Social Licence to Operate: The Role of an Idea in the Colonial Logics of Extractivism

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Abstract

In this intervention article, we cultivate an anti-colonial critique of the ideational genealogy and conceptual materialisation of the social licence to operate (SLO) in the extractive industries in order to open a conversation about the racialised and colonial logics underlying its enactment and discursive practices. SLO functions to restrict the emergence of imaginary political potentials within communities impacted by extractive projects. We focus on the role of academics and social science researchers within and beyond the space of the university in engineering, shaping, and promoting dominant SLO frameworks, and endorsing the power and mythology of SLO. We do so in conversation with decolonial orientations that simultaneously analyse the colonial logics within corporate practice and galvanise epistemic justice beyond colonial and epistemic extractivism. The university, as a site for the refinement and promotion of hegemonic concepts like SLO, is an important space for post-extractive struggles.

Keywords

Social Licence to Operate; Colonial Logics; Extractivism; Social Scientists; Epistemic Violence

Introduction

In the late 1990s the Social License to Operate (SLO) idea emerged and began creating buzz within corporate extractive circles. A simple concept in appearance, it proposed that corporate enterprises require not only formal licence to carry out their operations, but also informal and community-based (i.e. 'social') forms of clearance and acceptance. SLO holds that various groups of people, their representatives and/or the wider civil society will have interests and concerns in extractive projects and that, therefore, industries will need to be active and responsive to these groups, particularly to anticipate and curtail conflict, friction and resistance.

SLO, as an emergent concept, was embedded in the larger ecosystems of corporate response to popular and community opposition to mining and petroleum industries. As with other pro-corporate ideas circulating within corporate-owned and dominated spaces, accepting the premise of this idea was contingent upon seemingly straight-forward notions of capitalist benevolence that date back to earlier colonial epochs. Among them was the powerfully seductive and historically enduring premise that corporate and capitalist appetites not only *should* be compatible with fulfilling the needs of peoples, places and fauna writ large–but that they *are* so (Thomson & Boutilier 2011).

Having emerged somewhat casually (as we discuss below), the notion of SLO circulated and was refined within flexian[1] industry-academic arenas, ultimately gaining prominence and status as an inevitable 'common sense' within business 'best' practices (Gehman, Lefsrud, & Fast 2017). However, its premise and practices have been continuously challenged as one-dimensional and exposed as lacking by critical scholars and activists (Owen & Kemp 2013; Eaton & Enoch 2021; see also Styve & Gilbert 2022). As with other cornerstones of corporate gumption, SLO was informed by the existing power dynamics and capitalist structural configuration in which it emerged. A critical component of projects for advancing epistemic, economic and ecological justice is exposing the violent operations and relations embedded within forms of colonial 'common sense' that facilitate and legitimate the dispossessions of extractive capital. In this article, a thought piece based on ongoing common research interests of the authors grounded in different disciplinary viewpoints, we aim to present a critical discussion of the conceptual and practical implications of social science engagements with SLO.

This paper is part of a larger project where we theoretically and empirically examine what Sawyer terms 'that clammy, sticky space' of corporate exploitation as an ecosystem of legitimization, justification, and material compulsion or coercion in the face of 'opposition or consent' (Sawyer 2004, p. 1-2). In other work, we have explored slow violence and dissent, neoliberalism as spectacle and the contested academy, racialised localwashing and corporate constructions of community, and flexian governance networks through public and private institutions (corporations, universities, governments, think tanks, etc.) (Jackson 2011; Murrey 2016). We engage with SLO as part of that larger study, focusing in particular on that character of SLO which makes it, as Owen (2016) describes it, 'one of the most saleable sustainability concepts in the mining industry'. Yet it is 'based on nothing more than nothing itself' (Owen 2016, p. 103). Limited space and the reality that SLO is inseparable from the larger ecosystems of corporate response mean that we position this paper as a thought piece, constructing a framework around which students of extraction and corporate forms more generally can locate encounters with SLO as a concept, presumptive quality or sales pitch for corporate citizenship. As such, we focus on the ideational genealogy and conceptual materialisation of the term, seeking to show how it is infused with those racialised colonial logics that characterise corporate discourse and practise more generally. In doing so, we invite debates about what social licence really means in the context of both promotion of and opposition to corporate extraction especially. If it is more than

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1   Flexian is a term introduced by Wedel (2011) to describe 'border-crossing like-minded individuals', unaccountable by virtue of their institutional fluidity across governments, corporations and the academy (Lewis & Mosse 2006; see also Murrey & Jackson 2020).

'nothing itself,' what evidence sustains that? Is SLO an effective platform for use by movements in dissent, such as divestment movements? We hope that this piece will contribute to the ongoing critical dialogues about the concept and its enactment.

