



**U i T**

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**Pipeline resistance in the Unites States:** *How the Dakota Access Pipeline resistance has affected Indigenous people in their continued resistance against pipelines*

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## ABSTRACT

This thesis is focused on pipeline resistance in the United States, specifically drawing from the Dakota Access Pipeline resistance and the current resistance against Line 3 in Minnesota. Indigenous peoples from all over the globe became engaged in resisting the Dakota Access Pipeline (DAPL) and there were predictions made about the future in terms of how meaningful this resistance was. The resistance also attracted thousands of non-Indigenous people as well, including a lot of climate justice activists and youth movements. It was highlighted in the media as the largest gathering of Indigenous people in more than one hundred years. It was argued by some that DAPL and the world-wide response would lead to changes in the relationship between the First Nations and the state, and this is what this research is assessing.

The aim of the project is to address the following research question; How has the Dakota Access pipeline resistance affected Indigenous peoples in their continued resistance against extractive industries? To answer this question, a qualitative case study has been carried out. The conceptual framework that was used to understand the findings has consisted of the concept of *Power* and *Environmental Justice*, as well as the concept of *Framing*. The thesis will discuss what potential changes the Indigenous people are perceiving, and focus on how media represents Indigenous issues, who the society is regarding as valid in terms of having their concerns addressed, and how pipeline resistance has affected communities. The thesis also discusses the growing solidarity between Indigenous peoples as well as other organizations, building strong allies that are continuing to resist project that threatens the water and the environment.

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# CHAPTER 1: INTRODUCTION

## 1.1 Introduction

The resistance taking place at the Standing Rock reservation against a pipeline construction in North Dakota, became an internationally broadcasted event in the course of 2016 and was argued to be the ‘largest gathering of Native Americans in more than 110 years’ (National Indigenous Television: 2016). Thousands of people travelled long distances, many from within the United States, but there were also people coming from Canada, Mexico and European states to the Oceti Sacowin camp. The large gathering of Indigenous people as well as non-Indigenous people were rooted in the resistance of the construction of a pipeline which would transport crude oil from North Dakota to Illinois, bearing the name Dakota Access Pipeline (DAPL). The company behind the pipeline, Energy Transfer Partners and their investors were granted permission to execute the project, which fuelled a response from the Standing Rock Sioux Tribe, who feared the consequences that may follow from this construction. First and foremost, the Tribe argued that they had not been adequately consulted prior to the approval. They were also concerned about the risk of oil spills into the Missouri River, the tribe’s only source of drinking water. Research has shown that oil spills are nearly impossible to prevent, and small spills will inevitably happen - which is one of the arguments presented by those opposing these types of projects (Rodgers and Burleson: 2017). In addition to the concerns about the Missouri River, the proposed DAPL would also run under parts of Lake Oahe, where the Sioux tribe holds fishing and hunting rights (MN350: 2018). A call for action was put out, using social media platforms, reaching people all over the world. Through social media, people could follow all updates through live streaming directly from the camp in addition to other posts, and this made it possible for the message to spread fast and wide. This is the background for what later became a large gathering of ‘Water Protectors’, coined by the Indigenous peoples of these areas, who did not want to be referred to as protesters (Steimer: 2017).

I chose to look at pipeline protests in the United States because the issue is highly debated, Indigenous peoples from all over the globe has become engaged, in addition to people concerned for the Environment, the Black Lives Matter movement, US Army-veterans,

Christian communities and others (Ravna: 2018). Pipeline protests can also be viewed as part of a bigger picture, as a part of the growing call for protection of rights for Indigenous people around the world (Mengden: 2017). I think the topic of my thesis is important and relevant, not only because I am looking at events that are taking place right now, but also because it is important to highlight the scope of some of the injustices taking place in the world today. People from all over the world heard about Standing Rock - no other pipeline conflict had gained as much attention as this case did. However, other than the fact that it reached globally, this case is not significant if we look at violation of rights. Indigenous people in the US have faced and continue to face a number of disputes regarding planned projects that will interfere with their way of life (Line 3, Keystone XL pipeline being two of the current concerns). Nevertheless, the resistance at Oceti Sakowin represents an incident that gained a lot more attention than initially anticipated, which is why the case is so interesting. Leah Donella for the independent media organization NPR offered two narratives to explain the Standing Rock Resistance; “we have never seen anything like this before” and “this has been happening for hundreds of years” (2016, p.1). The history of injustices experienced by First Nations in the United States is long, and I will not attempt to cover it all in this thesis. What I will do, is focus on a case that is of the same nature as the Dakota Access Pipeline Protest but have not yet received the same attention.

## **1.2 Previous research and the aim of this research**

In light of the events that took place at Standing Rock, predictions about future repercussions started to spread. It became a question of violation of Human Rights and the rights of Indigenous peoples debated all over the world. Some believed that DAPL and the world-wide response would lead to changes in the relationship between the First Nations and the state (Johnson and Kraft: 2017, p.135, Sundeen: 2016). Ellen Moore published a book in 2019 that addressed the Dakota Access Pipeline in journalism with special attention to how the resistance was part of larger power struggles, and how different media outlets covered the movement. In her concluding chapter, she talks about how the #NODAPL movement sparked “enduring conversations about climate change, pollution and the need to focus more on renewable energy”, in addition to the historic level of solidarity (p.217). These predictions and hopes for the future sparked my interest, and since some work already has been published about the Dakota Access Pipeline, I wanted to expand on that and include another similar pipeline issue.



The thesis fits into the general debate about pipeline resistance by examining the positive vibe that many people have expressed post-#NoDAPL. Greg Johnson and Siv Ellen Kraft published some reflections after visiting the Oceti Sakowin camp, and suggested that the ‘fight against the black snake’ (the pipeline) could potentially develop strong networks such as what happened with Sami people in the wake of the Alta-Kautokeino hydroelectric dam project. The protest led to lasting gains for Sami people, and the #NoDAPL movement might be able to achieve something similar (Johnson and Kraft: 2017, p.135). Previous research has also looked into how the Dakota Access Pipeline is a part of US Colonialism. Kyle P Whyte argued that the significance of the movement extended beyond safety standards and the lack of/inadequate consultation with the tribe – he argued that this movement, along with other Indigenous movements has the power to inspire individuals to confront the many ways in which they are being subjected to settler colonial injustices in different sectors, such as philanthropy and education (Whyte: 2017). Walter Mengden also offered an assessment of the Dakota Access Pipeline and US consultative policies, where he concluded that the way the US consults with Tribes needs to be changed. He requests a more democratic relationship, but does not see the federal government taking actions to ensure Free, Prior and Informed Consent (FPIC) in the near future (Mengden: 2017).

Free, Prior and Informed Consent is an interesting angle to view these pipeline resistances through, as many Water Protectors argue that there is a lack of consultation. However, this thesis will aim to fill in a gap of information about what has happened within communities after the historic gathering at Standing Rock. Therefore, through interviews and discourse analysis, the aim of this research is to assess the impacts in the aftermath of the Dakota Access pipeline resistance.

### **1.3 Research Question**

The leading research question will be;

- *How has the Dakota Access pipeline resistance affected Indigenous peoples in their continued resistance against extractive industries?*

Through this question, I aim to assess whether there have been any changes for Indigenous peoples and their movement, and if so - to what extent. What does the changes look like? Did DAPL significantly change how the resistance against pipelines are being met by the ones in power? Have the Indigenous peoples gained more knowledge from this, in terms of adapting new strategies? Are there any new coalitions and initiatives? To answer these questions, I have adopted a Case Study approach, focusing on one particular pipeline and the resistance that has arisen. The case I am building my research upon is the resistance against Enbridge Energy's proposed new route for Line 3 in Northern Minnesota. The company aims to replace an old pipeline but has also offered an altered route in which they want to lay the pipeline. This does not sit well with the Indigenous people in Minnesota that are worried about their wild rice lakes, and their pristine water resources. Many argue that the proposed replacement route is so different from the old Line 3, that it is more like a new line than a replacement (MN350: 2018).

I did my field work in Bemidji, Minnesota, in August of 2018, where I spent two weeks in the community and got to know several people that are engaged in pipeline issues. My intention was to gather a number of interviews, however, I faced difficulties in obtaining informants. Nevertheless, I was able to conduct three interviews that contributed to my project and helped me get an understanding of the pipeline resistance, from different perspectives. A triangulation with other sources of data was implemented as well, which all will be discussed further in the methodological chapter.

#### **1.4 Personal background and the relevance to Peace studies**

Both my academic background and my background as Sami played a role in shaping the topic of this project, as well as in the selection of method. I have a Bachelor's Degree in Politics and International Relations, with special focus on Human Rights and crimes of the powerful, which undoubtedly have inspired the course of my current and future work. It was therefore clear from the beginning that I wanted to do a research project that involved Human Rights, incorporated in a case where the 'powerful' exploits a less powerful group of society. I have felt inspired to do a project on the many conflicts between the Sami and the state, as well as between Sami people and corporations. Recently, a reindeer herder in Norway who was in conflict with the Norwegian state appealed his case to the United Nations (Rasmus: 2018). The UN Committee on the Elimination of Racial Discrimination has been involved in another

case where reindeer herders are trying to prevent a windmill project in reindeer grazing areas (Karagiannopoulos: 2018). In both cases, it looks like the Sami reindeer herders will yet again suffer losses, despite the amount of support the individuals have received. These are just two examples of disputes rooted in access to resources taking place in my own country that have gained international attention and caused outcry. However, with my background as a Sami, I thought it would be better to pick a topic that did not feel as personal - to create some distance. I knew that it could potentially be difficult to put aside my strong opinions about how the Sami people have been and continue to be treated in Norway. It is possible for an insider to research one's own community and distance himself or herself in the process, without having the project being shaped by personal emotions. However, I thought that it would be better to find something that was similar to the Sami struggles - in that way, I could relate to their struggles, without being fully an insider. Furthermore, focusing my research outside Norway would allow me to broaden my perspective for Indigenous struggles, as well as bringing new knowledge into the Sami struggles. With my Indigenous background, there will always be some form of bias in favour of the Indigenous people, but I have to the best of my ability approached this research with this in mind.

In terms of relevancy to the Master programme in Peace and Conflict Transformation, I believe that this thesis is incorporating some of the core ideas of peace – which Johan Galtung defines as being the absence of direct-, cultural- and structural violence (Galtung: 2012). The situation for First Nations in the United States today, as well as one hundred years back in time is very much characterized by all three forms of violence, as will become evident in this thesis. A chapter is dedicated to lay out how this has been taking place in the US and show the patterns of injustices.

