts (Smith and Van Alstine, 2022). Companies discussed the expected social issues of population influx, strain on social services, demands for jobs and pressures for benefit-sharing locally. Pro-active engagement with these potential issues is an important risk mitigation strategy, with risk relating both to the oil project itself through preventing the potential for costly stoppages, and reputational risk that might undermine investor confidence (Witte, 2018).

The shift towards social issues management as a priority opened opportunities for greater stakeholder inclusion. Informal community engagement at the local level was supplemented by a more formalised programme of scheduled stakeholder engagements that began to include engagements at the subcounty and district levels, in addition to the local (village) and national levels. District local government and the Bunyoro Kingdom, excluded in the earlier stage of the industry, were included via these formal stakeholder meetings.

However, there was no evidence that companies had engaged with local stakeholders to develop and implement social management plans, rather, these were based on expectations of social issues likely to occur in extractives contexts in the context of risk mitigation. Tullow Oil and Total contracted international consultants to advise and develop social investment strategies and local hiring policies. While stakeholder engagement meetings were now formalised and held regularly at the district level from 2012, several interviewees noted that meetings were a one-way dialogue, where companies and MEMD provided information about the industry and did little to meet the expectations of stakeholders. “You come to the meeting, and you leave with your issues”, as one woman commented (Community member, February 2015). Another said: “In the meetings they give updates on oil, they don’t help us with community” (Community member, February 2015). Indeed, according to key informants, oil companies delivered presentations that were pre-approved by MEMD and consisted of updates on oil industry developments locally, and (future) plans for CSR projects. There was little opportunity for stakeholders to ask questions, with interviewees claiming that those who did ask questions were ‘cherry picked’ from the audience.

Therefore, rather than a platform for post frontier negotiations between companies and local stakeholders, stakeholder engagement meetings were a way for companies and the government to present information. Furthermore, subnational civil society interviewees claimed that they continued to be overlooked for stakeholder meetings by the oil companies. Oil MNCs engaged national CSOs in stakeholder meetings at the national level in Kampala, but subnational CSOs reflected that they were excluded and not seen as “serious stakeholders” at this time. As such, the one-way stakeholder dialogue, continued exclusion of civil society voices and consultancy-led social management plans demonstrate that at this stage of the industry, post frontier practices in Uganda were being informed and shaped by external norms and practices geared towards mitigating potential risks.

In terms of counter territorialising dynamics, there was an increasing amount of community and civil society interaction taking place in the oil region from 2012, largely driven by international donor funding. While the political space for civil society work on oil had narrowed (due to donor and CSO involvement in challenging oil legislation in 2011), CSO oil and gas workshops proliferated (Van Alstine et al., 2014). These workshops were held mainly at district and subcounty levels in the oil region and brought together stakeholders for ‘sensitisation’ (meaning to make someone highly aware of an issue) on topics such as transparency in oil and gas, financial education, the potential environmental impacts of oil, land issues and women’s rights (Smith, 2020). Through these workshops, interactions between subnational authorities, subnational CSOs, national CSOs and community representatives became more frequent. However, CSOs struggled to include the oil companies in the workshops, explaining that despite CSOs repeatedly inviting companies to attend, the companies would not turn up and “the communities were taking us for jokers” (CSO representative, July 2014).

Nonetheless, in the post-commercial discoveries phase of the industry, key changes were taking place in terms of oil companies becoming increasingly focused on social issues management, and grievances and issues relating to the impacts of oil being more clearly articulated. As we show in the next section, grievances relating to land acquisition and compensation came to a head in 2013 and 2014 and presented a challenge to oil companies’ social management and risk mitigation plans.

4.3. Escalating industry impacts as counter territorialising dynamics

The escalating impacts of the industry throughout 2013 and 2014 became deterritorialising processes, as grievances relating to land acquisition, displacement and compensation presented a tangible challenge to efforts to territorialise the oil project. While low level grievances broadly relating to concerns about impacts on health and livelihoods were being managed locally by oil company community liaison officers and community leaders, grievances about compensation for land acquired by the industry were more challenging to resolve. Land assessments and land acquisition for the development phase of the industry, which required infrastructures for roads, the oil refinery and waste plants, were taking place as land and compensation issues from the previous phase of the industry remained unresolved.