By colonial logics, we mean the ordering and world-making frameworks, founded on racial and gender difference, through which the unequal relations of dispossession and exploitation within extractive capitalism are governed, perpetuated and tethered (Gómez-Barris 2017; Murrey & Jackson 2020). In extractive paradigms, there is a sustained relationship between the deployment and reproduction of colonial logics and attendant forms of epistemic and extractive violence. Critical scholarship and scholar-activism continue to expand the concept of *extractivism* (and to demand acknowledgement and redress for its cognate violence) – including the ways in which extractivism extends far beyond the extractive industry realm within the global capitalist economy (Murrey & Mollet forthcoming). Extractivism figures as a set of fundamental organising relations between groups of people, between humans and non-humans, and between humans and the earth. Extractivism is condoned, maintained and conducted through sets of global and governing relations, as much as through particular knowledge and legal systems.

Important recent work has sought to fundamentally upend the colonial logics within regimes of financialisation and upon which the coloniality of extractivism and racial capitalism are predicated through robust theorisations of the functions of racial and colonial difference (Bhandar 2018; Tilley & Shilliam 2021). This work demonstrates emergent but sustained attention to the entanglements of empire, coloniality, racial capitalism and racial difference within extractive capitalism (Arboleda 2020; Gómez-Barris 2017; Guerisoli & Mandirola 2022; Murrey & Mollet forthcoming; Svampa 2018). These scholarly attentions are not merely perfunctory moves about 'additive value' (Van Sant, Milligan & Mollett 2021) – they are of tremendous weight given the historical elisions to the functions of racialisation within scholarship on business, administration and finance in the Majority World (Daley & Murrey 2022; Rutazibwa 2020; Tilley & Shilliam 2021). Scholars have recently examined the language of political risk to unmask the forms of 'colonial panic' nested in corporate jargon, particularly in the extractive sector through industry-state relations, regulatory statutes and mining laws (Styve & Gilbert 2022). In their work demystifying the language of 'political risk' as a racial vernacular, Styve and Gilbert (2022) explain that such conceptual frameworks allow for forms of 'de-risking for investors', while simultaneously 'creating categories of seemingly objective political risk analysis that saturate the mining finance market'. Importantly, these so-called 'objective', 'transparent' and/or 'common sense' components of corporate assessment and practice do political and extractive work by providing a vocabulary through which colonial and racial anxieties are assuaged. In this sense, we believe that SLO is indicative of what Jen Preston (2017) refers to as 'racial extractivism', understood as intertwining of racial imaginaries of white superiority with the development of colonial capitalism.

We argue that SLO is among the central contemporary ideational components of the global racial capitalist order, assisting in the normalisation of corporate domination and working to 'naturalise, order, enable and rationalise' colonial extractive violence (Preston 2017, p. 353). We draw upon decolonial praxis to disavow the violence within long-standing colonial systems of meaning-making, focusing particularly upon the functions of racialised logics within corporate discourse and practice.

Colonial logics are not static; a feature of their durability has been their adaptability, intentional ambiguity and murkiness (Appel 2019). Work in postcolonial and subaltern geographies has long demonstrated the ways in which language and epistemic frameworks operationalise power, including through denial, obfuscation and presumptions of 'neutrality' (Daley 2020; Jazeel 2017) and objectivity. The illusions thus fostered are central to their operational power: through obfuscation, deception, manipulation, seduction and fantasy, colonial logics do the work of persuading, distracting, and disempowering which are fundamental to global capitalism, given its actually-existing violence on a planetary scale (Arboleda 2020). As political and environmental activists remind us: we are not to be misled by the seemingly neutral

or apolitical language of corporate and colonial entities; transnational mining corporations continue to sanction and even encourage punitive acts of extreme violence and force when challenged (Brock & Dunlap 2018; Simpson 2017) and the global extractive industry is responsible for egregious, albeit normalised, levels of 'slow violence' (Murrey 2015; Nixon 2011). Decrypting and dismantling the relationship between knowledge, power and violence continues to be a key area of interrogation within anticolonial and decolonial projects.

In this article, we look at the ways in which proponents of SLO seem to presume it would be enacted in corporate projects through various forms of light-touch and 'local-centric extraction', including through consensus and compromise (Murrey & Jackson 2020). Indeed, we argue that it functions to restrict the emergence of imaginary political potentials within the communities where extractive projects take place, ultimately curtailing anti-extractive dissent (Saenz 2019, p. 4) and muting anticipatory futures. In this way, SLO acts as a modified form of epistemic violence (Spivak 2010) within the *longue durée* of colonial-capitalist power relations and the coloniality of knowledge that has long silenced subaltern and Indigenous peoples and sanctioned the exclusions, appropriations and exploitations resulting from extractivism. As a result, SLO functions to further abet the violent processes of empire and extraction. While advancing an anticolonial critique of the conceptual lineage of the term, we interrogate the role of academics and social science researchers within and beyond the space of the university in engineering, shaping and promoting dominant SLO frameworks and, therefore, further propagating planetary extractivism.