## **1.5 Definitions**

In this thesis, there are some terms that requires some explanation or justification.

I chose to refer to the Indigenous people in the United States in general as First Nations. There are some instances where there will be more specific references where it seems relevant or to highlight the different Tribes. The only exception is when using direct quotations.

The people participating in the resistance against pipelines are referred to as Water Protectors, and not as protesters. This is a terminology that they themselves chose, and I intend to respect that. Because of this, I also refrain from using the term ‘pipeline protest’.

When talking about the resistance against the Dakota Access Pipeline, I will use the abbreviations DAPL (Dakota Access Pipeline) and #NODAPL, which was the hashtag that is associated with the resistance. Additionally, when talking about the camp, I will use the names *Oceti Sakowin* which translates to The Seven Council Fires. The Standing Rock Sioux Tribe is part of Oceti Sakowin, and they are often divided into Dakota (Santee), Lakota (Teton) and Nakota (Yankton). The people today residing in the Standing Rock Sioux Reservation are Dakota and Lakota members. I will also refer to the encampment by the name *Standing Rock*, as this is what most people use in dialogue (e.g. “when I went out to Standing Rock..”)

## **1.6 Thesis outline**

This first chapter of this thesis will start off by introducing the methodological approach. It will go into the qualitative methodology, how the data was collected and how it was analysed. There will also be a discussion of the ethical considerations that have gone into this project and will end by looking at how my Sami background may have influenced me as well as my informants. Chapter three will present and explain the conceptual framework that has guided the analysis of the findings. Here, two main concepts, meaning *Power* and *Environmental Justice* is the main focus, but they will also be linked with other concepts. The last part of the chapter will show how these concepts can be applied to my field and my research question. The fourth chapter will place these pipeline resistances in a historical context. Adding a ‘timeline’ of events will give the reader an understanding of the relationship between First Nations and the Government in the United States. The long history will not be covered at full length in this background section, but some key dates, agreements, conflicts and events will be highlighted. The fifth chapter will be the discussion and analysis of the findings, in addition to some thoughts on what the future concerns might look like. Media coverage, community relations and policies will be addressed as important aspects. Lastly, the sixth and final chapter will be a summary of the main points that have been discussed in this paper, in addition to a general conclusion.

## **CHAPTER 2: METHODOLOGY**

This chapter will introduce the method and methodology for this thesis, why this approach was chosen, and how it has been applied. For the methodological part, I had some knowledge of conducting a large research project on my own. I used qualitative methods for my bachelor thesis, giving me some experience with analysing reports and look for data using the world wide web. Conducting interviews for the first time was a challenge, and throughout my time in the field I faced some difficulties and unexpected changes in my approach. This chapter will therefore explain the difficulties faced during the research process, such as interviewing and transcribing, insider vs. outsider perspective, as well as the difficulties that a researcher often faces when one is investigating an active movement. The first part will focus on research design, sampling and data collection, and then move over to the ethical considerations, validity and reliability, and end on a discussion of personal biases and the limitations in relation to field work.

### **2.1 Research design – Qualitative methodology**

The approach for this thesis has been adopting a qualitative methodology, which refers to “research that produces descriptive data – people’s own written or spoken words and observable behaviour” (Taylor et al: 2015, p.7). This project is formed as a case study, a research strategy that can be associated with a number of methods for data-gathering, as interviews (semi-structured, unstructured in-depth), ethnography/participant observation, discourse analysis and conversation analysis (Bryman: 2016, p.377). Doing a qualitative project, such as a case study also means that the researcher does not have to be ‘wedded’ to one particular method at the starting point, and it is common for a researcher to adapt the methodology once he or she enters the field. What this means is that a researcher conducting a qualitative research project will prepare the methodology in advance, but he or she is flexible, and able to adjust as they go along. (Taylor et al:2015, Bryman: 2016). The case study strategy is appropriate for my research project, as I am following a grassroots movement with a very unclear future. New things could pop up at any given time, and what happens next in terms of actions by protesters is very unpredictable.

Because of the unpredictable nature of this case, conducting interviews will not be sufficient on its own, especially considering the small number of informants I was able to access during field work. Therefore, I believe that a triangulation of qualitative methods will give a more holistic understanding of the phenomenon that I am exploring. Triangulation is defined by Bryman as the use of more than one method or source of data in the study of a social phenomenon so that findings may be cross-checked (p.697). Since the cut and scope is on people's behaviour and interpretations, interviews would provide insight into how people have experienced the aftermath of the peak of the #NODAPL movement. The respondents may also be able to explain their experiences in regard to changing attitudes and behaviours. Analysing documents will be the second method used, to build upon these ideas, as well as demonstrating how mobilization is possible through social media, and show which messages they are trying to spread. The documents chosen for this research are secondary literature such as featured articles, journal articles that discuss the happenings at Standing Rock, with some of them adding the perspective of Indigenous Rights and Human Rights. In addition to interviews as primary sources, I have also included articles from newspapers such as The Guardian, The Independent and The Bemidji Pioneer (which is the local newspaper in Bemidji) and statements from social media (Facebook). The articles from The Bemidji Pioneer were identified after searching for "Line 3" in the search bar, at the newspaper's homepage. The other articles were gathered from a google search for "Dakota Access Pipeline" and "Standing Rock". I chose some of the top articles that appeared, in addition to some articles that were found after searching for "Water Protectors". I also follow some of the resistance groups on Facebook, to be able to read frequent updates.

To analyse the documents and journals, I have attempted discourse analysis, with special attention to Framing. We will discuss the concept of Framing in the next chapter as well but to give a brief intro; Framing can be explained as a way of organizing complex issues into a narrative and can place events and happenings in a "field of meaning" (Arowolo: 2017, p.1). As we will later on also emphasise, Framing can be a very useful concept to assess for this project, because frames can define what people considers to be important issues (Moore, 2019 p.76). In my analysis, I have focused on specific wording, what types of people are being quoted by the newspapers, and what the main focus of the articles seems to be about. In this, I try to identify what type of frame that the media created, as well as the frame built by the Water Protectors. These frames can change over time, and it is therefore useful to look at sources from 2016 when the initial resistance at Standing Rock were established, but also look

at sources of data from late 2018, after Enbridge announced its construction start date for Line 3.

Combining these approaches will hopefully offer some insights of how the Dakota Access Pipeline protest has affected Indigenous peoples in their continued resistance against pipelines, and it may also shed some light on what the situation looks like today – both in terms of relationships and mobilization.

## **2.2 Sampling**

To get the sample of respondents to participate in this research project, recruitment was attempted through snowball-sampling. This form of sampling can be defined as a technique for gathering research subjects through the identification of an initial subject who is used to provide the names of other actors (Lewis-Beck et al: 2004, p.1043).

Accessing respondents proved to be a challenge. This is not uncommon for researchers to face, especially when they are trying to access people who might not see benefits in participating in research. Being perceived as an outsider may also have made it difficult for me to reach the people I wanted to talk to. The ethical considerations will touch upon this topic as well, but anyone who does research involving groups that have been stigmatized faces some extra challenges. In my case, the Indigenous people that I reached out to might have viewed me as a white and foreign woman with no connections to indigeneity. I tried to contact individuals through email, Facebook and websites - in addition to other people reaching out on behalf of me. It was only the latter that led me to secure interviews. My identity in relation to respondents can be seen as relative, and it can also change over time (Kersetter: 2012). Some may view me as an insider because of my Sami background, because there is a growing feeling of solidarity between indigenous peoples all over the world. Others might disagree, thinking that I cannot relate to their struggle and they see no similarities between us. The definition of me as insider vs. outsider is thus not fixed, and was constructed in relation to each individual participant, and context. How this possibly shaped my field work will be further addressed later on in this chapter.

## 2.3 Data Collection

Unstructured interviews were chosen because the method would allow me to explore the experiences of respondents without being restricted to a tight questionnaire or a interview guide. Qualitative interviews have an open-ended nature, which is valued by many researchers, because it allows for clarifications and elaborations, in addition for the possibility for the researcher to challenge its respondents on certain ideas or quotations (Blee and Taylor: 2018, Bryman: 2016). The initial plan was to conduct semi-structured interviews, however, once I encountered respondents, it became evident that the interview guide was not appropriate for the case that I wanted to explore. This was because the respondents that agreed to participate in this study was not as involved in the specific resistance as I had anticipated, which led to a change in the strategy, in order to gain as much insight into their experiences as possible, without focusing too much on Line 3. Thus, I abandoned the interview guide which was focused on Line 3 and decided that I would get more data if I let the respondent talk about their experience with pipeline protests in general. The respondents were presented with the topic of the research and the aim of the study, and from then the conversation simply flowed. The slight change in interview style did not have an impact on my research question, as I was still able to gain some knowledge relating to my topic.

My database from my fieldwork consist of three unstructured interviews. All three respondents had visited the Oceti Sakowin camp and actively engaged in pipeline discussions. The degree of participation in the Line 3 resistance varied, but all of them were familiar with the pipeline. The following chart explains who these people were, and how I have chosen to identify them in this paper.



Interview object	Date	Field of work/interest	Interview reference
Male in his 60's	22.August 2018	Indigenous background, works for a Non- governmental organization focusing on the environment as well as Indigenous issues. Actively took part in #NODAPL	Respondent A
Male in his 40's	27.August 2018	Engaged in environmental issues, had been to the Oceti Sakowin camp twice	Respondent B
Female in her 30's	24.August 2018	Indigenous background, also has a job that is within the realm of environmental concerns	Respondent C

The second method of data collection has been through online publications. As previously explained, journals and articles have been identified through online searches. Additionally, some of the documents are publications and statements by grassroots movements such as *MN350*, a Non-governmental organization working to raise awareness about the climate crisis, in addition to *Stopline3* and *Honour the Earth*, which both are campaigning to stop Line 3 from being built. StopLine3 is an NGO, the only one out of these three that exclusively focuses on stopping the construction of Line 3, but all have dedicated significant amount of resources to raise awareness. Honour the Earth, the third NGO has a mission statement that reads as follows; “our mission is to create awareness and support for Native environmental issues and to develop needed financial and political resources for the survival of sustainable Native communities”, and they have been active since 1993 (Honour the Earth: 2019). These three organizations have been chosen for data collection because they post frequent updates, they are active on social media, and they make it possible to follow new updates all the way from Norway. Another reason for choosing NGOs as a source is because they produce and publish opinions. Some journals and books have been used to gather more background

information about the events at Standing Rock, but the case that I am focusing my thesis on has not been addressed to the same extent.

