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Anticipatory CSR: Legitimacy politics in Uganda's pre-production oil sector

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ABSTRACT

Corporate Social Responsibility (CSR) has become a taken-for-granted practice used by the global extractive industries, yet its role in the early stages of large-scale oil and mining projects remains underexplored. This paper presents a longitudinal study of how Western and Chinese oil companies implemented CSR in Uganda's Albertine Graben between 2006 and 2016. Drawing on over a hundred interviews and document analysis, we trace how CSR shifted from ad hoc local philanthropy to more professionalised and strategically targeted interventions as companies sought to establish operations over an unusually long exploration period. Using the lens of political CSR, we show how CSR functioned as an anticipatory political practice, through which companies negotiated legitimacy across scales, managed elite relationships, and shaped regulatory space before oil production began. We further demonstrate that CSR operated as political currency, strategically deployed to secure economic and political licences by negotiating with local communities, subnational elites, and national government actors. While companies framed CSR around the 'social licence to operate', in practice the economic and political licences took precedence as firms sought to mitigate risk, secure investor confidence, and manage state relations. The findings extend debates on political CSR by highlighting its anticipatory role, its use as political currency, and its implications for governance and benefit-sharing in Africa's contemporary extractive industries.

1. Introduction

Oil, gas, and mining projects are increasingly being developed in remote and politically sensitive regions, where governance capacity is weak, global scrutiny is high, and local communities have high expectations for benefits. Corporate Social Responsibility (CSR) has become a taken-for-granted practice used by the global extractive industries to build local support for projects and manage contemporary extractive spaces (Billo, 2015; Lind, 2021; Rajak, 2011), yet its role in the early stages of large-scale oil and mining projects remains underexplored.

Literature has emphasised the importance of extractive companies gaining acceptance by the 'host' community, for example, by providing developmental benefits through CSR (Owen and Kemp, 2013; Prno, 2013). Early critiques of CSR in extractives therefore focused on its failure to deliver meaningful development benefits, often creating dependency and exacerbating conflict instead (Blowfield and Frynas, 2005; Dolan and Rajak, 2016; Gilberthorpe and Banks, 2012).

Recent scholarship has moved beyond this view to conceptualise CSR as a political practice, examining how it is co-produced with states, deployed as a governance tool across scales, and mediated by heterogeneous and contested 'communities' (Acre et al., 2022; Frynas and Stephens, 2015; Haslam, 2018; Steinberg, 2019). From this perspective, CSR is less a voluntary contribution to development than a political technology through which companies, states, and local actors negotiate legitimacy and benefits across scales.

Our study engages with the political CSR debates by examining how CSR in the pre-production stage of Uganda's oil sector became a means for oil companies to negotiate social, economic, and political licences across scales. We use scale to refer to the different levels of jurisdictional authority and social organisation (local communities, subnational political authorities, national government, and global actors) at which CSR practices are negotiated and contested. Following Van Alstine et al. (2014), we understand scale as both a governance and spatial construct, highlighting how CSR interventions can shift across and between these levels, producing scalar tensions and reconfigurations of legitimacy.

This study examines how CSR unfolded over a ten-year pre-production period in Uganda's oil sector through a qualitative, longitudinal case study design. Following the first commercial discoveries in 2006, Uganda experienced a decade of negotiation, investment, and institutional preparation before production licences were awarded in 2016. Drawing on more than 100 interviews, stakeholder workshops, and documentary sources, we trace how CSR evolved from the ad hoc philanthropy of early exploration companies to Tullow Oil's hyper-local development projects, to the more professionalised and strategically targeted interventions of the Joint Venture Partners (Tullow, Total, and CNOOC). Using the lens of political CSR, we argue that CSR in Uganda's oil sector functioned primarily as an anticipatory political practice through which companies negotiated legitimacy across scales, managed elite relationships, and shaped regulatory space before oil production began. We further show that CSR operated as political currency,

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strategically deployed to negotiate social, economic, and political licences and to secure legitimacy with communities, subnational elites, and the national government. In highlighting these dynamics, the paper contributes to the political sociology of CSR by revealing how extractive companies construct legitimacy in new oil and mining contexts long before resource production starts.

2. Theorising CSR as political practice

Corporate Social Responsibility (CSR) has emerged as an important practice and tool for the extractive industries, with investment by oil and mining companies growing exponentially over the last decades (Frederikson, 2018). While definitions of CSR are contested, the term generally refers to a corporation's voluntary contribution to adding positive value to society through incorporating social and environmental concerns in their business operations (UNIDO, no date). Amid escalating industry-community tensions throughout the 1980s and 1990s, CSR became an important legitimation strategy for oil and mining sectors.[1] Companies came to realise that acceptance by the local or 'host' community determined the legitimacy of the company and therefore the extent to which the project might succeed (Owen and Kemp, 2013). As such, in addition to the legal, financial, and political licences required for a project (awarded by regulatory bodies, investors or the market, and host governments respectively), companies also needed a societal licence, termed by industry as the 'social licence to operate' (SLO) (Gehman et al., 2017; Hall et al., 2015). The SLO is defined as "the demands on and expectations for a business enterprise that emerge from neighbourhoods, environmental groups, community members, and other elements of the surrounding civil society" (Gunningham et al., 2004: 308). It was the importance of the social license which explained why companies chose to go 'beyond compliance' (ibid.).

While the literature acknowledges that the SLO can be pursued at different levels, much of the literature on CSR and social licence highlighted the local communities around the sites of extraction as the key focus of the companies' SLO engagement (Lacey et al., 2012), given that they can affect project outcomes and impose significant costs through protest, roadblocks, sabotage etc. (Prno, 2013; Slack, 2012).

Indeed, in some cases the financial costs to industry of losing the social license through the withdrawal of community acceptance proved to be significant, to the point of threatening extractive companies' survival (Franks et al., 2014; Idemudia, 2007) Therefore, unlike the legal licence that is static, the social licence is dynamic and has to be gained and negotiated throughout the project lifecycle (Hall et al., 2015). Much of the early CSR literature focused on this developmental role of CSR, since providing benefits to communities through social investment was seen as crucial to securing social acceptance (Prno, 2013).[2] Companies' CSR was seen to have the potential to address the development needs of marginalised communities (Owen and Kemp, 2013).

Scholars critical of this role of extractive companies as 'development agents' (Blowfield and Dolan, 2016) highlighted that extractive companies' interventions rarely improved the lives of intended beneficiaries, given that they were largely driven by companies' interpretations of what might be needed, contingent on business objectives (Smith et al., 2018). Community investments were often a weak substitute for state-led development and prone to creating community divisions, dependency or social conflict (Frynas, 2005; Dolan and Rajak, 2016; Gilberthorpe and Banks, 2012; Prieto-Carrón et al., 2006). While this critical literature was important in exposing the limitations of CSR as a development practice, more recent scholarship has focused on the political sociology of CSR by exploring its role in governance across multiple scales and arenas. (e.g. Sherer and Palazzo, 2011; Frynas and Stephens, 2015; Frederikson and Himley, 2020).