The article proceeds as follows: we first consider the stakes of advancing anticolonial and anti-extractive critiques within and towards the academy. We then outline our methods. Next, we trace the genealogy of the SLO concept, highlighting its emergence alongside other evolving corporate taxonomies. Turning our attention to the roles of social scientists, we focus on exposing four epistemological implications underlying SLO that we believe are in need of demystification. Firstly, we address how some of the authors who developed the concept worked closely or maintained contact with corporate actors, and how some implicitly or explicitly seemed to ratify viewpoints of corporate interests. With this, we problematise the position from where the concept was conceived. Secondly, we analyse how, in many conceptualisations of SLO, capitalism is portrayed as a quasi-natural, and therefore universal, desire. Thirdly, we discuss how liberalism (presumed to be an ideal model of organisation which can be emulated to redress 'ineffective governance') underpins the development of the concept. Finally, we show that SLO emerged within and is complicit with neoliberalism, in particular through a faith in market self-regulation. Proponents of SLO maintain that corporate entities – operating beyond state or formal regulation – have the will and means to more genuinely address communities' needs and to more equitably manage common goods. SLO polices the scope of community action and interaction within extractivism, limiting possibilities for racial-environmental justice and repair. We close the article with a call for robust analyses that address the nuances of SLO and open up on further potential lines of inquiry.

The Stakes of Advancing Anticolonial Critiques

What is at stake when advancing – or presuming to advance–an anticolonial and even decolonial critique? The question demands that we first address the tendency within academic spheres to superficially apply and dangerously misappropriate critical concepts that emerge from the labour and energy of Indigenous, Black and marginalised scholars (Tuck & Yang 2012). Our engagement is carried out through our shared dedication to collaborative and targeted anti-colonial, anti-imperial and anti-racist illumination and unmasking of the institutions at the forefront of contemporary colonial violence, especially corporate and military entities and the knowledge regimes that empower them. Our aim in this article is to contribute to the powerful body of scholarship demanding a reckoning with the roles of social scientists in coloniality and extractivism.

Methodologically, we performed a comprehensive literature review of SLO. We identified nine key works (of which seven were peer-reviewed) on the basis that they were some of the most widely cited works on SLO in the social sciences and/or were developed by key figures. We defined key figures to include people with strong connections to industry and with considerable academic profiles and influence in their fields. We looked at how some of the concepts proposed by these authors were reproduced and/or picked up in other studies. We reviewed the scholarly publications that engaged with these central (9) texts. We also reviewed the expansive literature in the social sciences *critical* of SLO. We were interested in determining the parameters of social science research on SLO. We spent time investigating the origins of such research, in particular tracing connections (if any) between researchers and corporate entities, through in/formal collaboration, networking and exchange, or research funding.

In the next section, we trace the emergence of the idea, emphasising the ways in which it played into existing racialised logics and colonial worldviews. We argue that SLO discourse operates within the extractive sector as both an aspirational model and legitimising narrative for continuing forms of extractivism that disproportionately impact Indigenous people and people racialised as black and brown living in the Majority World and which effect forms of epistemic violence (Jackson 2017). As Styve and Gilbert (2022) argue, 'When working with powerful elites well versed in self-presentation and reputational risk management, it is necessary to place the knowledge gained from interlocutors in the mining finance industry within the larger global context of how the mining industry operates, and the violent and conflictual nature of extraction where mining actually takes place'.

The Corporate Inception of SLO

SLO developed in the late 1990s, in the context of corporate exploitation, including moves toward privatisation and corporate control of production and social welfare programs. Coined in 1997, SLO developed within the mining industry as a set of corporate strategies to direct and manage corporate-defined stakeholder response and involvement in operations (Moffat & Zhang 2014, p. 69). Most recognise former Placer Dome (a Canadian mining company) VC Jim Cooney as the initiator of the term (Black 2013; Boutilier 2014). Cooney describes SLO as a response to 'local communities' attracting 'support and assistance from influential allies abroad', thus risking 'potential financial and reputational damage' (Cooney 2017, p. 198-199). The concept was subsequently picked up within World Bank exchanges between the mining, finance and university sectors, first appearing in print (at the request of the editor of *Mining Journal*) in a June 1999 article authored by mining consultant Susan Joyce (Cooney 2017). After its emergence, SLO gained traction in Australia, a central space for corporate-university relations and from where scholar-consultants have written peer-reviewed publications on informed consent (Macintyre 2007), corporate reports about development (Filer 2012) and more academic volumes about political ecology and corporate-community relations in general (Biersack & Greenberg 2006). From there, SLO narratives travelled with mining industry reps and researchers throughout wider Oceania, to Africa (Dauda 2022) and Latin America (e.g. Brazil via Santiago & Demajorovic 2016; Colombia via Bustillo-Castillejo & De La-Espriella 2019; and Peru via Escobedo Sánchez 2011; Saenz 2019). Critical scholars have simultaneously mobilised the term to critique the extractive industries (de Jong & Humphreys 2016; Svampa 2018, 2021), including SLO's attention to superficial and minimum standards of care (Mulhern et al. 2022).