## **2.4 Ethical considerations**

Any researcher planning to do a research project has to think about the ethical dilemmas, consequences and questions that may arise in the process. First and foremost, this research project was notified to the Data Protection Official for Research at NSD - The Norwegian Centre for Research Data. NSD assist and give guidance to researchers, and also make the researcher aware of ethical issues that may be linked to their project (NSD: 2018). Within the discussion about ethical principles, Bryman (2016) identifies four main areas; harm to participants, lack of informed consent, invasion of privacy and deception. For my research project, in terms of harm, it was very important to make sure that none of the participants are identifiable. This is, of course, important for any researcher presenting their findings. Kaiser explains the notion of protecting confidentiality as the *convention of confidentiality* - the ultimate goal (2009, p.4). By focusing on complete confidentiality, the researcher can protect the respondents from harm, build trust and rapport as well as maintaining integrity of the research process. However, researchers must also keep in mind that special caution may be necessary when working with socially identifiable populations. This can be racial, ethnic, religious or specific geographical communities. Minority- or dominated groups may have a unique political status, and it is important to remember that there may be cultural views separating them from the larger society, and they may also have previous negative experiences with European or Western dominated cultures. For these reasons, it has been very important for me to be aware of the fact that the people I study are part of a group that can be identified, even if I hide the names and age of respondents, because there may be unique combination of traits that can identify respondents (ibid, p.5). Researchers also have to keep in mind that altering data in order to anonymize respondents might in the end render the information useless, or it might not be as rich as initially anticipated. This can be a problem if one gathers data that would be significantly helpful for the project which cannot be used because it is impossible to hide identities of respondents (ibid).

In addition to staying aware of this, I have also been cautious about the history of Western researchers conducting research on indigenous peoples. For First Nations, there arguably

exists a fear of researchers as outsiders conducting research among them, but then fail to let the researched population or group have a say in the final publication. Their culture and land has been exploited in many ways, and a continuation of this will also lead to a continuation in the stigmatization of indigenous peoples. Concerns have been raised about misinterpretation of tribal information, and lack of consultation with the members of the tribe, which may present culturally insensitive 'facts' or perpetuate inaccuracies (Brayboy and Dehyle: 2000, Harding et al: 2012). Participation in research can have consequences for the whole community, which is why the researcher and participants have to consider the effects of not only the ones that agree to participate. Safeguarding against invasive research is thus important for First Nations, as an often stigmatized group (Harding et al: 2012).

Informed consent, as previously mentioned, was addressed at the beginning of this research process, as well as during the collection of data. In cooperation with NSD, a consent form was created, and this form was provided to all the research participants. The form included information about the project, who would have access to the data, all the right that a participant has - including the right to withdraw their participation at any time during the process. This was explained to the participant, and they were given as much time as they wanted to read the consent form before signing it. This is important, because even though people know that they are asked to participate, the researcher should make sure that the possible respondents are fully informed about the process (Bryman: 2016, p.129). I also asked for permission to record the interviews and made participants aware that the recordings would only be used for transcription, and that the transcription would be anonymized.

In order to avoid any form of deception, I made sure my respondents had my contact details for further questioning, and they also get the opportunity to give feedback on my findings before final submission of the project. This offers an opportunity for the participants to clarify misunderstandings, ask me to remove certain quotes and make sure that I accurately represent what they conveyed to me.

## 2.5 Validity and Reliability

As was mentioned at the beginning of this methodology section, there are some possible personal biases that is important to address. A researcher should also consider how one's own personality affects the research process (Pezalla et al: 2012). This is being conscious and recognize that 'as researchers, we are part of the social world that one study' (Palaganas et al: 2017, p.427). Within the literature, this notion of being aware of our own influence is often referred to as reflexivity. Reflexivity entails the idea of recognizing, examining and understanding how one's own background and beliefs plays a role in shaping how one carry out research. As such, the researcher should always be aware of how he or she intentionally or unintentionally influence the findings. For this research project, I have had to reflect about how my academic background studying injustices experienced by less privileged people may have led me to be even more aware of how the First Nations are being treated in this case and in US in general, and this may cause me to be 'blind' towards any wrongdoings carried out at the hands of First Nations. In addition, I must recognize the indigenous indentity as an influencing factor. Even if some people might argue that First Nations and Sami are two different groups, there are many similarities in terms of culture, the way we value nature, and the injustices that our groups have experienced at the hands of governments and corporations. Disputes about land rights is something that both the Sami and the First Nations have faced for generations, and it is still very much a relevant issue today. Therefore, my understanding of the conflict may be shaped by my previous experiences, and it might be challenging for me to see if the claims made by First Nations are unreasonable.

The connection between my Sami identity and the First Nations can be put in the perspective of positionality, which can be explained as the way you place yourself in relation to the people you study. Positionality is shaped by age, gender, class, values, beliefs, background ethnicity and so on (Palaganas et al: 2017) – meaning that my Sami identity was not the only factor that potentially shaped the interviews. Gender, and gender differences certainly has been found to impact certain situations or be viewed as an obstacle, although, it does not have to. Alex Broom, Kelly Hand and Philip Tovey looked at the role of gender in qualitative interviews and argued that women might be more willing to talk about sensitive topics when they are approached by a female researcher. They also found that men potentially could face expectations of performing masculinity, which can be a limitation for how much information

the participant offers, because it is hypothesised that men sometimes will cover up experiences that are not ‘manly’ (Broom et al: 2009).

Nevertheless, not all research sees gender incongruence as a limitation for the research. For instance, it has been argued that there are certain topics where men are just as comfortable talking to a researcher from the opposite sex – nursing profession and family life are among the suggestions (ibid). Importantly, researchers looking at gender and what role it plays in interviews often emphasise that other aspects will also play a role in shaping the dialogue, gender does not have to be the most important factor. Broom, Hand and Tovey found that ethnicity, social status and age can be just as influential, depending on the context (ibid). Likewise, Mazzei and O’Brien also found field settings to be decisive for which attributes that will play a role in building rapport (2009).

## **2.6 Insider vs. outsider**

Thinking about positionality also entails thinking about the concept of insider and outsider. I touched upon this potential dilemma when I mentioned how my previous experiences might shape how I view my findings, but it might be useful to discuss where I would position myself, and where my respondents might have placed me. There are advantages and disadvantages of being an insider, just like there are advantages and disadvantages of being an outsider. As an insider, the person will know who to contact, and might have an easier way to reach participants (Moore: 2015). Building trust might also be less problematic, because the researcher is known to the environment he or she aims to study. When the respondents view the researcher as similar, either because the researcher is a member of the group, or because the researcher – though self-disclosure has shared experiences that make the researcher and respondent similar, a richer set of data might be available. This is, according to Sonya Dwyer and Jennifer Buckle, because “participants might be more willing to share their experiences because there is an assumption of understanding and an assumption of shared distinctiveness” (2009, p.58). In addition to this, being an insider can be especially beneficial if the researcher aims to access a group or community that is closed. For my particular project, when we keep in mind the history of First Nations being exploited by non-Native scholars, being an insider can potentially facilitate access. Viewing it from a different angle, doing research as an insider can also cause the researcher to have difficulties in separating one’s own emotions from the

project, as well as the potential difficulties of analysing something that he or she is a part of. One might face difficulties in seeing things from different perspectives (Kersetter: 2012).

On the contrary, the outsider is often argued to be more neutral, and able to approach the research with emotional distance (Brayboy and Deyhle: 2000). Since they do not have a previous relationship with the researched group, they are likely more able to separate themselves from the people that they study. However, an outsider may face issue of access. Bryan Brayboy and Donna Deyhle, ethnographers who were conducting research in Indigenous communities published a paper in 2000 where they stated that researchers can meet obstacles when for instance, participants decide that the researcher is “unworthy or not to be trusted with insider information” (p.163). That being said, it is not impossible for an insider to be aware of her/his own biases and reflect upon how they might influence the research. Likewise, it is not impossible for an outsider to get access to insider information and adequately present participant experiences. What scholars have been emphasising is the ability of a researcher to be honest, think about positionality, and be strongly interested in representing their findings in an accurate way (Dwyer and Buckle: 2009).

### **2.6.1 ‘The space between’**

In many instances, self-disclosure can play a role in positioning the researcher as an insider or outsider. In terms of building rapport, which is explained by Lisa M. Given as the “degree of comfort in the interactions between the researcher and research participants” (2008, p.728) – insider/outsider status can affect the rapport building. However, being a member of a group does not have to necessarily mean that people are the same or symbolize sameness, and not being a member of a particular group does not have to mean that there is an absolute difference between researcher and respondents (Moore: 2015). In light of this, new thinking has emerged, which proposes a position of a ‘space between’. Darren D Moore proposed this as an explanation of a position of where an individual has experienced similar phenomena, or has knowledge about it, without is necessarily being the identical experience. He put it like this; “similar, but not the same” (p.100). He came to this proposed position after researching men who had experienced significant weight loss. He himself had also lost a significant amount of weight, but the experience was different from his respondents because they had undergone surgery to get to that stage, whereas he had not. During his research, it was

acknowledged that he had knowledge and personal experiences of weight loss, although it differed from his respondents to a certain extent. Nevertheless, they could share stories and he was able to establish connection with his respondents. In his reflection, he stated that “I was accepted, and viewed as part of the weight loss community, though I was placed on the margins” (ibid, p.100).

I would argue that during my field work, I found myself as being in the space between. I was not fully an insider, because I have never participated in anti-pipeline resistance, and I am not a member of a First Nations Tribe, leading me to have no previous ties to the people that I encountered. In addition to that, and maybe most importantly, I have never personally felt the consequences that the oil business has caused some communities. Here I am referring to oil spills that have polluted waters the environment (e.g. the Exxon Valdes Oil spill in Alaska in 1989 that leaked approximately 11 gallons of oil into the water, the Keystone pipeline spill in 2017 where 200,000 gallons of oil spilled in South Dakota) and the damage to sacred sites, among other things (Picou and Martin: 2007, Smith and Bosman: 2017, Whyte: 2017, p.155). However, there is a strong solidarity between Indigenous peoples across the globe, which has been particularly visible after the Dakota Access Pipeline Protest. There is no denying that Indigenous Peoples have experienced many of the same injustices, for instance the assimilation policies and practices like boarding schools where children were taken away from their parents in order to eliminate Indigenous culture and language. This happened in Norway, Sweden, the United States, New Zealand, Australia and Canada. The commonalities between the Sami experiences of injustice by the state, and the First Nations experiences were addresses in the introductory chapter of this thesis, with special attention to land rights, but that is not the only experience that Indigenous people share – as the latter example shows. The reason why this is relevant is because it relates to the insider/outsider debate. Sami people from Sweden and Norway travelled all the way to the United States so support the First Nations Tribes opposing the pipeline. One of the individuals, respondent A, that I met whilst in the field had met some of the Sami people that came there and had learned a bit about our culture and traditions as well. From this experience, I would argue that I was looked at as someone similar to the First Nations in the aspect of indigeneity, although from a very different background.