Scholarship on the political impacts of CSR added nuance to debates about CSR's impacts in extractive contexts. Frynas and Stephens (2015: 485) define political CSR as activities where CSR has intended or unintended political impacts, or where intended or unintended political effects on CSR exist. Through this lens, CSR is far from a neutral or benevolent practice but is used as a political technology to shape rules, norms and policies and mediate access to benefits (Frynas and Stephens, 2015; Frederiksen and Himley, 2020). This work highlighted that corporations delivering public goods and services, engaging in global governance or influencing the regulatory environment through voluntary CSR, are political actors (Matten and Crane, 2005; Sherer and Palazzo, 2011). Building on this, scholars examined how corporations not only fill governance gaps, but act strategically within multi-scalar governance arrangements where states, corporations, communities, and other non-state actors negotiate authority and distribute benefits (Steinberg, 2019; Nilsson, 2023; Lind, 2021).

In the context of contemporary extractive projects, the work on political CSR has emphasised CSR's discursive power to construct legitimacy (Kirsch, 2016; Rajak, 2011) and its strategic deployment as a tool to manage dissent and shape regulatory space (Himley, 2013; Haslam, 2021). For example, CSR undertaken in 'partnerships' with communities has co-opted local people into fulfilling corporate security arrangements at mines in Indonesia (Welker, 2009). In Nigeria, CSR partnerships served as a political tool to create a smooth operating environment for extraction (Zalik, 2004). Recent literature has also highlighted CSR's interaction with states and institutions that co-produce or instrumentalise CSR for political ends (Haslam, 2018; Nilsson, 2023). CSR benefits are potential 'rents' for state and non-state actors such as cultural authorities and community elites and therefore these actors may engage in rent-seeking to mediate or capture benefits (Lind, 2021; Nilsson, 2023).[3] The state may seek to intervene and control spaces of extraction through mandatory CSR programmes (Billo, 2015) or manipulate voluntary CSR to serve political objectives (Haslam, 2018). Such negotiations over legitimacy and control between extractive companies and the state are salient features of Africa's new extraction frontiers (Smith et al., 2022).

Relevant to the political CSR literature are recent studies which problematise the idea of 'community', highlighting its internally contested and heterogeneous nature which can influence responses to extraction (Acre et al., 2022; Conde and Le Billon, 2017). Communities may strategically engage with CSR, with pressure for benefits coming from those outside the immediate area of impact (Saenz, 2023) leading to ambiguity about scale (Kinyera, 2023) and contestations around which are the 'affected communities' (Jaskoski, 2022). Taken together, this body of work provides a foundation for analysing CSR in Uganda's new oil industry as a political practice. Our study engages with the political CSR debates by examining how CSR in the pre-production stage of the industry became a means for oil companies to negotiate social, economic, and political licences across scales, and situates the case study of Uganda within a broader conversation about the multi-scalar governance of extractive industries. The next section of the paper introduces the case study and method before going on to present and discuss the empirical findings of the study.

[1] Legitimacy can be defined as a generalizable perception or assumption that the actions of an entity are desirable, proper or appropriate within some socially constructed system of norms, values, beliefs and definitions (Suchman, 1995).

[2] Social investment (SI) is defined as the voluntary allocation of goods and services by companies (IPIECA, 2017) and can be considered as a form of CSR 'more focused' on sustainable development, governance and partnerships (Ndhlova, 2011).

[3] We use rent-seeking to refer to the efforts of political and institutional actors to capture a share of the benefits associated with resource extraction. In this case, through CSR projects and social investment, not by creating new value, but by leveraging authority, administrative control, or political influence (Nilsson, 2023).

3. Case study and method

Uganda's oil sector provides a critical case for examining CSR as a political practice in the pre-production phase of extractive industries. Following discoveries of commercial quantities of oil in 2006 there followed a lengthy period of negotiation, investment challenges and institutional preparation before the oil production licences were awarded in 2016. This unusually protracted exploration period provides an opportunity to study how CSR was used by different oil companies to establish legitimacy during this time and before any revenues from production.

Our case study design has multiple levels, starting with the Ugandan oil sector as its context, with a primary focus on the activities of oil companies, that effectively form embedded cases within the main case. The case design enables both analysis of the political and policy landscape and comparison between company practices within that landscape (Yin, 2009). Three oil companies - Tullow Oil, CNOOC and Total - were chosen due to their presence in the Albertine Graben and the opportunity this presented to comparatively study the CSR approaches of three very different oil companies over time. Tullow is a UK/Irish independent transitioning to an oil production company. CNOOC is one of China's largest national oil companies whose operations cover exploration, development and production globally. Total is a French multinational and one of the world's largest publicly traded 'supermajor' energy companies. The 'wildcatters' Hardman and Heritage were included in the study because they were purchased by Tullow Oil.

Production Sharing Agreements (PSAs) were signed between the oil companies and Government of Uganda in 2012. PSAs are contractual agreements between host countries and investing companies whereby foreign companies carry the risk of investment and development and recover their costs once the oil is in production, before any profit-sharing with the host government (Bridge and Le Billon, 2017). Corporate Social Responsibility investment is not mandatory in Uganda and therefore CSR costs are non-recoverable. Whilst the Ugandan government has implemented local content guidelines (also referred to as national content) which have influenced CSR spending, these expenditures are non-recoverable. None of the expenditures analysed in this paper - including infrastructure support, education, or community development initiatives - are eligible for cost recovery, ensuring conceptual consistency across the cases.

Because Uganda was considered a high-risk outlier by the industry, there was little attention initially from large oil players and the early companies were small international exploration companies Hardman Resources, Energy Africa and Heritage Oil, and later Tullow Oil which bought out Energy Africa in 2004. Exploration, appraisal, and some development activity has focused on Blocks 1, 2 and 3A, covering the Bunyoro, West Nile and Acholi sub-regions (Fig. 1). In 2010 after buying Hardman Resources and acquiring Heritage Oil's Uganda assets, Tullow Oil began to work on a 'farm down' deal to sell one-third of the Uganda assets to Total and one-third to CNOOC. The deal was completed in 2011, marking the entry of oil majors to Uganda's oil industry to operate in a Joint Venture Partnership (JVP) with Tullow Oil, each partner with a third operating interests in the three blocks (Patey, 2015).

Drawn out and contentious negotiations between the oil companies and the Ugandan government about industry development plans (Hickey and Izama, 2017), amid a struggle to find an investor for the domestic oil refinery, have pushed back the date for 'first oil' several times. While CNOOC received the production licence for the Kingfisher licencing area in 2013, Tullow Oil and Total waited until 2016 for production licences, at a time when the global oil price had fallen to below a breakeven point. In 2020, after years of financial struggles and no sign of being closer to oil production in Uganda, Tullow Oil sold its remaining stake in the project to Total for $575 million and left Uganda (Nasralla, 2020). With the target for first oil now set at 2026, twenty years after the initial discoveries by Hardman and Tullow Oil, President Museveni commissioned drilling in the Kingfisher field in the Bunyoro sub-region in January 2023.