Furthermore, these land related grievances were set in a wider context of land disputes, land fraud and land grabbing in Bunyoro since the oil discoveries (Uganda Land Alliance, 2011). In interviews, many community interviewees spoke about the fear of being evicted or "chased away" from their land without compensation. As one CSO explained “Most people don’t have land titles, and people are anxious that other people may be coming to take land” (CSO representative, February 2015). The oil companies themselves acknowledged that land acquisition had gone ahead before compensation payments were made, and in some cases people were promised compensation based on land titles that later turned out to be incorrectly obtained, meaning that compensation was withheld.

Grievances relating to land and compensation escalated considerably in 2013 when the government acquisitioned 29.5 square km of land for the oil refinery site in Hoima District, affecting over 7000 people in thirteen villages whose livelihoods depended entirely on the land. The families were offered either resettlement to new plots of land or monetary compensation, with most families choosing the latter option. The government appointed a Ugandan company Strategic Friends International (SFI) to implement the Resettlement Action Plan (RAP), which began with land and crops assessments on the refinery site in 2012 and quickly ran into problems. Similar issues emerged in the valuation and compensation process as with the Hoima to Kaisoroad, with disputed land values, delayed payments and payments not received. Compensation rates calculated based on values of land in 2012 did not consider the inflated price of land, and therefore people receiving compensation in 2013 and 2014 were unable to purchase similar, as a CSO commented: “People in the communities are suffering. 4 million shillings compensation [1000 USD] won’t even buy a plot” (CSO representative, February 2015).

Further problems emerged due to the misuse of compensation money, which for many people in the peasant farming communities represented substantial amounts of cash, received in one lump sum. Many families were left destitute in a short amount of time as compensation money was frittered away and they were left with no money and no land to sustain their livelihoods (Serunkuma, 2022). The process of rehoming the families opting for resettlement dragged on for several years leaving those families in a state of limbo as they were prevented from planting crops during the long wait. In interviews with subnational government officials, Bunyoro Kingdom and CSOs in 2014 and 2015, interviewees discussed the direct and indirect social impacts of the refinery land acquisition, including increased domestic violence, families abandoned by husbands, children out of school, and impacts on food security and food production in the wider area.

As such, the refinery RAP was a key event that shifted territorialisation dynamics. Crucially, national CSOs with connections to global human rights networks raised the refinery issue globally, framing it in terms of oil-induced human rights violations in Uganda’s oil region. Organisations such as the Business and Human Rights Resource Centre began to report on the issue in 2013 and has since run numerous stories on the human rights impacts of the oil refinery resettlement process. The government responded to increased civil society advocacy around the refinery issue with threats of arrests and CSO closures, and enhanced surveillance of CSO activities; further drawing attention to human rights issues and the narrowing political space for civil society in Uganda.

The social impacts that resulted from the poor implementation of the RAP revealed the extent to which the process had not adhered to post frontier measures of gaining community consent and ensuring the rights of those affected. It was widely perceived by observers that “the state abandoned its duty of ensuring that the displaced rebuilt their lives” (ROAPE, 2021 no page). This had implications for the oil companies in terms of increasing operational and reputational risk. While the refinery was a government project and the oil companies were not involved in the RAP, the negative global attention on any aspect of Uganda’s industry, especially relating to human rights, was detrimental to the oil companies. The government’s interest to push through the refinery project prior to resolving land and compensation issues, and not provide adequate support to those affected, was therefore in tension with the oil companies’ interests to manage the industry’s social impacts and ensure the social licence to operate.

It was in this context of escalating social issues, ongoing land and compensation grievances and increasingly proactive engagement on these issues by national and subnational CSOs that subnational level stakeholder engagement became an important tool for managing community relations. From 2014 oil companies expanded their stakeholder engagement to include a wider range of stakeholders, including subnational CSOs, women and youth, and at the same time made efforts to involve stakeholders in the community engagement process. In a meeting for cultural and religious leaders observed in 2014, oil company CLOs discussed the challenges of the compensation process at length and attempted to persuade leaders of a joint responsibility to ensure harmony in communities. One CLO said “We are all part of the impacts of oil”, and another stated “You support us to make sure that couples get the money and it is used very well, to improve the life situation in the homestead other than destroying it” (JVP representative, August 2014).