## **2.6.2 The impact of self-disclosure**

Focusing on reflexivity also means that I have to think about the role self-disclosure may have played in the process. Since I had knowledge about the concerns about outsiders researching Indigenous peoples, I decided to disclose my Sami identity to the participants from the beginning. This opened up for a discussion about shared struggles, in addition to a comparison about cultural values. I felt that disclosing my background created less tension during the interviews, and it also made it possible for the conversation to lead straight to the main issues. Since my respondents knew about my Indigenous identity, they may have thought that it was not necessary to explain why it is important for them to protect the water and why they argue that their rights are being violated. In a setting where time was limited, this was very beneficial. However, self-disclosure can also be problematic. For me, even though disclosing information removed tension, it also made it difficult for me to be as critical as I wanted to be. With this I mean that I tended to sympathize with my respondents when they talked about injustices and found it hard to try to poke holes in their arguments - or look for inconsistencies. In hindsight, I realized that I tended to agree with my respondents, and we did not at all talk about any potential errors made by the Water Protectors. In sum, it was hard for me to leave my personal opinions out of the interview. This is all the more important to reflect upon, and to make sure to be cautious of this in regards to the analysis of my findings.

## **2.7 Limitations**

Following a campaign means that unexpected events can take place at any moment. In my case, the same day as I left, a demonstration took place in the city that I had visited. Being present there could have opened up for more interviews. It would also have been interesting to see the reactions of people in the city, how the police responded and how much attention a demonstration would get. Unfortunately, I could not have predicted that this event would take place, and even if I had learned about this days in advance, I still would not have been able to stay in the area for an extra day. This is one of the major 'cons' of doing a research project in an area that I as a researcher could not easily access - considering the long and expensive travel. Not being able to meet the respondents for a second time also puts limitations on the project, although, it would have been possible to reach out to the respondents via phone, skype or email to ask about specific details.



In terms of methods, the main limitation can be argued to be my lack of previous experience with interviewing. Doing interviews does not only require the researcher to prepare some questions or topics for discussion - it is also important to think about the location, transportation to the location, recording vs. taking notes, preparing the consent form, anonymizing the respondents and so on. All of this, and more, has to be considered. In my case, I let the respondents chose the location. This was mainly because I wanted them to feel comfortable, but also because I did not have access to a private office/room where I could invite them to meet me. For two of my interviews, we met at a coffee shop. Even though the place was not busy, it still made an impact on the sound quality of my recordings, as the barista machines and other guests could be heard in the background. Some of the words expressed by respondents were impossible to understand when listening to the recording, which means that I might have missed some interesting or key details. The location may also have impacted the quality of my interview. My respondents did not indicate that they felt uncomfortable talking about the topic, but this does not mean that they didn't hold back information, which they may have shared if the interview had been done in a secluded setting.

Having presented the methodology, the next part of this thesis will turn to look at the conceptual framework that will be applied.

## CHAPTER 3: CONCEPTUAL FRAMEWORK

This chapter will explain the concepts that have helped me understand and analyse my findings. I will attempt to build a bridge between the empirical material and the theoretical framework. I will explore the concept of *power* and the concept of *Environmental Justice*. Within these concepts, there are aspects such as *representation* and *framing*, which will all be linked towards a bigger discussion that this thesis will centre around. This bigger discussion is whether or not the events at Standing Rock were part of a long line of events, or whether they can be seen as a significant *break*, thus, looking at these events through the angle of *break* and *continuity*. *Human Rights* and *Indigenous Rights* will also play a significant role throughout this thesis. A frequent argument made by Indigenous peoples in the United States is that pipeline project violates their rights, and within the literature of conflicts between Indigenous peoples and corporations, rights are almost always highlighted (Whyte: 2017, Mengden: 2017, Steimer: 2017, Moore: 2019). As one journalist stated; “any involved in the climate movement see it as a Human Rights movement or a movement inseparable from *Human Rights*” (Moore: 2019, p.33). Therefore, it would be inadequate to approach this thesis without a mention of these concepts, and this chapter will give an introduction into how and why these concepts are relevant and applicable for understanding the impacts of the Dakota Access Pipeline Protest and the continued resistance against pipelines.

### 3.1 Introducing the concept of Power

The first, and overarching concept in this thesis is *power*. Relationship and who holds power is central in discussions regarding conflicts, and we can especially say that power structures has been evident in the Dakota Access Pipeline Protest (Moore: 2019). Before we go into why the concept of power is of great importance in this discussion, we need a better understanding of the concept.

Defining power is not an easy task, as many scholars disagree on how to cover its most core principles. Steven Lukes and Hannah Arendt, among others can be used to understand the concept of power, however, these two are chosen to exemplify the concept because they represent two slightly different views that offers a good overview of the main issues. In his book, Lukes proposes what he states to be a radical view. He criticises Arendt’s definition of

power, which sees power to belong to a group, and “remains in existence only so long as the group keeps together” (2005, p.32). Arendt’s definition of power was introduced in an essay published in 1970, titled “On Violence”. From Arendt’s perspective, institutions get their power from the people’s support, and maintains power so long as the people continue to support it. Lukes’ argument is that her focus is narrowed in on ‘power to’ (an entity, person etc) and ignores ‘power over’. He contends that power is not a capacity or an ability, but a relationship. Adding to this critique, he maintains that a focus on power as a capacity neglects the ‘conflictual aspect of power, the fact that it is exercised over people’ (ibid, p.32). Power is, as he stated; ‘an essentially contested concept’ (ibid, p.1). Nevertheless, Lukes provides us with what he believes to be the core to all talk of power; the notion that A in some way affects B. But what does that mean? Further specification is needed. People affect each other on a daily basis in many ways, so he offers that the way A affects B has to be significant or non-trivial. To further explain this concept, he goes on to state that the interpretation of the concept of power can be understood as follows: A exercises power over B when A affects B in a manner contrary to B’s interest. Lukes also highlights the importance of not only focusing on the power relationships that are most visible – stating that “power is at its most effective when least observable” (ibid, p.1).

### **3.2 Media and power – the concept of framing**

Late modernity has been referred to as a fundamentally mediatized era – and a period where the mass media plays a large role in not only reflecting society but also shape it (Mayr and Machin: 2011). Mass media provides people with easily accessible information, and in that way also holds power. Looking at the concepts of framing and representation, it is possible to demonstrate how the power of media often play out. Starting with the concept of framing, which was first introduced in 1972 by George Bateson, the basis is that “the media focuses attention on certain events and then places them within a field of meaning” (Arowolo: 2017, p.1). The previous chapter on methodology explained how I have looked at framing through discourse analysis, therefore it is necessary to now explain the power aspect of framing, and how media and framing intersects. Arowolo defines frames as a way of “organising ideas or themes, ways of linking together stories historically, building up a narrative over time and across political space” (p. 2).

In terms of media, photos and images as well as the specific language used in news stories contribute to give the readers an interpretation of what are happening in their society, as well as around the world. Thus, media draws the attention to specific topic, sets the agenda for public awareness, in addition to create a frame through which people will comprehend the information given (Arowolo: 2017, Moore: 2019). Moore's framing analysis also places emphasis on particular phrases and slogans that is used in the media. Additionally, one can look for what types of adjectives are used to describe the different people or groups involved (Moore: 2019, p.76). For this thesis, the actors are the protesters, the police, the local public and the government. An example of where frames establish the tone could be found in an article from the New York Times, 23 February, 2017. The topic of the article is the razing of the Standing Rock camp, and the article is very focused on the arrests and assigns the protesters an identity of being threatening. It described the camp as being sprawling and placed on federally owned land, indicating that the protesters were rightfully removed, and it also included a quote from a Highway Patrol officers who states that law enforcement puts themselves in harm's way by going in to the camp, also indicating that the protesters poses a threat (Smith: 2017). Thus, the article held a focus on law and order, an approach that Moore argued is a societal sentiment that has been prominent in the United States for centuries (p.148). Therefore, frames are important to consider when power structures are discussed, because frames can play a role in determining 'whether or not an issue even becomes recognized as a legitimate problem that requires solving' (Moore:2019, p.76). Frames can also be defined by what they omit, which makes omission a very powerful frame. In the case of the Dakota Access Pipeline Protest, Moore argued that the coverage of environmental justice involves questions about value. The coverage is especially important in regards to whose voices are being heard, who receives attention and who deserves respect (ibid, p.69). In the beginning phase, #NODAPL received little attention by mainstream media, and since the recognition or definition of a problem often hinges on someone to publicly address it, the concept of framing therefore becomes an important part of the conceptual approach of this thesis.

Within the realm of media, social media has grown to become an important provider of information, as well as a platform where frames can arise. The information is easily accessible to anyone with a phone, tablet or a computer, and it spreads fast. Facebook, a media platform that is often mentioned in discussions of social media, has a live stream feature. A live stream

makes it possible for one person to go online, and for instance stream an event to anyone who has that platform available. This was a tool the water protectors at Standing Rock frequently used. One time, law enforcement used water cannons on the protesters during the night, and the live stream on Facebook had somewhere between 200,000 to 300,000 people following it online whilst it was happening (Moore: 2019, p.198). Facebook is also used as a platform for the creation of both covert and overt groups, not only for the sake of spreading information, but also work as a channel for condensing sentiments of anger, pride, resentment – in addition to shared victimhood (Gerbaudo: 2012). It has been stated that mainstream media and social media had a significant impact in framing the protest, and the way it was framed arguably changed during the period this resistance took place. In addition to this, the Standing Rock Sioux Tribe was able to bring forth their own powerful frame of environmental justice. The Tribe and the movement experienced an ‘explosion’ of media coverage, which to a great extent was caused by a video published by Amy Goodman (a reporter working with Democracy Now!). The video showed how peaceful protesters were attacked by dogs, and the video worked as a catalyst for spreading awareness of the conflict (Moore: 2019, p.196, Levin: 2016). This type of framing, how framing changed, and the importance of media and in particular Facebook will be further discussed when we return to these topics in the analysis.