During this time, the oil industry has brought significant change to the Albertine Graben. The region is in the western part of the Great East African Rift system and is geographically isolated and economically and politically marginalised. Some of Uganda's poorest sub-regions are here, with multidimensional poverty levels well above the national average. Livelihoods rely mainly on subsistence economies, with some small trade and cattle rearing and fishing, and Lake Albert as a major livelihood source (International Alert, 2009). Much of the oil exploration work from the early 2000s was done onshore in and around villages that are physically cut off from the rest of the country by water or by a steep escarpment. Industry needs for access to the lake area connected some of the communities to the rest of Uganda by road for the first time as recently as 2015.

The Bunyoro sub-region where oil activities are taking place is a historically marginalised part of Uganda that was violently subdued by British colonialism (Doyle, 2006). The region, which is the home of the Bunyoro Kitara Kingdom, continues to have complex relations with the central government. Uganda's Kingdoms had their role in politics curtailed under the 1995 Constitution, but nonetheless assume an important role as custodians of communally owned lands and cultural sites, which in the case of Bunyoro, oil exploration has disrupted (Witte and Nakayi, 2019). Uganda's decentralised governance system transferred several powers to the districts with the aim of democratising state power and improving local participation and service delivery (Green, 2015). Unlike many other post-colonial African states where traditional chiefs or cultural authorities have considerable powers, Uganda has instead the Local Council (LC) system with five levels of governance from the village to district levels and representatives elected or appointed at each level.[4]

The case study was developed primarily drawing on 106 semi-structured interviews carried out during a series of fieldwork trips to Uganda's Albertine Region between 2012 and 2016. Between 2012 and 2015 we spoke to community members in villages in and around the three main oil licencing areas, including with village leaders, elders, women, youth and fishers. We interviewed community liaison personnel from three oil companies (Tullow Oil, CNOOC, Total). Subnational leaders at three levels of government (village, subcounty and district) were also interviewed, as were district level CSR partner organisations, beneficiaries of CSR programmes, representatives of the Bunyoro Kingdom and subnational civil society organisations. The lead author observed oil company stakeholder engagement workshops in 2014 and 2015 held at the district level. Follow up interviews were conducted with subnational government and oil company personnel in 2016. In line with our moderate constructivist approach (Jones, 2002), we asked participants to tell us their experiences, whilst recognising that our positions as western researchers influenced how research participants engaged with us and what information they chose to disclose. Following an actor-oriented approach we aimed to understand the lived experiences of our research participants rather than to observe any 'truth' (Long, 2004). Data validation workshops and triangulation with news sources and CSR publications helped to ensure the trustworthiness of our interpretations of the qualitative data (Yin, 2009: 120).

The ten-year periodisation that we present in the article came out of the data, as some participants reflected on the earlier experiences of CSR (i.e. from 2006). Along with the periods of fieldwork, this enabled us to build a picture of CSR between 2006 and 2016 which corresponds roughly to the period before the final production licences were issued. Studying this pre-production phase where nothing is happening (in the way of oil production and profits) yet so much is happening (in the way of social, environmental and political impacts), is important to understand how dynamics in this period set up relationships and institutions

[4] Uganda's decentralised governance system is made up of five levels, from the village (LC1) to the district (LC5). The LC system is run by elected councillors, as well as appointed administrators and technical officers.

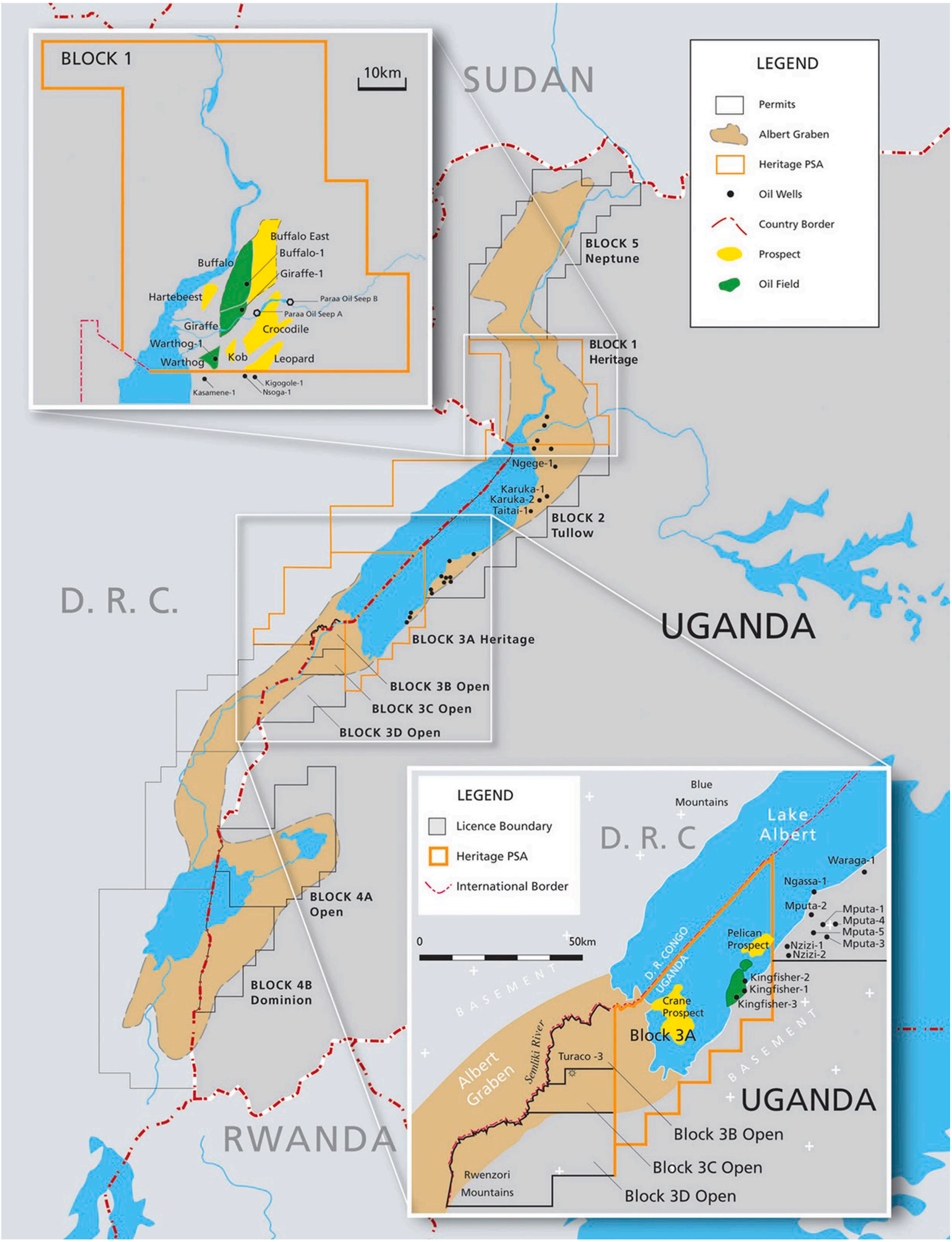

Fig. 1. Map showing oil licencing blocks in 2010. Source: PEPD Uganda.

that will mediate and influence how the oil sector operates once oil is flowing. We seek to understand what role CSR plays both in influencing and being influenced by these dynamics.