There was further evidence of proactive engagement with subnational stakeholders. In an interview in 2014, a district local government leader showed a letter from the JVPs (Tullow, CNOOC and Total) requesting they meet the district government in Hoima to ‘map a way forward’ and develop a ‘vital partnership’; “After seven years, they finally want to know how we can work together” the leader reflected (District government leader, July 2014). Subnational CSOs also noted the change in the relationship with oil companies from 2014, as one noted “The companies have begun to see that there is some use in communicating with [CSO] and getting the message to communities” (CSO representative, July 2014).

A cooperative relationship between oil companies and subnational stakeholders was increasingly important, especially considering the next major phase of investment was the oil pipeline. The EACOP construction would require major land acquisition, and the resettlement and compensation process would be led by oil MNCs. Awareness of the plight of refinery residents had led to growing anxiety about the oil pipeline, as one CSO commented: “People are scared that they may be evicted and may not be compensated and have nowhere to go” (CSO representative, July 2014). As the oil companies moved into the next phase of the industry, there were clear counter territorialisation processes that increased the potential for costly operational and reputational risks.

5. Discussion and conclusions

This article explored territorialising and counter territorialising dynamics in Uganda's emerging oil frontier during the pre-oil stages of the industry. We focused on the changing territorialisation approaches of oil MNCs throughout the exploration period, from exploration through to the development stages of the industry. We also looked at counter territorialising dynamics, especially in relation to Ugandan CSOs and the impacts of oil as the industry moved to the development stages. In doing so, the article contributes to an emerging body of work on contemporary oil contexts that shows the complexities of extractive frontiers and their negotiated character (Bainton and Owen, 2019; LARSEN, 2017; Logan and McNeish, 2012; Schritt and Witte, 2018).

We highlight three contributions to the literature on contemporary oil frontiers and the concept of the post frontier. First, our findings show that in Uganda, in line with the literature, the post frontier emerges through a negotiated process. Yet while Uganda's emerging oil frontier is characterised by a range of social and environmental practices and projects, evidence of a regulated post frontier that is responsive and inclusive of local rights and demands is less clear. Rather, it appears that a key driver is the changing priorities of oil MNCs and the need to mitigate risk.

In the early stages of oil exploration, negotiations between wildcatter oil companies and local people reflect what Rajak (2017) has termed 'the gift'; an unequal exchange whereby communities give industry the use of land for benefits and the promise of future benefits. Underlying the communities' willingness to share land and resources is often the expectation of an ongoing social relationship with industry (West, 2006). While oil exploration companies appeared to be responsive to local demands, the ad hoc and informal nature of engagement centred around village leaders and transient wildcatters meant that benefits were shortterm and not distributed in an inclusive way.).

Post frontier practices implemented by Tullow, Total and CNOOC as the industry timeline progressed were not the result of a locally responsive and inclusive negotiated process, but rather shaped by external initiatives that ultimately sought to mitigate risk (Rajak, 2011). While important in terms of the industry aiming to meet standards of social safeguarding and environmental protection, there was little local input to inform CSR and social investment implemented locally. Social management plans were developed with input from external expertise and based on the expectations of issues that might arise. It was not until industry-related impacts threatened the oil companies' territorialisation process and the 'social licence to operate' that stakeholder engagement was used as more than a means to pass on information.

The literature has shown that the use of external initiatives such as CSR rarely leads to local empowerment (Billo, 2015; Shever, 2010; LARSEN, 2017) and in the long run can serve to undermine the industry's pursuit of legitimacy (Gilberthorpe and Banks, 2012). However, the shift to oil companies using stakeholder engagement as a platform to persuade and enrol local stakeholders to support them in managing community relations demonstrates the potential for stakeholders to have a greater voice. Nonetheless, the literature shows that negotiated approaches can be problematic due to disparities of power between MNCs and local stakeholders, and limited by companies' primary aim to manage and contain risk (Conteh and Maconachie, 2019, Frederikson and Himley, 2020).