Echoing Cooney's (2017, p. 200) description of the term's 'relative ambiguity,' Owen (2016, p. 103) argues that SLO is 'perhaps the leading example of a term that in itself has no directly observable meaning'. Scholars have revealed the ways in which the slipperiness of a hegemonic term seems to add to its material weight and strategic usefulness (e.g. Foucault in *The Order of Things*, 1970 and Edward Said's *Culture and Imperialism*, 1993), allowing language to function in ways that erase processes and relations of violence from the public purview. Yet, even *critiques* are advanced in somewhat superficial fashion, sometimes artificially

inflating the significance and impact of the concept within the mining sector (Owen, 2016). Thus, for Owen, SLO is currently 'one of the most saleable sustainability concepts in the mining industry' (Owen 2016, p. 103). Rather than being a 'hard concept' that signifies legality within risk management, the lack of demonstrable organisational change means that 'perceptions [become] primary and actual development contributions or outcomes [are] secondary' (Owen & Kemp 2013, p. 33; see also Parsons et al. 2014; Jackson 2014).

Reviews of the emergence of SLO emphasise ways in which corporate entities employed the concept in an effort to be increasingly responsive to civil society 'dissatisfaction' with the 'consequences of their operations' (Moffat et al. 2016, p. 478) and imbalances within industry-community or industry-stakeholder relations (Moffat & Zhang 2014, p. 61). A number of associated but distinctive initiatives, including Corporate Social Responsibility (CSR), free, prior and informed consent (FPIC) and sustainable development models[2], evolved alongside SLO as hegemonic responses to public outcry regarding the racial and environmental violence and frictions produced by the mining industry (Parsons & Moffat 2014; Prno & Slocombe 2012). Scholars have exposed the 'racist colonial imagination' embedded within these liberal capitalist paradigms, emphasising how such bureaucratic orders function to institutionalise and sanction ongoing coloniality (Penados, Gahman, & Smith 2022). Penados, Gahman, & Smith (2022, p. 3), for example, write that 'FPIC protocols' are best understood as 'racial "straightening devices" [facilitating] structural and slow violence' while legitimating 'a colonial (re)ordering and (mal)development of [otherwise Indigenous] ecosystems'. However, unlike sibling concepts like FPIC[3], SLO professes to accept the power of communities to make decisions about corporate extraction while moving away from the relatively more formalised consent-making mechanisms of FPIC. Thus, SLO emphasises 'acceptance' and 'approval' rather than consent.

Scholars, consultants and representatives of inter-governmental development organisations have sometimes argued that FPIC is unworkable because of community complexity and ambiguity combined with the reality that sovereignty lies with the state (Macintyre 2007). However, CSR is perceived as necessary because corporations must take over social welfare functions normally performed by the state but neglected due to 'weakness' of governance and corruption (Friedman 2007; Vogel 2006). Academics and management then narrate SLO as a return to communities as the base of legitimacy. Scholars and practitioners thus implicitly and explicitly play SLO off other corporate approaches with communities (especially FPIC; 'weak' but sovereign state forms; and corporate response to social movement opposition). In this interplay, SLO – as a metaphor and boundary-defining legalistic discourse – has a distinctive role in suggesting that corporate entities are constrained by community opposition, even to the point that they may trigger cancellation of projects (Banerjee 2008; Heffron et al. 2021; Parsons & Moffat 2014). That is, communities may not have express or direct 'veto power', but they can exercise forms of non-verbal 'veto power' that render extraction impractical or unprofitable for corporate or state actors. Importantly, these seeming tensions and frictions do not amount to the suspension of extractivism but a performative tweaking of particular projects, policies and practices.

These strategies are indicative of the changing public facade of colonial arrangements, as corporate and hegemonic entities seek nonetheless to engage in permanent extractivism (Penados, Gahman, & Smith 2022). The language, jargon and taxonomies of corporate extractivism have undergone continual revisions –

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2   While similar, each of these conceptual projects is distinct and can have much longer timelines. For example, the right of Indigenous people to resist forms of information manipulation and to have informed consent have historical precedent in legal cases in the 1970s.

3   A legal right recognised in the United Nations Declaration on the Rights of Indigenous Peoples that acknowledge Indigenous people's entitlement to know about impactful development projects in their land and which also emerged as a response to Indigenous and popular struggle against corporate dispossession.

particularly as movement terms are appropriated and reconfigured – yet change has been incremental and colonially derivative. As such, power imbalances remain. These conceptual tools function to disguise coloniality and authorise corporate action. Syn (2014, p. 319) argues that SLO rose to prominence precisely due to failures within CSR and FPIC, writing that these 'so far failed to make the meaningful, widespread difference to those on the ground that was promised'. Yet, rather than signalling a departure from preceding corporate practices, scholars have shown that SLO was merely the 'latest instantiation of a discourse that *appears* to represent a shift in power relations while actually *entrenching* them' (italics added, Parsons & Moffat 2014, p. 347; see also Banerjee 2008).