4. CSR in Uganda throughout the pre-production period

This section presents the analysis of CSR by different companies in the pre-production period of the oil industry in Uganda. We identify three key phases where companies' CSR approaches shift. Phase one (2006–2009) is the early exploration period where wildcatter oil companies made significant discoveries, and the Uganda project went from high risk to commercial viability. The wildcatter CSR activities were largely ad hoc and philanthropic, however there was significant localised investment from Tullow Oil. Phase two (2010–2012) is the period of industry consolidation and Tullow Oil's transition to an oil producing company. As Tullow professionalised and faced pressures to widen access to benefits, its CSR approach shifted to social investment beyond the area where exploration activities were taking place. Phase three (2013–2016) is characterised by the Joint Venture Partnership as the major oil players joined the sector to develop the industry to production with Tullow Oil. CSR in this phase was strategic; in that it was risk-averse and became more aligned with state development agendas. Fig. 2 captures the CSR activities and key approaches of the different companies operating in Uganda's oil sector throughout these three phases of the pre-production timeline.

4.1. The wildcatters: philanthropic CSR

Exploration drilling in Uganda's remote Albertine Graben began in 2002 by junior, independent exploration companies, known as 'wildcatters' for their willingness to drill in unproven and technically challenging locations. Although the companies had exploration rights in their licencing agreements with the Ugandan government, exploration activities were on communally owned lands along the shores of Lake Albert several hundred kilometres from the centre of power in Uganda's capital Kampala. CSR was used as a tool by the wildcatter companies to negotiate access to land and resources with the local communities. The host communities in this context are several villages comprised of homesteads at the bottom of a steep escarpment that are not connected to the electricity grid or any water supply (International Alert, 2009) People rely on the lake and the surrounding area for subsistence and other livelihood resources, access to which were disrupted by industry activities (interviews 2012, 2014).

Operations in this phase were relatively small scale and local level, and therefore access to communal land and resources was negotiated on a case-by-case basis by company personnel with support from community leaders (LC1s) and village elders. Negotiations often involved an exchange of material benefits for land access. Community leaders gave communal land for the companies to construct worker camps and access roads to oil wells with the understanding that there would be certain benefits to communities in return; "We gave land in expectation of things to come" (interview, 2014). The benefits included ad hoc donations of building materials and foodstuffs, schoolbooks, mosquito nets, medicines and cash payments. There were also bigger investments in a

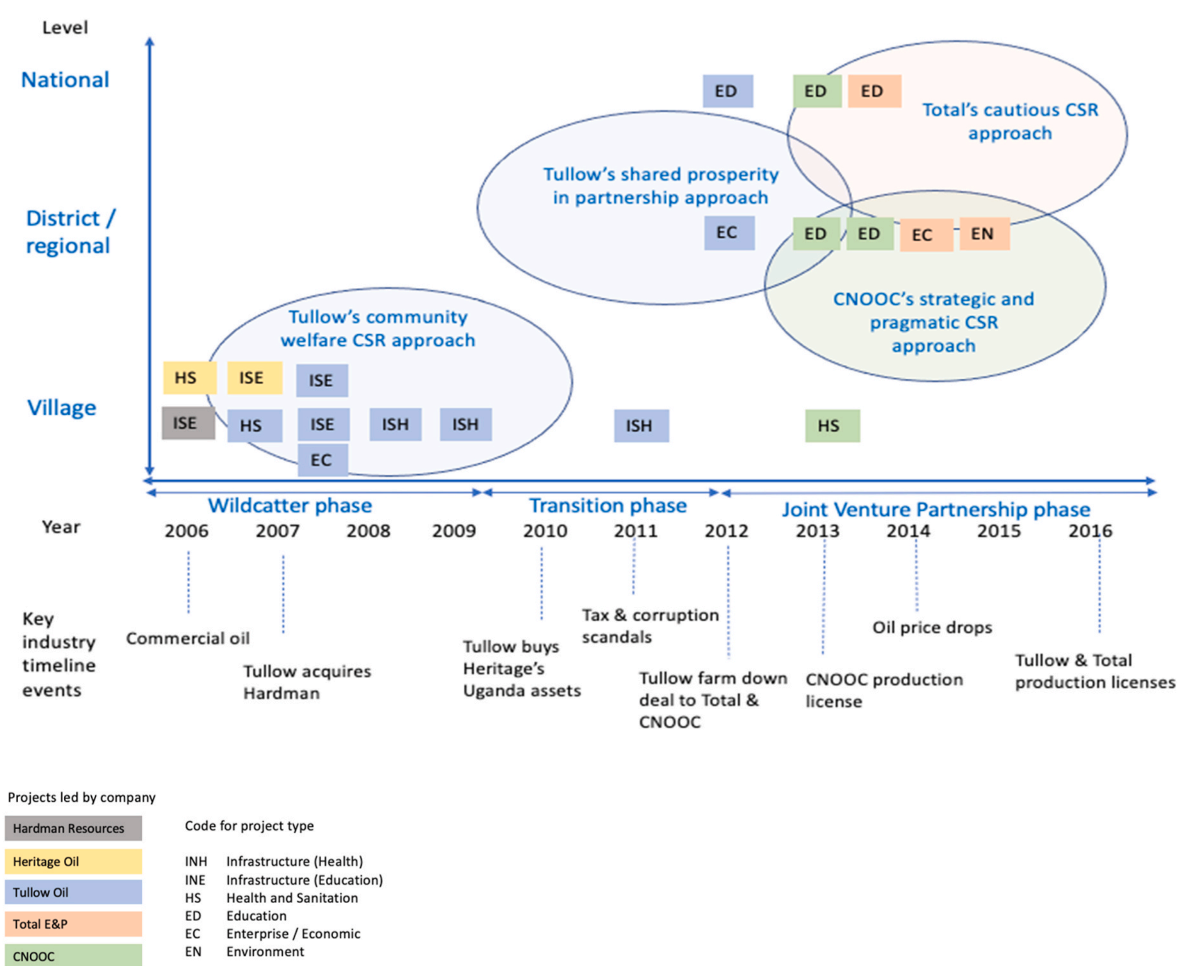

Fig. 2. CSR activities and approaches by companies over time.

primary school and installing water taps. While such benefits played a role in ensuring local support, they varied considerably between companies and between the different villages along Lake Albert, depending largely on the proximity of villages to exploration activities.