### **3.3 Environmental justice**

The concept of environmental justice is mentioned time and again by activists, scholars and in the realm of media (McQueen: 2017, Moore: 2019, Steimer; 2017, Rodgers and Burleson: 2017). The camp at Standing Rock attracted not only indigenous people, but also people that came because they were concerned for the environment. Rebecca Solnit (for The Guardian) stated that the “controversy [...] has underscored the urgent need to talk about the interwoven concerns of racial tension, Human Rights, and Environmental Justice” (Moore: 2019, p.7). Thus, #NODAPL did not only spark conversations about violation of rights, the discussions grew far wider than that. The concept of Environmental Justice is by no means a newly introduced concept, we can trace it back to 1980s. In Warren County, North Carolina, a movement grew when protesters raised their voices against the placement of a toxic waste facility. The placement of the facility would be near a community inhabited by mostly people of color and low-income families. Following this protest, several reports were published, and one in particular can be viewed as a ‘cornerstone’ of the Environmental Justice canon

(Agyeman et al: 2016, p. 323). This was the report titled '*Toxic Wastes and Race in the United States*', published by the United Church of Christ (UCC) Commission for Racial Justice in 1987, in which the concepts of Environmental Justice and Environmental Racism was introduced. The other report that also played an important role in bringing these discussions forward was the '*Siting of Hazardous Waste Landfills and Their Correlation with Racial and Economic Status of Surrounding Communities*', published by the US General Accounting Office in 1983. In both reports, it was found that the siting of waste facilities was disproportionately exposing low income and communities of color to toxic waste, because the facilities were placed either in – or near these communities (ibid).

Robert Bullard, an American professor at the University of California published a paper in 1993 looking at these types of Environmental Injustices. He echoed what the previous reports had found and brought up how people of color were more likely to experience elevated health risks due to the heightened likelihood of living close to sewage treatment plants, free-ways, hazardous waste landfills and so on (Bullard: 1993, p.23). Within the realm of Environmental Justice, scholars talk about Environmental Racism, which Bullard defines to be “any policy, practice, or directive that differentially affects or disadvantages (whether intended or unintended) individuals, groups, or communities based on race or color. It also included exclusionary and restrictive practices that limit participation by people of color in decision-making boards, commissions and regulatory bodies” (ibid, p.23). Environmental Racism, he argued, could be identified in the way that African-Americans, no matter their income level, educational or occupational status, were exposed to lower-quality neighbourhoods – joined by the heightened exposure to environmental threats. Additionally, Bullard also stressed the correlation between income and the ability to escape health threatening environment, however, redlining, housing discrimination and residential segregation in many instances prevented individuals from leaving these environments (ibid, p.24). Environmental Justice and Environmental Racism will be referred to interchangeably throughout this thesis. and the relation can be explained by thinking of Environmental justice as the response to Environmental Racism (Greenaction: 2019).

Implementing the concept of Environmental Justice to this debate means more than just looking as maldistribution. As the example above explained, Environmental injustice is often linked with the fact that poor communities, communities of color and indigenous communities

get less environmental protection and are often subjected to pollution on a disproportionate level. Even though this discourse has existed for decades, we can find recent examples that are equally alarming. Hurricane Katrina is frequently used by scholars to demonstrate how this injustice played out. In 2008, Reilly Morse for the Joint Center for Political and Economic Studies published a report where it was stated that people living in less desirable flood-prone areas were mostly African Americans, and the impact of the storm weighted heavily on the poor and racial minorities (Morse: 2008, p. 7).

Globally, Environmental Justice issues have ranged from genocide, deforestation, pollution and toxics, Human Rights, climate change, slavery, natural resource extraction – to mention a few. Environmental Racism is happening all over the world. It is also known that, like Environmental Racism in the US, the communities across the globe that are most affected by climate change are situated generally in developing nations – often poor coastal, farming and pastoral communities (Agyeman et al: 2016, p.329)

Schlosberg (2007) stressed the importance of a comprehensive understanding of justice and explains justice as “a balance of numerous interlinked elements of distribution, recognition, participation and capability” (p.12). Justice as recognition is highlighted by Schlosberg as crucial. Without recognition, both social and structural, a society cannot reach ideal distribution (ibid, p.21). Justice as recognition allows for a focus on who is left out of distribution and sees how a lack of recognition in the political and social realms cause harm, and it can also be seen as a form of oppression. The aspect of recognition was highlighted by Moore as well, in her work focusing on DAPL and media coverage. She found that coverage of Environmental Justice (and as stated previously, what is covered, and who is covered, greatly shape the public discussion) involve “deep questions about value”, especially in regard to who merits attention, consideration and respect” (2019, p.69). Thus, we see that recognition is just as important as distribution. This is very important to keep in mind as we go along with the discussion of injustices.

In the United States, First Nation communities continue their fight against the construction of nuclear waste sites, uranium mines, oil and gas pipelines, in addition to nuclear testing. Whilst these communities are fearing the consequences, these projects are presented to the public as opportunities for economic development (Agyeman et al: 2016). Research has proven that

First Nations in the US and in Canada are, compared to the rest of the population, facing the consequences of climate change on a disproportionate level (p.325). The Environmental Justice Movement is thus not only concerned with distribution or maldistribution with respect to the disproportionate suffering experienced by specific communities, but it also focuses on the lack of respect and recognition that many Indigenous communities experience.

### **3.4 Growing alliance across organizations**

There has been a growing alliance between Indigenous rights organizations and Environmental Justice organizations, as they both are concerned with climate change. As previously mentioned in regards to media and framing, the resistance fought by Native peoples against exploitation and displacement, caused by resource exploitation are largely overlooked – unless the resistance mount to a violent conflict (Agyeman et al: 2016, p.329). Another important aspect that Agyeman and her colleagues call attention to is place attachment. They argue that in order to understand the impacts of climate change and relocation, one has to look further than the technical, economic or physical impacts that individuals may experience. Place attachment, and the cultural dimension is important to include in Environmental Justice questions, because, as they emphasize, “such attachment can be seen as a basic human need, a crucial element of wellbeing” (ibid, p.334).

Following this, they also state that to undermine place attachment add up to an injustice against these individuals. This is where an important aspect of the Standing Rock Sioux Tribe’s argument can be traced. For the Tribe, the potential threat is not only the potential pollution that their drinking water might be subjected to. They are also raising their voices to point out that in the construction of the Dakota Access Pipeline, important sacred sites and ancestral burial sites were destroyed (Whyte: 2017, p.155). For those currently fighting the proposed Line 3, one of the issues raised is the potential pollution to a large number of wild rice lakes (MN350: 2018). Wild rice is a sacred food for the Tribes, an important source of income, in addition to wild rice collection being a cultural tradition – a part of identity some may argue (Pember: 2012). Thus, the relationship to nature is important.

We can also see this relationship being brought up in other conflicts, such as windmill farm construction in Norway. In these cases, the chosen site for construction are met with resistance when they interfere with reindeer husbandry. Reindeer herding has been and



continue to be an important part of Sami culture, a culture which the Norwegian government have committed to protect through the adoption of the Declaration of the Rights of Indigenous Peoples and ratification of the ILO Convention. Like the Indigenous people in the United States, the Sami peoples also hold a strong relationship to nature. Regardless of that, new conflicts continue to arise, conflicts in which Sami reindeer herders express their concern for increased disruptions, loss of grazing resources and a growing fear that their cultural practices are being threatened (NVE: 2004, Skarin and Alam: 2017).

### **3.5 Applying the concepts to my thesis**

Now that the main concepts in the analytical approach have been defined and discussed, these need to be put into the context of Indigenous Struggles in the United States. First and foremost, contours of power are crucial in building an understanding of pipeline conflicts. As Moore argued; “Dakota Access Pipeline is steeped in power struggles.. enmeshed in the powerful web created by the oil industry, the US government and the professional news media” (2019, p.16). Thus, we see how relationships of power must be analysed in this setting. The Standing Rock Sioux Tribe was not only fighting against one oil company, but an entire economic and cultural system that heavily relies on oil, or as Moore put it, the system is “scaffolded” by oil at its very core” (p.20). She also brings in why media as an actor, has power. The concept of framing can also easily be placed in the analysis, seeing how it relates to power struggles, and representation. Lastly, applying the concept of Environmental Justice allows the analysis and discussion to link these power struggles to wider issues in the society. To summarise the main point of this chapter, the focus is on power relationships, addressing whose voices are being heard and who are able to get their message spread, and how this has changed/remained unchanged throughout the last few years. The events at Standing Rock were pointed out as something significant, something that would change the situation for First Nations, regardless of whether or not the pipeline was built. Some even suggested that it might be historically decisive (Johnson and Kraft: 2017). Therefore, it will also be important to analyse this event in relation to break and continuity. Are the Indigenous peoples in the United States experiencing changes – can we identify what these look like?

## CHAPTER 4: BACKGROUND – ADDING A CONTECT TO THESE EVENTS

The history of disputes and broken treaties in the United States is long, and a thesis alone would not be sufficient for discussing the sequence of events to its entirety. That is not the goal of this thesis. However, Standing Rock fuelled another round of discussion about the continuity of injustices, and it was argued that the fight was not just a local issue. Rather, it had to be seen as a part of a bigger picture - part of a history of oppression, and a fight to protect Indigenous rights and their access to land. This chapter will set a frame for Indigenous experiences all over the globe. Ken Coates, working at the History Department at the University of Saskatchewan in Canada, published his book titled *A Global History of Indigenous Peoples* in 2004. In this book, he gives an overview of the struggles and survival that Indigenous societies around the world has experienced. Cotes argues that “Indigenous peoples have been pushed, prodded, administered and otherwise dominated by external powers” (Coates; 2004, p.18). In the United Sates, the idea of Manifest Destiny had enormous power, and led to many conflicts as the US wanted to conquer more land. The goal of this chapter is to offer a historical background, possibly a timeline, of the patterns of contact between Indigenous societies and their oppressors. Certain events and periods will be highlighted, with special attention to the United States. It is however interesting and relevant to draw comparisons to similarities between policies and disputes that have taken place in other countries at the same period in time. By doing this, the enormous pain and hardship that Indigenous peoples have endured will become clearer to the reader, and it will provide a context for where Standing Rock and Line 3 can be placed. As will become evident, there is a red thread; the persistency of the United States to control resources. The tactics and reasons for engaging conflicts has varied, but the goal has remained the same.