SLO frames as binding and legitimate what are non-formalised, non-binding and intangible forms of acceptance granted by community representatives to extractive projects. Syn (2014, p. 319) explains, '[s]ocial license is generally understood as an intangible representation of ongoing approval or acceptance of a project by affected communities, which can be withdrawn at any time, distinct from a legal or regulatory license granted by a government'. These public declarations and arrangements of social licence are made in return for corporate commitments to social and economic projects perceived as important by some community representatives or members (Boutilier 2014). Therefore, determining and anticipating the level of community opposition or, on the other hand, acceptance, is a key component of the aspirational orientation of guaranteeing or achieving forms of SLO.

The Role(s) of Social Scientists

Within and as part of the ecosystem of corporate response to resistance and criticism, SLO works with broader contradictory moves of hegemonic narrative and governance. Sympathetic researchers and corporate consultants may have conceived of SLO as an instrument capable of determining the actions that corporations might take in order to gain acceptance or approval from the communities to work in their territories and to avoid potential conflicts (Hall et al. 2015; Syn 2014). Indeed, the university and scientific labour have figured as important collaborators within extractive regimes.

In this section, we interrogate the role of social sciences researchers and scholars in refining the concept. We look at some of the interplays between academic/researcher and corporate figures as pertains to engagements with SLO. In doing so, we critique SLO as a form of epistemic violence within coloniality and stress the importance of the university in refining, circulating and endorsing extractive logics. In this interplay, mining consultants with close links to academies can have prominent roles. We focus on how SLO has been developed using methodologies that account chiefly for the discourse of corporate representatives.

Of particular importance to our analysis are the racialised representations of Otherness which are embedded within academic work claiming to speak to stakeholder dialogue, community benefits and what 'communities need to understand to accept' extractivism (Fanon 1952; Macintyre 2007). This is part of a broader concern regarding the ways in which the academy legitimises SLO, which works as a dispositif for erasing the voice and knowledge of communities affected by extractive projects. That the academy has participated in the construction, reproduction and dissemination of disparaging or dispossessing narratives and imaginaries about the Global South is not new. Postcolonial and decolonial authors highlight how scholars in the social sciences and humanities helped to embed certain features of non-western people in racist and colonial popular imaginaries. Such imaginative geographies were important aspects of the epistemic violence that aided the development of the colonial enterprise (Spivak 2010). As Spivak powerfully reminds us, '…the intellectual within globalizing capital, brandishing concrete experience, can help consolidate [capitalist neocolonial relations] of 'concrete experience' [as] *the* model' (italics added, Spivak 2010, p. 27-28). We argue that this epistemic movement is reflected in some interventions of the scholars engaged in researching and theorising the idea of SLO.

REFINING KNOWLEDGE AT THE SERVICE OF EXTRACTIVE INTERESTS

SLO emerged as a means to address corporate fears of dissenting communities and their international allies. Consultants and academics contributed initially by 'plumping up the term with meaning' (Owen 2016, p. 103). The contribution of scholars to the development of the concept often occurred hand-in-hand with corporate representatives, as researchers and extractive actors met, mingled and exchanged ideas at conferences, workshops and multilateral meetings. Our review of key literature revealed that the role of researchers with links with corporations – the flexians within neoliberal capitalism (Wedel 2011) – has often been to refine, promote and legitimise the concept. Indeed, the conceptualisation of SLO within social science research has frequently been based on the insights of corporate members and subsequently laundered through peer-review and other publication processes of the academy.

Robert Boutilier's (2014) article, *Frequently asked questions about the social licence to operate*, is a good example of this practice. With more than 8,000 views and 197 cross references, it is a key reference on the topic in English. As the author discloses, he drafted the article based on his participation in events sponsored all or in part by extractive industries or their financiers, where mainly management, consultants and other corporate members participated, as well as academics and students (Boutilier 2014). He is not alone in working in this way to further the concept. Scholars have used grounded theory and inductive reasoning to isolate and theorise patterns that inform the concept. Some proposed concepts touch on the importance of forging relationships with stakeholders; the relevance of local communities to grant the licence; and the close relationship between SLO and CSR.

Hall et al. (2015) argue that clarifying how industries perceive and use the concept is important because otherwise 'SLO risks not being a credible concept for the purposes for which it is most often used: understanding engagement, corporate communication or responsible development' (Hall et al. 2015, p. 304). Jacqueline Nelsen argued that SLO should be the dominant '"vision" for companies to recognise and embrace in order to acquire economic certainty with respect to new projects' (Nelsen 2006, p. 161). Consultants embraced similar opinions. Leeora Black, who was listed as a business consultant on 'sustainable development and risk' on her Linkedin profile, was more straightforward regarding why SLO should be important for corporations. In her monograph marketed for a corporate audience, she states that SLO is 'all about managing risk' in order to avoid potential obstructions to extractive projects (Black 2013, p. 31).