Tullow Oil went further than its wildcatter peers to channel significant investment into local level CSR projects, encouraged both by Tullow's substantial oil finds in Uganda throughout 2006 and 2007 and its then-CEO Aiden Heavey's philanthropic aims. Heavey's ambition was to 'do things differently' in Africa's oil sector by addressing social as well as economic development in Uganda (Tullow Oil PLC, 2010). He saw CSR as a means both to address the pressing development needs of the communities in Tullow's area of operation and to gain competitive edge in a sector notorious for its poor CSR record. Tullow reported to have invested $12 million among some of the Lake Albert communities hosting Tullow's operations by 2012, including in six health and education infrastructure projects, despite ongoing delays to oil production (Tullow Oil PLC, 2013).

Such a level of investment in CSR at the early stages of a project and by a junior oil company was highly unusual. While community development initiatives often accompany extractive industry operations to compensate for environmental and social impacts, wildcatter companies rarely have budgets for substantial CSR investment in the exploration phase (Bebbington and Bury, 2013). However, Tullow was confident at the time that oil production in Uganda's Albertine Graben would begin as soon as 2009 with the thwarted Early Production Scheme (Anderson and Browne, 2011). Heavey therefore channelled Tullow's CSR investment towards addressing the high levels of poverty among communities living adjacent to the oil wells (Tullow Oil PLC, 2007).

Any substantial benefits from CSR in Uganda at this stage of the industry were therefore at the hyperlocal level (Fig. 2). The 'community welfare' focus of Tullow's CSR involved providing essential social services at the lake, including a maternity centre, a health centre, two primary schools and a hospital, and in one village hosting a Tullow camp, several small 'pilot' enterprise projects in beekeeping, gardening and basket-making that were intended to provide income-generating opportunities (Tullow Oil PLC, 2010). Community leaders reflected on how the oil company manager's commitment to the community's welfare had improved conditions at the lake.

> "[Oil company manager] was all the time with the community, we would call him, and he'd come and see us. He did very well, he started with the community and said, 'we're living together, we're neighbours, and you can't see a neighbour suffering'" (interview 2014).

The quote demonstrates the level of personal engagement between the company and community at this early stage of the project. Community leaders and elders referred to Tullow managers by their first names, and it was clear that the relationship with Tullow Oil was itself an important benefit. The presence of Tullow Oil and a commitment to its 'neighbours' was a promise of development in a poor and marginalised region of Uganda. In interviews with communities at the lake, participants expressed hopes for better houses, for electricity, for running water as well as jobs with Tullow (interviews 2012, 2014). However, as the following section shows, the hyperlocal focus could not be sustained as the industry project cycle progressed and Tullow began to face pressure to widen access to benefits beyond the localised focus.

4.2. *Tullow Oil: scaled-up social investment*

In 2010, Tullow Oil exercised its first right of refusal to purchase Heritage Oil's Uganda assets, making Tullow the sole operator in Uganda and adding to the company's growing portfolio of African oil assets. Tullow initiated a farmout process to attract investment from international oil majors to develop the Uganda oil fields in partnership and began to work on the deal to bring in oil majors Total and CNOOC.

Tullow's professionalisation of its Uganda operations as the company transitioned from a wildcatter exploration company to an oil production company in this phase influenced its CSR and community engagement approach. With the acquisition of fellow wildcatters Energy Africa and Hardman Resources, Tullow had doubled in size and revenues and was promoted to the FTSE 100 index in 2007, increasing scrutiny of its financial, environmental, and social performance by external stakeholders. Adopting international oil industry standards therefore became crucial for Tullow in this phase, not only to maintain investor confidence, but to deal with a more complex operating environment in Uganda during industry consolidation and transition.

Tullow standardised the community engagement function in Uganda thus ending the practice of Tullow senior leadership dealing directly with village leaders and community elites. Tullow employed a team of Ugandan community liaison officers (CLOs) and a stakeholder field manager with extensive local knowledge to manage community and stakeholder relations. By 2012 there were increasing numbers of local people that were being adversely affected by the industry. Some people whose land was acquired in 2009 during construction of a major road to Lake Albert were missing compensation payments, some people had gardens and crops damaged, some were suffering from the dust and noise caused by industry activities (interviews 2012). Tullow's CLOs noted that these localised grievances dominated their community relations work at this time and necessitated a professionalised approach (interviews, 2016).

CLOs were also responsible for overseeing CSR projects. CSR also was standardised in the sense that it became influenced by global CSR trends and part of a deliberate strategy to create long-term value in Uganda through social investment. Illustrating this shift, a Tullow representative explained that CSR was no longer underpinned by the 'philanthropy' of their earlier approach:

> "CSR is a one-off. Social investment is providing lasting benefits, and our goal is to create value. This is what we're seeing in other places like Australia" (interview 2014).

While Tullow sought to follow international good practice on CSR in this phase, pressures from a wider range of local stakeholders were significant in pushing Tullow to broaden its CSR focus towards social investment. The early industry phase had effectively excluded subnational authorities in the region. Both the district local government leaders and Bunyoro Kingdom perceived themselves to be hosting the oil industry that was in the Bunyoro sub-region, yet claimed they were being excluded from any involvement and had to rely on the TV news to know what was taking place in their area (interviews 2012, 2014). The Bunyoro Kingdom argued that they were dealing with the impacts of oil exploration on land and cultural sites as well as increased demands from local people yet had neither the information nor material resources to address these concerns (interviews 2012, 2014). And although Tullow Oil had met with the Bunyoro King during his visit to London in 2010 and made promises to increase CSR spend in the Bunyoro region, the district government leadership claimed that Tullow had completely overlooked the district government for CSR (interviews 2014). This was contrasted with the hospital that Tullow was constructing close to the villages at the lake in the neighbouring district of Buliisa, that was perceived to have been successfully negotiated by the Buliisa district government because their headquarters were located next to the oil wells (in contrast to Hoima DLG's offices located 90 km away). Indeed, the Hoima district government leadership claimed that Tullow's CSR was too heavily concentrated at the lake, while the wider district was excluded from CSR benefits:

> "Yes, they are supporting health centres and we feel this is good, but it is restricted to those sub-counties where exploration is happening. This is not enough in the amount of years Tullow has been here and so communities are sceptical. They hear that deals have been struck worth millions and they can't see any change in the communities.

People are as poor as they were before the companies came" (interview 2014).

The pressures on Tullow from the subnational level for benefit sharing beyond the 'host' communities were likely matched by pressure from the national government to engage with the local content agenda that the government began promoting from 2011 as a way for the country to retain more value from the oil industry (Ovadia, 2016). At this time, subnational pressures on the national government for a share of oil revenues were increasing and in 2011, the Bunyoro Kingdom petitioned the government for 12 % of royalties amid rhetoric about not supporting the industry unless revenues were shared (Sjögren, 2013). Social investment was therefore a means for Tullow to build political capital at both national and subnational levels, examples which included the Tullow Group Scholarship Scheme to send Ugandan students to study oil and gas related degree programmes abroad, an enterprise centre in Hoima town focused on capacity building for supply chain inclusion, and a donation to the Bunyoro Kingdom for them to establish a cultural heritage centre.