The history of First Nations in the United States has been, as Øyvind Ravna put it; consisting of struggles. The first struggles were armed struggles against intruders wanting to confiscate their land, and later the struggles became part of a political issue, against a regime that ran hard policies of assimilating, in addition to confiscation of more land (Ravna: 2018, p.15). Deciding where to start looking in to the historical background is a challenge in and of itself. Since a lot of the focus in this thesis is about land rights and the disputes that arises, it seems fitting to start with the adaptation of the Doctrine of Discovery as a law in the United States in

1823. The Doctrine of Discovery in the United States stems from the time when England were expanding and justified its seizures of discovered land on the base of racial, religious and ethnocentric ideas of superiority. According to the Discovery Doctrine, European states were superior in terms of culture and religion, which allowed them to conquer lands in areas where the population was not Christian (Ravna: 2018, p.22, Miller et al: 2010). This idea was in 1845 coined in the US as 'Manifest Destiny' but is the same idea that the United States had been practicing for decades. Manifest Destiny has been utilized to a great extent, in the quest to expand and also to justify the process of dictating land and property rights for First Nations. By 1844, as professor Robert J Miller put it, "the United States was gripped by an aggressive expansionist fever" (Miller: 2011, p.344). The motive for creating this act was the desire to secure as much land as possible, and that seemed to be the trend in the disputes between the United States and the First Nations from the moment of the first contact. First Nations have in the past taken advantage of rich lands and large bison herds, but the history has shown that the United States wanted to minimize this availability for First Nations, and thus, these people have experienced a lot of suffering.

#### **4.1 Indian Removal Act and the Trail of Tears**

In 1830, the Indian Removal act was passed by the U.S House of Representatives. The act was explained as "an act to provide for an exchange of lands with Indians residing in any of the States or Territories, and their removal west of the Mississippi river" (Carlson and Roberts: 2006, p.487). Again, we see the desire to obtain more land. The Cherokees, who previously owned immense tribal land, increasingly became subjected to invasions and turmoil. After much pressure, the Treaty of Echota was signed, which was a land-exchange agreement, where the Cherokees gave away their eastern lands, in exchange for land in the 'Indian territory', west of the Mississippi River, in addition to a monetary payment to the Cherokee Nation. The individuals who signed the treaty were not principal officers of the Nation and did not have authority to sign treaties (Thornton: 1984). The removal act was in theory based on agreement, but in practice, the United States did not honour this. Despite heavy protest from the Nation's leaders, they were disarmed and forcibly removed from their land. During removal, and in the first phase of arrival, the mortality numbers were high. People suffered from starvation, illness such as influenza, colds, measles, dysentery and cholera, in addition to the cold weather and gunshot wounds that also contributed to the death

tolls. This removal did not only involve the Cherokee Nation, but also other members of the Chickasaw, Choctaw, Creek and Seminole were removed from their homelands. This whole ordeal has been named the *Trail of Tears*, after all the suffering and losses that it brought about (ibid, p.289). The Indian Removal Act, in essence the desire to claim more land can also be viewed as the instigator for the Wars that later on brought more suffering for First Nation tribes in the United States.

#### **4.2 Trail of broken treaties**

The Indian Removal Act led many First Nations to the Great Plains, however, it was not long until the white Americans wanted to use this land as well. The tribes had been promised that they would be left alone, but the westward expansion that followed the Mexican-American war (1846-1848) resulted in more land for the United States, also causing many settlers to travel through the Great Plains (Sneider: 2012, Ravna: 2018). There were also an explosive increase in gold miners entering the Plains, something the Lakota people build resentment against – as it was yet another violation of their right to the land. Indian territory land became more attractive throughout the years, and in 1851, the Indian Appropriation Act was passed, which in short was an act that ensured government increased funding allocated at moving First Nations to reservations. This act, according to Ravna created the foundation for the contemporary reservations in the United States (2018: p.69). During this period, conflict arose between the First Nations and the white settlers passing through. To ease tensions and provide safety for the settlers, the United States congress initiated resolutions, which led to the often cited Fort Laramie Treaty of 1851. The negotiations were attended by approximately 10 000 Indigenous people, representing the Lakota, Cheyenne, Arapaho, Absaroka, Assiniboine, Gros-Ventre, Mandan, Arikara, Hidatsa and Shoshoni. The treaty, among other things, bound the First Nations to let the settlers pass safely through the Great Plains, and also forbade settlers from inhabiting large parts of the plains. Yet, the Fort Laramie Treaty was not respected by the settlers, and the US government did little to enforce compliance (Ravna: 2018, p.41).

From there on, the next four decades are arguably associated with broken treaties, followed by massacres and suffering. The late 1850s saw a massive increase in goldminers and settlers entering the area that the First Nations had been guaranteed by the Fort Laramie Treaty. The Dakota community felt forced to give up more land, and because of the limited availability of

hunting for food, they were depending on delivery that had been promised to them in the Treaty and were particularly frustrated by the fact that in 1862, they still had not received the agreed payment for land they had given up. Thus, the Dakota people were starving, they did not receive the promised food rations, and suffered scarce economic conditions. This combined with the pressure of assimilation to American society and longstanding grievance over the consistent violation of treaties “set the stage for war” (Chomsky: 1990, p.17). An incident often cited as the beginning of the war between the United States and the Dakotas (also called the Santee-Sioux/Santee-Dakota) were the killing of a few white people, by the hands of four young Santee-Dakota men. Following this event, meetings were held in the Dakota community, where it was decided that it was best to strike first, instead of waiting for the ‘inevitable’ American attack. The Dakota people initiated the war by attacking a settlement, and the next two months of fighting resulted in the death of 77 American soldiers, 29 citizen-soldiers and 358 settlers. It was estimated that 29 Dakota soldiers lost their lives in the war (ibid, p. 21). Dakota men were put on trial for robbery, rape and murder, which later on led to what has been referred to “the largest mass execution in American history” – the hanging of thirty-eight Dakota men (ibid, p. 13). Approximately 1300 Santee-Dakotas were then forced to walk southwards, to a place later known as the Crow Creek reservation. Once again, the promises of food and shelter were not upheld, and as a consequence, hundreds of the Dakotas passed away due to starvation, cold weather and illnesses (Ravna: 2018, p.44-45).

One of the worst acts of genocide in American history, according to Kass Fleisher, occurred in this period of time. The event is referred to as the Bear River-massacre. Also in this case, tension arose because First Nations (Shoshoni and Bannock peoples) were losing their land to ‘white pioneers’. Men, women and children of these tribes were killed in the process, leading to retaliations and more casualties (Fleisher: 2004). Tension reached its climax and in January of 1863, Colonel Patrick E Connor and his men attacked a Shoshoni encampment. The number of Shoshoni murdered in this massacre varies from 244-368-400 but has nevertheless been stated to be one of the worst acts of war crimes ever committed by American soldiers dealing with First Nations. In addition to killings, many women were raped, and neither children nor women were spared in the massacre (ibid). Another event that also can be seen to have been caused by violations of the Fort Laramie Treaty of 1851 and the gold rush has been attributed the name Sand Creek-massacre. This took place in 1864 and was led by colonel John M. Chivington. The Cheyenne and Arapaho people had been forced to vacate their lands in Colorado, replaced by mining, roads, towns and agriculture. Important waters and pastoral

areas were destroyed. Conflicts arose in this instance as well, and a massacre on a Cheyenne and Arapaho village resulted in the death of approximately 150 Native people – many of them women and children (Ravna: 2018, p.47).

Another round of negotiations was scheduled to take place in 1866, after more gold had been discovered in Montana in 1863, and the gold miners and fortune-seekers eager to get there established a path that crossed the boundaries of the Fort Laramie Treaty of 1851. A large military expedition was given the task of securing this new route, named the Bozeman Trail, but it was unsuccessful, and only created more reluctance from the Tribes that once again felt that their land was taken without permission. Thus, in 1866, representatives from the US government met with chiefs representing Oglala-Lakota, Cheyenne, Arapaho, Sicangu and Minneconjou (Ravna: 2018). Negotiations soon turned to a conflict, when 700 armed men led by Colonel Henry Carrington entered Fort Laramie – and the Chiefs realized that there was no intention of reaching an agreement, the army would secure the Bozeman Trail by military force. Red Cloud, the Oglala Chief did not give away his land, and thus, the fighting continued. The Lakota and their allies fought the military and attacked gold miners travelling the Bozeman Trail, and the highest-ranking officer in the United States army declared that any First Nations occupying the plains on the western side of Missouri was a potential target, regardless if they were peaceful or not (ibid, p.59). Several attempts of overpowering the Lakota and Cheyenne were unsuccessful, and another Fort Laramie Treaty (1868) was consequently proposed. The Lakota and their allies were promised eternal ownership of Powder River, the area of land that the Bozeman Trail was crossing. The Treaty “promised the Sioux people that they would live in peace, in perpetuity, on the 'Great Sioux Reservation', an area that encompassed most of what are now the states of Montana, North Dakota, South Dakota, Nebraska, and Wyoming”. However, as had happened before, “in direct violation of the treaty provisions and by force and fraud, the United States seized most of this land” (Tsosie: 2007, p. 49).

Six years after the promises were given, more gold was discovered in Black Hills in the Powder River land – which can be seen as the forerunner for the Great Lakota-war of 1876-1877, also referred to as the Great Sioux War (Ravna: 2018). The news were spread, and pioneers travelled far, from Virginia, Pennsylvania, New York and so on, creating mining towns in violation of the second Fort Laramie Treaty. The Lakota people tried to raise awareness of this issue by visiting the president in Washington, but instead of the US

agreeing to vacate the land, they put in an offer to buy Black Hills – and move the Tribes to ‘Indian territory’. A deal was out of the question, as the Lakota people had no intention of giving away the land that they rightfully had been secured by the Treaty. It was nevertheless decided that the US wanted the land, and a campaign was initiated where the Lakota was given a deadline for when they would have to vacate their land – and thus, the Great Sioux war saw its outbreak (Ravna: 2018).

Parallel to this, there was a growing push for exterminating the bison. Estimating the exact number of bison in North America before this process started is hard, but it has been presumed that the number was somewhere between 20 and 50 million. In the latter part of the 1800s, there were about 500 bison left. Arguably, it was thought that “it was easier to kill a bison than it was to kill an Indian” (Ravna: 2018, p.80). The tribes that were still living outside reservations, meaning the Lakota, Cheyenne, Arapaho, Kiowa and Comanche would face difficulties in finding food, which shows that the attempt of killing the bison was an attempt of moving the tribes to the reservations. A national campaign to kill the main food source was very effective, and almost successfully extinguished the bison by 1884 (ibid).