During a 2019 event on the Future of Mining, Dr. Nicky Black (Director at the International Council on Mining and Metals) focused her talk on the importance of fostering community trust in gaining social licence to continue mining operations (Future of Mining 2019). Similarly, two social scientists and mining consultants working in Australia, Moffat and Zhang, developed what they call an 'integrative model' of SLO, arguing that 'community acceptance' hinges largely on the community's 'inferred trustworthiness of the company' (Moffat & Zhang 2014, p. 61). They drew from close interactions with a coal-seam gas company which provided funding, access to company documents, assistance with development of the evidentiary survey, and access to the stakeholder database that comprised the surveyed community (Moffat & Zhang 2014, p. 69).

The methodological stance of the authors of the articles reviewed here show an orientation towards the interests of corporations. This ethical and logistical stance is problematic from the very inception of the concept. In our review of central social science scholarship, we see that the confidence in the SLO discourse has been contingent upon an interrelated (and sometimes conflicting) series of socio-political assumptions within racial capitalism and their presumed ethical solutions. In the next sections, we outline this collection of inferences, assumptions and presumptions. We show that these presumptions echo long-standing colonial practices of spectacle, whereby managers direct SLO (as a corporate narrative) not toward local communities, but rather to investors and consumers. Within a context of investor 'fears about project

disruptions… The unspoken implication is that, *properly managed*, communities *cannot* stop [extractive] projects' (italics added, Boutilier 2014, p. 266; see also Apter 2008; Mulhern, Mulhern & Perreault 2022; Owen & Kemp 2013).

UNSTATED ASSUMPTION: CAPITALISM AS SHARED DESIRE

The first set of unstated assumptions embedded within SLO is the conviction that capitalist economic development will lead to broad forms of betterment and that it is in the best interests of communities to 'sign on' to extractive projects. Most scholars publishing and speaking on SLO agree that one of the most important factors that communities will weigh when deciding to grant (or not) an SLO will be related to economic gains, financial growth, or other capital improvements. For example, in their model, Boutilier and Thomson (2011) envisage SLO as a continuum of acceptance where economic benefit is the most basic form of engagement between corporations and local communities. Similarly, in an article about the emergence of SLO and its practice in Canada, Jason Prno and Scott Slocombe argue that aboriginal communities tend to mobilise in the face of extractivism for two reasons: (a) asking for more respect to environmental standards by the extractive industry or (b) because they were unsatisfied with results and demanded 'greater benefits and more say in development outcomes' (Prno & Slocombe 2012, p. 353). César Saenz and Jhony Osto's (Saenz & Osto 2021) contribution to the conceptualisation of SLO focuses on understanding possible factors of conflict underlying community rejection of projects. In this sense, they highlight (a) community perceptions that benefits are not fairly distributed; and (b) the clashing of different outlooks regarding local development. These conclusions echo liberal tropes embedded in development discourses, wherein the core of the liberal argument is that individuals are rational and self-interested persons, committed to enhancing their wellbeing through market relations (Freeden 2015).

Critics of post-development have argued that the reality is much more nebulous, and that communities have mixed positions regarding modernity and capitalistic development (Asher & Wainwright 2019). Social scientists sympathetic with extractive industries make strategic use of the awareness of social complexity by focusing on empirical data that shows the ways in which certain community members are interested in economic benefits and development, and they universalise this as a fixed desire of people. In this, SLO is perceived not as an imposition, but as a more-or-less mutually agreed upon endeavour although sometimes conflictive, given the inequalities in economic distribution. Therefore, what is needed is some economic redress rather than a cessation of extractivism. These logics foreclose certain futures; they are ahistorical and obfuscate the violence of global racial capitalism. In this way, SLO situates communities as already malleable, amenable and receptive to forms of participation within extractive paradigms. From our view, this aspect of SLO parallels the colonial logics embedded in development discourse (Esteva 2010; Escobar 2012) and negates alternative ways of being and administrating common resources (Esteva & Prakash 1998).

UNSTATED ASSUMPTION: 'INEFFECTIVE' GOVERNANCE AND COMPLEX COMMUNITIES

A second unstated assumption within SLO is that communities have been underserved by 'ineffective' governance strategies; therefore, extractive actors necessarily bypass governance mechanisms to connect directly with the community. SLO stands in as a licensing mechanism in places where the state is presumed (by the extractive sector) to not provide sufficiently for community welfare. The notion of licence implies an official right. As a tool of tacit consent or negative governance, however, SLO is portrayed as less official and yet more valuable than sovereign government agreements. For example, corporations that are said to hold an extractive licence can have it revoked by local communities, even if the contracts with states have been upheld (Syn 2014, p. 318; Parsons & Moffat 2014, p. 341-342). SLO thus renders informal and voluntary the explicit and binding contract which governance organisations argue is properly held only at

the state level but nevertheless abandoned by 'weak' state structures. An important body of scholarship has shown that the discourse of 'weak' or 'ineffective' state governance is profoundly racialised and dismisses the sovereignty of the Majority World (Pierre 2020). Such discourses have paved the way for a politics of expertise that legitimise the governance plans of external institutions and intergovernmental finance and development organisations (Murrey & Jackson 2020; Tilley 2021), including the International Monetary Fund and the World Bank.