These changes in Tullow Oil's CSR and community engagement function meant that the groups which benefited from Tullow's CSR also changed. Tullow had contracted an international development organisation to review and develop its CSR strategy in 2012 and they advised Tullow to withdraw from local level CSR and focus on agri-business and social investment in the wider district (interviews, 2014). Tullow continued with its commitment to construct the hospital in Buliisa district, but pulled out of the village level community enterprise projects and removed the equipment, leaving beneficiaries confused and disappointed (interviews, 2014). Instead, Tullow set up the TraidLinks project at the district level, an agri-enterprise project which brought together stakeholders from local to global levels including the Uganda Revenue Authority, district commercial office and catholic diocese and an Irish NGO. Through TraidLinks, Tullow aimed to include local farmers in the procurement supply chain and address the push by local businesses to gain benefits from the fledgling industry. The CSR narrative thus shifted from one of 'community welfare' for the industry's 'neighbours' to one of 'partnerships' and 'shared prosperity' as Tullow sought to secure a social licence more broadly through social investment and supply chain inclusion to meet the local content agenda.

The disappearance of the CSR projects from the villages negatively impacted Tullow's local level social licence that the company had nurtured in the previous phase. Community respondents, who had expected long term support from Tullow's CSR, expressed anger that the projects that "were for our development" were gone, along with the presence of Tullow senior leadership in the villages. "Everything has gone bad since [Tullow manager] left us, and we no longer see the Tullow people here" one village elder commented.

Indeed, the local level was no longer a priority as Tullow faced not only wider pressures for benefits but also political challenges that contributed to lengthening the delays towards oil and presented reputational risks for Tullow. The Ugandan government withheld an expired licence in block 3a as it pursued Tullow for Heritage Oil's unpaid capital gains taxes from the sale of its Uganda assets in 2010. To avoid losing the political licence in Uganda, Tullow had to pay the bill of $434 million and then embark on a lengthy and costly litigation case to recover the monies from Heritage Oil (Patey, 2015). In 2011 Tullow became further embroiled in oil politics when it was accused of bribing three ministers during oil licencing deals (Edwards, 2012). These crises highlighted the importance of political relationships, which Tullow expressed as 'reputation management' (Tullow Oil PLC, 2011). In its subsequent CSR report, Tullow stated:

> "The delays and uncertainties that occurred in Uganda … crystallised in our minds the importance of investing in building stronger and more effective relationships" (Tullow, 2011: 41).

As such, by the end of the industry transition phase, Tullow was negotiating with a range of different interests at the local, subnational and national levels, in the context of ongoing industry uncertainty and delays and political and financial pressures. The finalisation in early 2012 of the farm-down deal to bring in oil majors Total and CNOOC raised hopes once again that oil production could start as soon as 2013 in the Kingfisher site.

4.3. *The Joint Venture Partners: strategic CSR*

After finalising the deal with Tullow Oil, in 2012 the two major oil companies Total and CNOOC arrived in Uganda to establish operations in their respective blocks and the focus of CSR shifted to one of 'managing impacts'. Total took over from Tullow as operator in block 2 in the northern part of the exploration area while CNOOC took over in block 3a in the Kingfisher area, where there was first Heritage followed by Tullow. The local people in the three areas of operation had already experienced several years of oil exploration activities and many negative direct and indirect industry impacts (Manyindo et al., 2014). At the same time, some people had benefitted from casual labour and increased incomes during what was now reflected on as a 'boom' period of oil industry activity. Although the period of lull in the industry as Tullow dealt with legal issues and negotiated the JVP deal had caused frustrations among some local people that nothing was happening, from our interviews in 2012 and 2013 social acceptance of the industry appeared to be relatively high. Indeed, Total's and CNOOC's arrival had raised expectations about jobs and other opportunities to come.

The focus of the companies in this phase – including Tullow Oil - was on minimising and mitigating industry impacts to ensure the 'social licence to operate' (interviews, 2013). In interviews (e.g. with the community liaison officers or social engagement team members of the three companies), all respondents talked about the use of industry standards to guide their work. For example, all three companies were signed to the Voluntary Principles on Human Rights and drew on IFC performance standards to develop policies on land acquisition, security, local hiring practices, and stakeholder engagement. The companies' community liaison teams were responsible for implementing 'social management plans' in line with these industry standards to address any health and safety risks associated with the project and mitigate environmental and social issues. While community engagement had been ad hoc in the wildcatter phase, stakeholder engagement (a requirement of Uganda's 2008 national oil and gas policy) was now formalised. As one CLO explained: "We are supposed to get information and feedback from communities, and it is our obligation to give information" (interview 2016).

A series of engagements at local and national levels took place throughout 2012 while Tullow Oil introduced the new partners in the region. Marking a notable shift from the earlier phase where they were excluded, subnational government leaders were given greater priority. The District Local Government leaders from the oil region were invited for a "three-day full board engagement" with the JVPs in one of Entebbe's 4-star hotels, located outside the capital city Kampala (interviews 2014). According to one district leader: "this was the first time I am getting concrete information on oil and gas" (interview 2014). This was despite the industry having been active in the region for several years. By early 2013, both Tullow Oil and CNOOC had opened 'liaison offices' in Hoima town in the district as a base for their stakeholder engagement teams in the region, which enabled them to interact regularly with a broader range of stakeholders who could 'drop in' to the offices.

Local level engagements took place in communities in and around the three oil blocks throughout 2012 and 2013, initially to introduce the new operating companies, and then to provide updates on industry progress and request that communities give their support to the project. Drilling activities for exploration and appraisal had recommenced, thus requiring further land and resource acquisition. Unlike in the earlier wildcatter phase however, Total and CNOOC's approach to gaining local acceptance did not centre on provision of material benefits to communities. Indeed, in contrast to the earlier exploration phase there was minimal CSR investment at the local level by both Total and CNOOC.

Total's approach to CSR in Uganda was guided by a standardised company-wide CSR approach and a policy to not engage in CSR that might create dependency. This policy was directly linked to Total's aim of 'minimising impacts' in Uganda, or in other words avoiding risk. Total's risk aversion is in large part due to its previous experiences of operating in countries such as Myanmar, where Total faced criticism of its CSR projects associated with the Yandana gas project (Teacircleoxford, 2022), and in Nigeria where CSR has notoriously stoked local conflict (Zalik, 2004). Total's social engagement team referred to the importance of avoiding the entanglements of paternalistic CSR that Tullow was experiencing at the local level in Uganda (interview, 2013).

In Uganda Total's area of operation is arguably more 'high risk' than that of Tullow and CNOOC. Block 2 straddles Murchison's Falls National Park, a biodiversity hotspot, and parts of Acholi, which is a post conflict setting having been the site of the Lord's Resistance Army insurgency between 1987 and 2006. Total hired an international organisation called CDA (which specialises in working in sensitive contexts through their 'Corporate Engagement Program') with whom Total had worked in Myanmar, to develop the Uganda CSR strategy. CDA's assessment of stakeholder perceptions in Total's area of operation led them to advise Total to 'front-load engagement activities', with the aim of building long-term relationships in Uganda (Bardouille-Crema and Zandvliet, 2011).