A second contribution of the article is to highlight that the drivers and agents of competing processes of territorialisation in Uganda's emerging post frontier change over time. The changing role and priorities of oil MNCs led to changing approaches to territorialisation, and therefore shifted which groups benefited from CSR and inclusion in stakeholder engagement from one phase of the industry to the next. While this meant inclusion for stakeholders excluded in the earlier phase of the industry, it also meant that local people's hopes for future benefits from the industry diminished with the arrival of new oil companies with different social engagement strategies (Smith and Van Alstine, 2022). Changing territorialisation approaches therefore contributed to driving and shaping underlying social issues and struggles that would influence how the post frontier was negotiated over time.

Furthermore, whereas the post frontier concept assumes that CSOs or social movements are driving counter territorialising processes and representing community voices (Bebbington et al., 2008; Larsen, 2015), the role played by CSOs in Uganda has been more ambiguous. CSOs working on oil and gas in Uganda are constrained in multiple ways due to the centralised control of oil, restrictions to CSO activity by the state, and the lack of organic connection between CSOs and the oil communities. Furthermore, early CSO activities were focused on challenging oil legislation at the national level and promoting the resource transparency agenda. While this provided an important counter to the state's assertion of power over the oil legislation process, this was largely a western donor driven process which the literature has shown often can be about facilitating rather than challenging extraction (Phillips et al., 2016; Weszkalnys, 2011). Similar complexities in relation to the role of civil society in contesting extraction is seen in Mozambique's gas sector (Symons, 2016).

Note that while Ugandan CSOs were instrumental in raising the refinery issue globally and supporting affected residents, the support was provided only once there were serious problems because of the flawed RAP process. CSOs were not engaging refinery residents on their rights prior to the RAP. Furthermore, in their work at the subnational level CSOs did not seek to challenge oil MNCs on their social and environmental performance, choosing instead to present themselves as 'allies' to gain recognition as stakeholders. In some respects, this has paid off, as CSOs are now seen as conduits of information from oil companies to communities. This role has also been a necessary strategy given the tense relationship between the state and CSOs and the ever-narrowing political space for CSOs working on oil .

This leads to our third contribution, which is to highlight the crucial role of the state in shaping the post frontier in contexts where oil discoveries are in marginalised or peripheral regions (Orr, 2019; Poncian, 2019). The literature has shown that extractive frontiers are often characterised by state weakness or state absence, enabling oil MNCs to fill 'governance gaps' and consolidate power (Billo, 2015; Maconachie and Hilson, 2011). We show that the state has agency even in its 'absence' as an important mediator of corporate authority in the resource space, in this case potentially undermining the oil MNCs' social licence to operate and damaging reputations globally. The government's pursuance of its own interests to move ahead with the oil infrastructure projects prior to land and compensation issues being resolved and in violation of local communities' rights was in tension with the oil MNCs interests to manage the resource space according to social licence aims, international best practice, and risk mitigation strategies.

The article adds to the literature demonstrating that territorialisation in contemporary oil frontiers is an ongoing, contested and negotiated process (Bainton and Owen, 2019; Haarstad and Wanvik, 2017; Larsen, 2015). The importance of the cross-scalar dimension of territorialisation processes is illustrated by the case of the oil refinery and the global interest in this case as an oil-induced human rights issue (Haarstad and Wanvik, 2017). The ongoing social contestations hold potential for a more locally responsive, negotiated post frontier to emerge as the industry moves towards 'first oil', as local people continue to articulate their rights and interests over land (KINYERA, 2019) and oil MNC's seek to maintain the social license to operate. The contestations emerging around the oil pipeline in recent years highlight the importance of global advocacy networks to support community rights locally (Gedicks, 2001). Successful legal action taken in France against Total E&P by Friends of the Earth France and Ugandan CSOs means that Total can be held legally accountable for its impacts in Uganda. However, the subsequent pressure on Ugandan CSOs and closure of the DGF by the Ugandan government in 2021 (a multi-donor initiative which funds many of the CSOs working on oil and gas in Uganda) suggests that there may be even less space for local and international civil society in Uganda going forward.

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