At the same time, SLO operates in concert with the unstated assumption that communities are 'too complex' or too internally diverse to allow for broad forms of consensus necessary for FPIC (Jackson 2014; Macintyre 2007). According to this colonial logic, communal or citizen consent is an illusion. That is, rather than being a way of understanding differing perspectives and internal frictions that can be resolved and overcome, inherent group diversity becomes a justification for disallowing formal consensus mechanisms. Corporate representatives narrate communities as 'too diffuse' to speak for themselves, except through street protests or acts of differential violence against the people and properties of extractive corporations. When popular actions cannot be ignored, they serve as a form of community rejection of the project – but are dismissed as being irrational, motivated by emotion, externally driven, and even anti-social or anti-democratic (Crowley 2014; Newman 2014). For corporate managers, therefore, FPIC is not possible, not normatively justified, and not 'cost effective' (Macintyre 2007; Murrey & Jackson 2020). As a result, proponents of SLO deem contract theories and democratic liberal procedures best suited to obtaining SLO.

Having identified communal diversity as a challenge for consensus-building, authors highlight the relevance of democratic procedures for sorting out conflicts and for the agreement necessary for SLO. Although this may seem to be a good faith argument, it represents an entrenched vision of democracy that does not account for local communities' needs. Lacey and Lamont's (2014) argument in favour of understanding SLO as a form of social contract is a good example of such work. Drawing from John Rawls, Lacey and Lamont interpret how SLO is analysed in the literature and argue that it maintains the features of a justice-based contractual political philosophy. They base their claim on the argument that SLO practices in the Coal Seam Gas industry in Australia exhibit the main characteristics of justice-based contractual theory (though with some flaws). These characteristics include things like (a) understanding that those who participate in SLO arrangements do so in a way that is reasonable for others. This is because each party considers the other parties' diverse, implicit, inferred or proclaimed interests/reasons for partaking in the agreement. These arrangements are even more important because they are (b) based on certain moral principles presumed to be shared by all the parties involved. They recognise that these agreements need to be framed by socio-political institutions that respect the minimum principles of justice. Also, it is believed that (c) individual choices should (and can) consolidate into a general choice that benefits the most. A final feature is that (d) decisions are reached through just procedures (Lacey & Lamont 2014, p. 832–835). Ultimately, SLO is presented as a democratic-based tool through which communities may fairly come to agreement regarding the terms of extractive projects.

Together with economic development discourse, this reference to democratic procedures in the social science research on SLO reinforces the idea that extractive projects are agreed to by communities. This reading is problematic for two reasons. Firstly, the perspective embraces a representation of communities as made up of political actors who embrace (and are embraced by) liberal discourse. As a result, and secondly, it does not account for other possible rationalities and cosmologies, as Silvia Rivera-Cusicanqui (2018) points out. SLO functions to silence other ways of knowing extraction and ways of being beyond and outside extractivist worldviews.

UNSTATED ASSUMPTION: CORPORATIONS FUNCTION BEST WHEN SELF-GOVERNED AND SELF-POLICED

A third structuring premise of SLO is that corporations function best when self-governed and self-policed. This is demonstrated by 'voluntary' programs of community support. Unlike the provision of social welfare and community initiative embodied in CSR and Sustainable Community Development, SLO carries with it not only underpinnings of corporate empathy and philanthropy, but also inferences of legal sanction as if lack of measurable resistance confirms the right (i.e. licence) of the corporation to remain in the space.

Scholars often assert that SLO is a requirement that goes *beyond* legal and regulatory obligations (Parsons & Moffat 2014, p. 341), as if it transcends these mechanisms in a positive way. For example, Syn writes, 'That the term 'social licence' was coined by the industry suggests external recognition of this shift of at least some power from the state to the communities, and a slow acceptance that what is legal is not necessarily right' (Syn 2014, p. 333). Going further, Parsons and Moffat comment that, 'organizations must gain community credibility and full trust to achieve *higher levels* of social license' (italics added, Parsons & Moffat 2014, p. 347; see also Thomson & Boutilier 2011). On the other hand, SLO is a metaphor, drawing on the 'conjuring power of legal liberalism' by 'adopting the term license' in order to persuade through mobilizing 'unconsciously formed sets of beliefs, attitudes and values' (Appel 2019, p. 92; Parsons & Moffat 2014, p. 346). Persuasion is weaker, of course. It does not carry with it the enforcement powers of direct sanction held by state organisations. As a corollary, it is not clear how SLO is communicated. 'It is theoretically possible that the company formally applies' but it is also entirely plausible that 'a license may be inferred by an absence of significant opposition, or if dissenters can be marginalised' (Parsons & Moffat 2014, p. 351). This is both a bold statement and an echo of colonial silencing.

The apparent absence of opposition is embraced as a key indicator of acceptance by company representatives and consultants. In an interview, the former Canadian Ambassador to Tanzania and President of McAlister Consulting Corporation (see 'Ex Canadian ambassador of Tz seeks to wrestle mining deal from Barrick' 2018; Government of Canada 2004; LinkedIn 2023) Andrew McAlister answers a question about how it is possible to know if a company has been granted social license by saying that 'it's a lot easier to know when you *don't* have it than when you *do…*' (italics added, UONGOZI Institute 2018, 3:29). He continued, asserting that the only way to know if SLO is maintained is through forging 'good relationships' and constant consultation with communities.