The most significant, and ‘legendary’ confrontation during the war against the Lakota people took place at Little Bighorn in 1876. General George Armstrong Cluster and his men attacked a peaceful Lakota-, Cheyenne- and Arapaho village, despite warnings of this being the largest First Nations village they had ever seen. Cluster was arguably blinded by his desire to attack. The US cavalries were defeated by skilled fighters, and general Cluster died along with many of his fellow comrades (Ravna: 2018, Philbrick: 2011). The United States mobilized for revenge, and all of their available soldiers and equipment were sent to contribute. The First Nation tribes were not able to resist the attacks on their villages, and the US soldiers did not treat women and children any different from other fighters. Housing were burnt to the ground, and with the extermination of the bison as another factor, meant that the First Nation people had little chance of victory. Within a year after the incident at Little Bighorn were the Lakota and Cheyenne people forced to accept their new lives at the reservations (ibid). The US was able to take the land, and the gold.

A lot is left out in this timeline of events, but it nevertheless shows the brutality and scope of the attempts to take as much land as possible away from First Nation tribes. The next section

of this chapter will jump to the 1940s, when the second world war left its mark on the world and paved the way for new conflicts between governments and Indigenous peoples.

### **4.3 The rise of nations and nationalism**

The latter half of the nineteenth century saw the nation-state emerging. The Indigenous peoples were once again seen as an obstacle, but this time the ‘problem’ was related to national integration. Governments and colonial powers were occupied with conformity, shared political structures, a common legal system – and the Indigenous people were yet again in the position of the “other”. The nation states responded to this problem in a uniform reaction; the Indigenous people were to go through a process of civilization, conform to the national social codes and norms and participate in the national economy (Coates: 2004, p.200-201). Assimilation of Indigenous peoples were highly prioritized, with considerable amount of money assigned to these projects.

The Sioux Nation, along with all the other First Nation Tribes residing in the United States was put through harsh campaigns of civilization. Children of First Nation families were forcibly removed from their home and families and placed at boarding schools where they were not allowed to practice their mother language. The schools also focused on teaching the children that their own culture was ‘primitive, heathen and bad’ (Tsosie: 2007, p.49). This ‘campaign’ can be seen as a continuation of the attempt to place First Nation Tribes on reservation (opening up more land for the US) and thus coercing them into forced dependency – resulting in more power for the United States over the Indigenous peoples.

It’s possible to draw correlations to policies and treatment of Indigenous peoples in other countries. In Norway, the growing nationalism and desire to create a nation with only one language and one culture, led to approximately one hundred and fifty years of assimilation of Sami peoples. Many children were placed in boarding schools where they were only allowed to speak Norwegian, and were punished if they spoke Sami, their mother tongue. Per Fugelli, a physician and professor of general practice at the University in Bergen has stated that the Norwegianization process was in many ways state sponsored child abuse (Nilsen: 2013, p.17). The consequences of the Norwegianization are many, but among other things, it led to a feeling of shame – it was a shame to identify as Sami, and many stopped speaking the language. The Sami population was presented as inferior, and their culture were not regarded as something to preserve (Brekke: 2013).



In Canada, the residential school system has been referred to as “one of the darkest, most troubling chapters in our nation’s history” and “cultural indoctrination” (Truth and Reconciliation Commission: 2015, p. 8). The Truth and Reconciliation Commission of Canada goes as far as stating this to be “a key component of a Canadian government policy of cultural genocide” (ibid). The children sent to these schools were forcibly removed from their parents, and this was not an attempt of educating the children. Rather, it was an attempt of breaking their connection to their culture and identity (ibid, p.20). Thousands of children lost their lives at these schools, and many more were mistreated, injured and traumatized. The Canadian government was motivated by the idea that if there were no First Nation peoples left, they would not have to worry about Treaties, reserves or Indigenous rights. Duncan Campbell Scott, the Deputy Minister of Indian Affairs expressed to the parliament in 1920 that “our object is to continue until there is not a single Indian in Canada that has not been absorbed into the body politic” (ibid, p.19). In this quest, spiritual leaders were put in prison, sacred objects were confiscated, and anyone who did not leave their First Nation identity would be prevented from fully participating in the Canadian economic and political life.

Like the system in Norway and United States, native language and culture in Canadian Residential schools was not allowed to surface, and it was in no doubt institutionalized child neglect. Medical care was scarce and not prioritized by the government, and students that fell ill (tuberculosis, chicken pox, meningitis and influenza among other things) received inadequate treatment. It is difficult to give a number of how many children died and why they died, because annual records were not kept, and the ones determining the cause of death was not always a medically trained person. Nevertheless, the Commission documented alarming numbers. At the Regina School, forty-eight children died at school between the years of 1891 to 1897. The Qu’Appelle school had during a period of nine years discharged 174 students, and 71 of these had soon passed away (Truth and Reconciliation Commission: 2015).

#### **4.4 Development boom – native land was once again attractive**

Another complex, but important period of transformation can be identified as taking place in the 1940s to the 1970s. According to Coates, invasion and seizure of Indigenous land has occurred in waves, but there are few generations in history that has experienced such a rapid, destructive and complex transformation as the wartime and post-war era (2004, p.203).

During this period, multinational corporations like Toyota, Shell and Exxon, along with international financial institutions (e.g. the World Bank and the Asian Development Bank) together were powerful influences in the consumption-oriented western world. A development boom resulted in the expansion into Indigenous territories, as Coates put it; the world needed more resources – and the once remote regions of the world seemed to offer an enormous storehouse of untapped wealth” (p.213).

The need for resources led to the initiation of large development projects, such as oil and natural gas fields, large sawmills, hydroelectric dams, transmission lines and base metal mines. In 1944, the United States government passed a flood control act, which included the Pick-Sloan plan laying out the construction of a number of dams along the Missouri River (Moore: 2019). These dams, although a direct response to the devastating floods the year prior, “caused more damage to Indian land than any other public work projects in America” (Lawson: 1994, p.xxix, Moore: 2019, p.185). The Oahe Dam resulted in major flooding of the Cheyenne River and Standing Rock Sioux rangeland, cultivated land and gardens, pastureland and a detrimental amount of wild fruit and wildlife resources (Moore, p.185) Some communities on the reservations were completely submerged, and it has been estimated that 30 percent of the tribal population at Cheyenne River reservation had to relocate. For Standing Rock reservation, the number was estimated to be 25 percent. Together with the Fort Randall and Big Bend dams, the three projects flooded more than 202, 000 acres of Sioux land, affecting the Lower Brule, Crow Creek, Yankton, Standing Rock and Cheyenne River reservations (Lawson, p.xxx). Some of these people had to go through the stress of relocating twice, because the first relocation attempt by the government were so disorganised that some families were placed in an area where the Big Bend dam were planned to take use of (ibid). In essence, the dam projects affected every aspect of their lives, and forced the tribes to find new ways of living.

Another Indigenous group that faced the destructions of a dam were the Sami people in Norway. A hydro-electric project on the Alta river was announced in 1970, which initially was going to put the whole village of Máze (populating approximately 400 Sami people) under water (Paine: 1982). The local people were not included in the process of planning - neither the Sami nor the non-indigenous inhabitants of Alta were consulted. As far as the Norwegian Water Resources and Energy Directorate (NVE) were concerned, the upper Alta river valley was not to be worried about, and a government representative was quoted to say;

‘all we are doing is putting a dam in a narrow valley where no one ever goes’ (Briggs: 2006, p.151). The director of the State Power System also argued that “it is not possible to save Masi without reducing the desired amount of power” (Ihlen: 2004, p.132). Thus, the ones in power were painting this project as something that would not interfere with important land and were very transparent in the way that the inundation of the village of Máze was a valid sacrifice. This plan caused uproar and resistance, both from the locals and internationally. The Máze river was eventually given status as a protected river in 1973, forcing NVE to change its construction plans, and Máze was ‘saved’ (Briggs: 2006). However, NVE continued to push for a dam at the Alta river, and construction of an access road were conducted. Opposing the dam, thousands of people from all over Norway, joined by people from European countries gathered at a camp in Alta. A group also set up a lavvo (a Sami tent) right in front of the Parliament in Oslo, starting a hunger strike that gained national attention. The project was highlighted as problematic in regard to the Sami’s right to land, and a threat to the Sami culture. Nevertheless, the dam was built, and although the scale of the project was smaller than initially intended, the Sami population felt the consequences. Crucial areas used as migratory routes as well as calving for reindeers were flooded, and roads built in the area would also be an obstacle for migration reindeers which are easily scared (ibid).

In Malaysia, a frequent cited example of Indigenous people being pushed to relocate is the Temenggor Dam projects, that were initiated as a way to generate hydro-electricity. The consequences of this construction were a halt to the spontaneous flow of water, in addition to deteriorating quality of the Temenggor lake caused by rivers carrying waste and sewage joining the lake (Karim and Mansor: 2013). Close to the lake is villages populated by an Indigenous minority group called the Orang asli. These villages were given three options for resettlement, and many of those who moved have later been found to be malnourished or anaemic, because of the change in diet and limited access to foraging territories (Lin: 1994). Fish from the lake has been an important source for food as well as income, and studies have found that the socio-economic conditions for the Orang asli have been negatively affected by the Temenggor Dam (Karim and Mansor: 2013).

The last case that will be included in this section is very much related to the core of this thesis, namely oil fields and pipelines. In the North slope of Alaska, oil and gas depositions had been discovered, and in the 1960s, the Prudhoe Bay oil field construction was completed. This is one of the largest oil field in North America (Loughlin: 1994, Hund: 2014). A route

was proposed for a pipeline, however, this interfered with the Alaskan Native people's historic sites. The Alaska Natives Claim Settlement Act was introduced in 1971, and the act in short terminated Alaska Native peoples right to their traditional land, in exchange for 44 million acres of land and a payment of \$963 million (Hund: 2014, p. 11). The Trans-Alaska Pipeline system were running for 12 years before one of the 'largest oil spill in United States history occurred in the Prince William Sound in 1989. This is the Exxon Valdez spill that was mentioned in Chapter 2 and was caused by the Exxon Valdez supertanker (ship) which was transporting oil from the Valdez terminal, ran aground on Bligh Reef, 40 kilometres away from the terminal. In the next five hours, 11 million gallons of oil spilled into the water (this number is contested, some estimates it could have been up to 36 million gallons) , leaving devastating marks in the environment (Loughlin: 1994). Consequently, the spill had affects on the lifestyle and health of the Alaska-Natives living near the Prince William Sound. Some Alaska-Natives live in small villages and two of these, Tatitlek and Chenega Bay were in particular subjected to the damages. Traditional subsistence harvest areas were contaminated by oil, and the villagers could witness oil coming into their shores. They had to rely on outside help because their source of food was polluted, and on one instance, Exxon provided Tatitlek village with shrimp and crab. People that ingested this later on suffered from food poisoning, and it was revealed that the food was actually not fit for human consumption. Rather, it was meant to be served to rescued sea otters. From this instance, some argued that Exxon 'treated the people little better than animals' (Gill and Picou: 1997, p.173).