After the initial introductory meetings at the local level in 2012 and 2013, however, Total prioritised relationship-building at the national level with government ministries, international NGOs and prominent national CSOs. Unlike Tullow Oil and CNOOC that had set up regional liaison offices in Bunyoro to strengthen subnational stakeholder relations, Total based its social engagement team at the national level close to the centre of power in Kampala, several hundred kilometres away from the oil region. Total's two main CSR initiatives in Uganda, the scholarship scheme and solar power project, were high profile projects that were likely to nurture relationships in key ministries and build political capital for Total.

Total's 'cautious' approach meant there was minimal CSR investment at the local level in Uganda during the exploration and appraisal periods. Total's social engagement team said they were planning CSR to address health and income generation in the oil production phase, in other words when oil was profitable, and emphasised the importance of working with the relevant district services to ensure that CSR met local development needs. Illustrating a strategic approach to CSR, the team explained: "We aim to partner with the community, to avoid dependency", rather than "giving this, giving that" (interview, 2013). CNOOC's approach to CSR was similarly about supporting operations and minimising impacts. CNOOC received the production licence to develop the Kingfisher site in block 3A from the Government in 2013 and therefore moved towards the development stage of the project three years before Tullow and Total. CNOOC's community liaison staff explained that gaining the local social licence to operate was crucial for CNOOC to gain access to land and resources needed to develop the kingfisher site (interviews 2014). However, in contrast to the earlier wildcatters, CNOOC delivered very little in local benefits to gain support. CSR investment at the local level was used directly to support operations and mitigate risk, for example a road safety campaign to support the road construction project and HIV testing around the workers' camp where prostitution had increased. CNOOC distributed donations of school materials, medical and cleaning supplies in villages "as a tool for mobilisation to implement other messages such as operations information or HIV awareness" the CSR manager explained (interview, 2014).

To operationalise its community engagement strategy, CNOOC used political and community structures "to reach the grassroots" by creating an oil and gas advisory committee made up of 40 community representatives, with an executive community of 10 community elites elected to meet regularly with CNOOC and deal with issues, grievances and risks. As one CNOOC liaison officer explained:

> "We are involving the community in our activities; we move with the committee to seek consent in getting the social licence to operate. If there are any issues the committee sits and resolves the issues" (interview, 2014).

In terms of CSR investment, CNOOC targeted this mainly at the district level as a tool to build relations with district officials by developing projects in partnership with the District Education office and the health department and in liaison with the district leadership. In contrast to Tullow and Total who contracted organisations from the international development community, CNOOC sourced local partners to deliver its HIV and road safety campaigns through the district local government, further cementing the relationship with subnational leaders by enabling them to influence the beneficiaries of CSR. CNOOC implemented a programme to give cash rewards to the 'best learners' at primary schools in the district and funded a cohort of students to attend vocational skills training at an institute in Hoima town. This approach shaped perceptions of CNOOC's 'local' focus, despite having invested in CSR considerably less than Tullow Oil had in the same region: "If you want a project that focuses on the common man, the Chinese beat you" said one district leader. This view was in sharp contrast to the perceptions of the community respondents in CNOOC's host community at the Kingfisher site, all of whom expressed disappointment with CNOOC's CSR efforts, which they compared to wildcatter Heritage Oil who in 2007 had built a primary school and installed water taps.

Rather than reflect a commitment to local development as district leaders perceived, the reality was that CNOOC's CSR was strategic and pragmatic to benefit CNOOC's operations. Community engagement through the oil and gas committee which included key community elites aimed to embed CNOOC in the community and ensure ongoing land access. The strategic use of CSR to minimise operational risks and foster strong subnational government relationships was a pragmatic way to ensure minimal disruption to operations in the project development phase. And like Tullow's experience, district leaders, while praising CNOOC's CSR, also expressed the view that CSR should be expanded. Requests included providing a vehicle to help the education department visit schools in the 'best learners' programme, and investing in educational infrastructure, as one leader commented:

> "What use is the few students at the vocational course? What we need is investment in a vocational institution" (interview 2014).

5. CSR and the multi-scalar nature of legitimisation processes

While there has been CSR investment in Uganda during the pre-production period, e.g. health projects, enterprise initiatives, business support, vocational training, educational bursaries and school and medical buildings, this CSR has meant little for most people in the oil region. Across the three company case studies, CSR was less about delivering direct community benefits and more about functioning as an anticipatory political strategy to negotiate legitimacy, manage elite relationships, and shape regulatory space before oil production began. Concerns for local development as per the companies 'social licence to operate' rhetoric came second. Rather, CSR was up scaled from local level philanthropy to targeted interventions that built relationships with key national ministries and subnational political elites. In this process, CSR functioned as political currency, exchanged for political goodwill, visibility, and legitimacy.

Tullow's initial hyper-local focus led to social infrastructure in its 'host' villages on Lake Albert that improved access to services to some of those impacted by oil exploration, and this is one of Tullow Oil's legacies in Uganda. However, Tullow was unable to maintain this local focus as its political and economic licences came under threat. Tullow's shift from localised philanthropy to 'social investment' was a response to pressures to widen access to benefits. This up scaling of CSR enabled Tullow to negotiate its legitimacy across scales as the political context changed but led to contestations about what is 'local'. This undermined Tullow's legitimacy and relationship-based success at the local level, with the host communities claiming Tullow - their 'neighbour' - had abandoned them.

The focus by the JVPs on 'managing industry impacts' as the project timeline progressed saw greater engagement - perhaps counterintuitively - at the regional and national levels as the companies broadened their legitimation processes away from the local level. Nurturing the political licence was important in the protracted pre-production phase, especially to Total and Tullow Oil given the financial uncertainties due to the delayed oil production licences and falling oil price.

Total's focus on high profile educational scholarships, the solar energy project and environmental projects with international partners were aimed at building reputational capital at the national and global levels. It's risk-averse strategy meant Total maintained a deliberate distance from much of the local context apart from the national park. For Tullow, the targeting of CSR at the subnational level to district and cultural authorities in Bunyoro was likely to win favour from the national government given the increasing agitation of these actors for pre-production benefits. The professionalisation of CSR, seen through Tullow and Total's partnering with international development consultants, further aligned CSR with state development priorities and local content provision. CNOOC's CSR activities centred on building ties with district-level political elites, offering limited support to host villages facing the direct impacts of oil exploration. CNOOC's partnerships with the district authorities, while delivering subnational focused benefits, aligned with important local political elites.

CSR thus functioned as political currency, with benefits strategically channelled to political actors at both district and national levels. CSR projects aligned with 'local' or 'national' content enabled the state to shape and direct CSR, mediating relations with increasingly vocal district authorities and cultural leaders who felt excluded from the sector. Here, the state has actively shaped CSR investment and its distribution to appease some of these demands, demonstrating the agency of the national government to co-produce CSR to meet its strategic goals (Haslam, 2018).