The bonds between corporations and local communities are dressed up in the language of trust, honesty, and legitimacy. The repeated reliance on trust in the social science literature is telling about the cynicism that sustains colonial relationships from the perspective of corporate actors. As Katherine Hawley states '[w]hen you trust someone, you make yourself dependent upon her, giving her a certain power over you: a trusted person enjoys a great deal of discretion in her actions' (Hawley 2017, p. 70). In the context of SLO, the notion of trust further tightens capitalist and uneven relationships. Other authors have rendered trust synonymous with communities 'co-identifying' with extractive companies (Moffat & Zhang 2014, p. 62; Thomson & Boutilier 2011) – an assertion that seems to expose the penultimate fantasy of SLO.

A key aspect of an emancipatory political moment is the possibility of dissensus. But disagreements are only possible when different visions are contrasted in the public arena, allowing oppressed subjects to raise their voice against dominant voices (Rancière 1999). For SLO proponents, trust and honesty seem centred in the public-facing discourse. However, in the context of the gross imbalance of power of colonial and capitalist relations, the possible parameters of dialogue are already rigidly set to eliminate radical alternatives otherwise. Extractive development is always already decided as the paradigm for the immediate future.

Conclusion: Universities beyond extractivism

In the face of substantial political critique in response to the unremitting violence initiated by extractivism, corporate entities have frequently called upon researchers, consultants and scientists to provide changing imaginaries and material frameworks through which extractivism can be conceived of in ways perceived as more banal, friendly and sympathetic to community needs. This has occurred even as such projects commit massive forms of ecological, environmental and social violence.

Our critique of the ideational genealogy and conceptual materialisation of SLO has revealed the racialised and colonial logics underlying its enactment and discursive practices. Given that SLO seems to be highly dependent upon these logics, its conceptual engineers have been of particular significance to our analysis and for decolonial critiques seeking to move beyond them. The trend for social scientists to work with and rely on corporate members' opinions to build a conceptual framework risks producing scholarship that is inherently partisan. The relationships between scholars/researchers (including research, teaching and ideas) and the extractive industry brings much more urgent ethical-political problems to the fore (Kirsch 2022; Murrey & Jackson 2020). At stake here is whose interests the knowledge produced in universities serves, and which perspectives are considered in the building of that knowledge. These queries are not new in postcolonial, decolonial and feminist reflections on research and knowledge creation. As many authors have signalled, historically research has been instrumentalised to support the relations of domination that preceded and facilitated the development of imperial capitalism (Grosfoguel 2016; Murrey 2018; Smith 2012). From this conceptual and ideational lineage, SLO is situated within a powerful tradition of social science research that produces knowledge in service of colonial relations. The university has been implicated in endorsing the power and mythologies of SLO. Social scientists have sometimes been complicit by providing ancillary support for the concept. Therefore, the academy is an important space for decolonial struggles beyond corporate extractivism.

Given our analysis, we argue that it is necessary to confront the routine and seemingly banal arguments regarding the importance of academics having a 'seat at the table' (or 'inside the fence'; Owen & Kemp 2017, p. 60) as well as the extractive sponsorship of university research and events. These arguments and acts function as forms of implicit and explicit social licence for extractivism within the university. While we understand that these unfinished arguments, as our reviewers rightly pointed out, will be provocative and unwelcome to some within the university, the significance and implications of social science research of and within the extractive industry demands uncomfortable, even painful, self-scrutiny. We do not hold ourselves above this scrutiny. We simultaneously understand the complexities and the multiple motivations and incentives that researchers have to maintain relations with industry actors and the institutional contexts that normalise varied forms of complicity with extraction; this has not been the focus of this intervention article. Our purpose has been to incite more critical and candid interrogation of the roles of social scientists as complicit in condoning or advancing the conceptual and ethical-political frameworks necessary for the maintenance of global extractivism.

The diffusion of SLO across geographies of knowledge production will probably continue into the immediate future. Thus, it will be important to pay attention to how this plays out, not only as a tool of corporate risk management but also to underpin arguments against extraction. In this context, although cautiously, we see a possible opportunity within movements, including among students and faculty, in provisionally appropriating the withdrawal of SLO as an ethical statement in support of university (and broader) divestment from extractive corporations, in the context of broader discussion that are taking place about extractive industries and their role in the academy and beyond (Klein 2015; Quigley, Bugden & Odgers 2021; Rowe, Dempsey, & Gibbs 2016; Schifeling & Hoffman 2017). By understanding the colonial logics that underpin the narrative, leaders of these movements can better ascertain the value and scope of such programs. Provocative and critical analysis can prove important for more effectively confronting the

academic and corporate leaders who advance arguments couched in liberal narratives to undermine radical alternatives for liveable futures.

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