CSR was also strategically influenced by state actors across scales, being viewed by these elites as a way to supplement or enhance state spending in the district. Indeed, district governments' agitation for more CSR from Tullow Oil and CNOOC can be seen as a form of rent-seeking, whereby CSR spending was viewed as a potential stream of resources (Nilsson, 2023). District officials petitioned for more CSR resources and lobbied for projects to be sited in their areas. Cultural institutions also lobbied for greater CSR as a way of addressing or supplementing their resources. The findings resonate with Nilsson's (2023) work which showed how CSR was instrumentalised by state actors in Tanzania to achieve strategic objectives, which may or may not support community development. In Uganda, because of these multi-scalar, multi-actor negotiations, CSR benefits became mediated by key political and cultural actors which as Lind (2021) showed in the context of Kenya's oil sector, have the potential to act as gatekeepers.

Taken together, these findings demonstrate that while corporate social responsibility (CSR) provided the overarching frame for corporate legitimacy-building, social investment (SI) was its tangible form. While companies sought to gain the social licence to operate (SLO) through these concrete projects and expenditures, social investment also operated as political currency, enabling firms to negotiate legitimacy and manage risk across local, regional, and national scales of governance.

These findings resonate with Frynas and Stephens' (2015) framing of CSR as political. We extend these debates by showing CSR's anticipatory role of structuring state-corporate-community relations across scales in the pre-production phase. CSR was 'scaled up' to secure the political and economic licences by building alliances with local elites, increasing visibility with key national ministries, and aligning with state development agendas. This scaling of CSR parallels the upscaling of infrastructure investments in Uganda through which the peripheral Albertine Graben region is drawn into national development projects (Kinyera, 2023).

The centralised and securitised nature of Uganda's oil sector has facilitated the political role of oil corporations and of CSR. The central government's deliberate side-lining of subnational authorities and the Bunyoro Kingdom arguably created stronger incentives for rent-seeking from CSR investments by local political actors. Here, the rhetoric of local content has been used by both oil companies and the state to make promises to important local political elites to ensure their support. Where traditional authorities and local political elites have positioned themselves to mediate CSR resources, this has enhanced their visibility and authority in the sector and may enable them to control future CSR resources. These insights underscore Steinberg's (2019) assertion that outcomes are the result of strategic interactions of state and non-state actors in these contested spaces.

The case also reflects the internal contestation of 'community' (Acre et al., 2022) which highlights the heterogeneity and agency of local actors, as well as the problematic notion of 'sphere of influence' (Saenz, 2023). Local leaders sought to control CSR and request CSR resources, demonstrating how CSR has the potential to reinforce certain authorities and exclude others, undermining the potential for social acceptance. This suggests the importance of accountability and transparency in decision making around CSR and the distribution of its benefits, as well as in corporate relationships with stakeholders across scales, which CSR standards and reporting cannot capture.

The absence of any coherent civil society presence to hold companies accountable has been a key feature of Uganda's oil exploration period, especially in the earlier phases of pre-production (Van Alstine et al., 2014). This lack of accountability relationships can further entrench unequal power relations and prevent positive change (Garvey and Newell, 2005; Utting, 2008). While civil society engagement has stepped up in recent years to address issues around land acquisition for oil infrastructure and build local government capacity, the state has been closing civic space and restricting CSOs' activities on oil and gas (Smith et al., 2022).

By the time of Tullow's exit from the Uganda oil project in 2020, there were ongoing disputes about compensation for land, escalating anxiety about the pipeline construction and small-scale local level protests. In January 2023, President Museveni commissioned drilling in the Kingfisher field in Bunyoro sub-region, amid an increasingly vocal global campaign against the East African Crude Oil Pipeline (EACOP) that will transport Uganda's oil across Uganda and Tanzania to the Indian Ocean. In this context, how Total as the lead operating partner mediates between building reputational capital and maintaining local acceptance while ensuring a return on investment from the Ugandan project remains to be seen, especially given the Ugandan government's push to get the project on stream amid increasing local discontent.

The oil project has progressed further in the industry development phase since our fieldwork ended in 2016, and industry risks and priorities have shifted. Total is increasingly visible since development of the Tilenga project[5] got underway in exploration area 1 from 2017, with further land acquisition for oil infrastructure. Interestingly, CSR initiatives in Uganda are in focus on Total's webpages, and the company reports that investment will increase during the development phase in thematic areas including cultural heritage, health, education and tree planting (Total Energies, 2024).

Demonstrating social responsibility, at least to a global audience, has become important given global attention on the Tilenga developments,

[5] The Tilenga project is the development of onshore oil fields, flowlines, and feeder pipelines in Buliisa and Nwoya districts.

especially the EACOP. Friends of the Earth France brought a court case in France against Total in 2019, claiming that Total has failed to adequately assess the project's threats to human rights and the environment (Reuters, 2019). CSR's use as political currency in negotiations with multiple actors across scales is likely to endure in the current industry phase as the companies continue to react to different interests, pressures and risks.

6. Conclusion

It was ten years between oil discovery in 2006 and the final awarding of production licences in 2016, and nearly another decade before 'first oil' is expected. This unusually long pre-production phase provided an opportunity to examine how international oil companies used corporate social responsibility (CSR) to establish legitimacy in a politically complex and economically marginalised new oil context. Our longitudinal analysis shows how CSR evolved over time, from ad hoc philanthropy by the wildcatters and Tullow Oil's hyper-local projects, to the scaled-up interventions of Tullow Oil, and finally to the more professionalised, risk-averse strategies of the Joint Venture Partners.

Our central finding is that CSR in Uganda's pre-production oil sector functioned as an anticipatory political practice through which companies negotiated legitimacy across scales, managed elite relationships, and shaped regulatory space. While companies consistently invoked the rhetoric of the 'social licence to operate', our findings reveal that it was the political and economic licences that ultimately took precedence. CSR was strategically mobilised as political currency to secure these licences through negotiations with subnational leaders, cultural authorities and national ministries. For local communities, this meant that benefits were diluted, uneven and often mediated by subnational elites.

Theoretically, the study contributes to the political CSR literature in three ways. First, it highlights the anticipatory role of CSR in shaping governance, relationships and expectations during the pre-production phase of extractive industries. Second, it shows how CSR operated as political currency - co-produced with state and subnational actors and instrumentalised in political negotiations and benefit distribution. Third, it challenges the idea of a unitary 'community' by demonstrating how CSR benefits are mediated by subnational elites and contested across scales. Together, these insights illustrate the multi-scalar and multi-dimensional nature of legitimation processes and how social, economic and political licences intersect in new oil contexts. Anticipatory CSR has shaped the institutional environment and set precedents that are likely to endure once oil production begins, potentially constraining prospects for more inclusive benefits from CSR.

CRediT authorship contribution statement

Laura Smith: Writing – review & editing, Writing – original draft, Visualization, Validation, Project administration, Methodology, Investigation, Formal analysis, Data curation, Conceptualization. **Anne Tallontire:** Writing – review & editing, Visualization, Supervision, Conceptualization. **James Van Alstine:** Writing – review & editing, Visualization, Funding acquisition, Conceptualization.

Declaration of competing interest

The authors have nothing to declare.

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Data availability

The data that has been used is confidential.

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