This chapter could go on, assessing an infinite number of instances where Indigenous people have been forced or pushed of their land. However, I believe that these pages have demonstrated how ruthless and determined the government and power-holders have been throughout history, in dealing with the Indigenous peoples residing on land that for one reason or another, is perceived to be attractive. The Indigenous people of the world continue to be threatened, often in the name of development, or because of the increasing global consumption that demands access to more resources. Global consumption does not appear to be decreasing anytime soon, and the global demand to exploit and develop new land 'seems to be never ending' (Berger: 2019, p.13). In the United States, pipeline resistance is taking place in several areas, engaging local, national and international audiences. The next chapter of this thesis will now turn to look at the research question and engage in a discussion of what my field work and the document analysis have revealed about the aftermath of the Dakota Access Pipeline resistance and the current resistance against Line 3.

## CHAPTER 5: LASTING CHANGES?

*“In this day and age of pessimism and self-centeredness, greed and things that motivate so much of what we see, we see a movement that is one more time based on sort of a sense of trying to address some of the wrongs of history” – Larry Towell, Canadian Photographer (Wehelie: 2016).*

The previous chapter, and the above quote from Towell shows how the First Nation tribes today resisting pipelines are part of the same struggle against the state which has continually broken treaties. The #NoDAPL movement argued the Dakota Access Pipeline were yet another violation of treaties but were unsuccessful in preventing the construction. In this chapter, the discussion will focus on the research question leading this thesis. Looking at Line 3, it will assess if there are some changes for the Indigenous peoples that continue to fight against extractive industries – and what does these look like.

### **5.1 What has the Line 3 case looked like?**

In my research prior to entering the field, I got the impression that people predicted that if the construction were to be approved, the resistance against Line 3 could potentially get as large as the resistance against the Dakota Access Pipeline. In looking at this, it is important to acknowledge a difference between Line 3 and Dakota Access Pipeline. Line 3 was already in the ground, and was getting old and unsafe, which is what led for the proposal to replace it. However, in the process, Enbridge wanted to make changes in the route, which also caused controversy, because many viewed this as a new pipeline rather than a replacement. The Dakota Access pipeline on the other hand was not a renewal of an already existing pipeline. However, what is at stake is the same; the water and land that is of cultural significance for the First Nations people in the area – the Ojibwe. The Ojibwe are also referred to as Chippewa and are a part of the Anishinaabe people of Canada and the United States (Antonich: 2013). Ojibwe people have, like many others, witnessed what happened in the Kalamazoo river, and fear that the waters that Line 3 runs under might be subjected to the same kind of contamination, if an oil spill would occur. An oil spill into the Mississippi River’s headwaters or nearby lakes are thus at the forefront of the concerns raised in relation

to the proposed project. To underscore how real this threat is, in the years between 2010 and 2017, there were reported 466 incidents of some kind of pipeline spill in the US (crude oil or refined products). Out of those, only 22 percent were detected by the pipeline system, and the rest were detected in various ways. 99 incidents that went undetected by the system were found by the public, and that is arguably an alarmingly high number (Rodgers and Burleson: 2017, p.85). As Honour The earth put it; it's not a matter of if the pipeline will spill, but when (2016, p.2)

## **5.2 Social media coverage attracting public attention**

Firstly, if we look at how this resistance has been shaped by the Dakota Access Pipeline resistance, media coverage would possibly be the most obvious starting point. The frequent use of social media by Water Protectors at the Oceti Sacowin camp arguably made it difficult for newspapers to prevent certain details from leaking out. Traditionally, Indigenous struggles have not seen high priority in newspapers, unless the articles were about violent incidents (Moore: 2019). With new ways of spreading information, it is almost impossible to control what information will reach the public eye. Hanna Kozłowska, a journalist at Quartz wrote an article about livestreaming where she argued that it can be used as a tool to bypass mainstream media, and it has been turned into a “weapon of sorts against law enforcement, using it to force officers to reckon with being watched and recovered at every step” (Kozłowska:2016). Thus, when people at the #NODAPL encampment went to Facebook and activated a livestreaming, they were able to reach a large number of people, and it was impossible for anyone to deny that certain things happened – because they watched it, and many watched it live while it was happening. One of my interviewees, respondent A, said that they realized how important it was to be on top of the media, since their opponents were spinning the media, and thus, a lot of time was spent on spreading information and documenting everything that was happening. The incident that was briefly mentioned in Chapter 3, where peaceful Water Protectors were sprayed with water by the police – during night-time when temperatures were dangerously low, undoubtedly sent out a strong message of police brutality. The same goes for the video by Amy Goodwin showing people that had been bit by police dogs. In the video, you could clearly see that one of the dogs had blood in its face, and someone showed their wound from being attacked. This video spread like wildfire, and quickly gained international attention. Dave Lillis, resident of Washington told MPR News; “once they finally released the dogs on people that was enough”, explaining what

made him join the movement at Standing Rock, after having watched it unfold from a distance for several months (Gunderson: 2017).

The experience at Standing Rock showed that there is an audience in large numbers in addition to those physically present, through Facebook and other social media platforms, and it also showed how quickly things spread. One of the most remarkable things about the Dakota Access Pipeline was the large number of people that came to the Oceti Sakowin camp. On that terms, the resistance against Line 3 has not been able to attract the same amount of people. Why this has not happened is impossible to answer, it is just as difficult as it is to explain why so many people came out to resist DAPL throughout the months the camp was set up. As respondent A stated, it was unpredictable. In the summer of 2016, a call for action was put out, where the water protectors used Facebook to spread a message; this is happening here at Standing Rock, this company wants to build a pipeline that will threaten our water, and we need people to come. What happened in the next months has been explained as very significant, perhaps historically decisive some have argued. Siv Ellen Kraft and Greg Johnson visited the camp in late 2016, and in their field notes from the visit, they speculated about how extraordinary it was. “There have been many references to Standing Rock as the largest Indigenous gathering for more than a century. We believe, however, that it must be the largest of its kind ever” (Johnson and Kraft: 2017, p. 135). One of my interviewees, respondent A, viewed what happened at Standing Rock as ‘a moment in time’, something hard to replicate, as far as the number of people.

Respondent C stated that for her, it was not an option of whether or not she would go to Standing Rock, it was rather a question of when she would go there. She felt the obligation to be there with her people and support the movement in person. From my understanding, this was the case for many of the people that came there. Joe Whittle, a freelance journalist from the Caddo tribe talked about his “fellow Native Americans”, and wrote that “as an Indigenous American, there was never any question of whether I should travel to Standing Rock or not”. For him, it was not only important to get a first-hand experience of what was taking place at the camp, but he also wanted to offer solidarity to the ones that were trying to stop the pipeline from being built (Whittle: 2016). Solidarity is a word that I think is fitting for explaining the motivation for people from all over the world, to travel all the way to North Dakota. A call for action has been put out for people to come and show solidarity for the ones opposing Line 3. However, there has not been the same response, and as of April 2019, no

large camp exists. To say that this will not happen in the future would be wrong, because it is impossible to predict what will happen once the construction is officially announced. As one respondent B suggested, things could get hot quick, depending on what happens. He also maintained that many people now have gained more skills and know how to set up camp, allowing for quick assembly and organization if something big were to happen. There is a belief that they now have knowledge of how to operate a potential camp. Nevertheless, at this point, we can state that the Line 3 issue has not been able to attract thousands of supporters to travel from distant countries to take part in the resistance.

In addition, when one looks at the amount of support that the Standing Rock Sioux tribe got, we must not forget the people that were not physically present. Resistance against this pipeline could be seen in faraway locations as well. For instance, a ritual was held at Telegrafbukta in Tromsø led by a Sami shaman, and attended by approximately 50 individuals, in addition to Natur og Ungdom, a youth organization that is raising awareness around environmental concerns (Johnson and Kraft: 2017). Demonstrations were also held in other Norwegian cities, Oslo and Bergen, the same year. Sarakka Gaup, a Sami actor told NRK that “we have to show solidarity for our brothers and sisters in the fight to safeguard their land against destructions” (Larsen: 2016). Comparing this to the Line 3 resistance, as of now, the resistance seems to be concentrated within US borders, if we only look at physical presence.

The number of people that has showed up to the Line 3 speeches, rallies, and marches have been stated to be in the hundreds. Initiatives have been many, for instance, a group of Indigenous youths paddled 250 miles through the Mississippi headwaters, to honour the territories that will be threatened if Line 3 is constructed and raise awareness about the issue (StopLine3: 2017a). This was possibly inspired by the 2,000-mile run from North Dakota to Washington, DC that was done in 2016 to show resistance against the Dakota Access Pipeline. There has also been horseback rides along the proposed Line 3 pipeline route, something they also did at Standing Rock. Large NGOs are involved, such as Honour the Earth, Indigenous Environmental Network and Greenpeace.

In regard to Line 3, there has been live streaming on Facebook showing Water Protectors confronting construction workers, marches and an occupation outside Wells Fargo, one of the leading banks in funding the Line 3 project (Peterson: 2019). The Water Protectors at Standing Rock was able to gain an international audience and get their cause published in



newspapers outside the United States. While the movement to stop Line 3 has been able to reach outside the United States, the audience cannot be compared. Democracy Now! has written about the pipeline, in addition to Amnesty International, The Independent and The Guardian, which shows that the issue has reached outside Minnesota. The ‘invisibility’ of the Line 3 issue in international media was further pointed out in an article published in The Narwhale in October titled “The mega oilsands pipeline you’ve never heard of” (Wilt: 2018). The article argued that the reason for this pipeline to have gone under the radar for so many people is because Enbridge masks it as a necessary replacement of a corroding pipeline, and that it is dangerous to not replace it. Thus, not causing major controversy. In the Bemidji Pioneer’s ‘Stories of the year for 2018’ summary, Enbridge’s Line 3 push is mentioned, although not as one of the top stories. In addition, the mention presents the topic without really giving a perspective of how much resistance this project had gained. The focus is on the process of getting a certificate of need, and only briefly mentions the hour-long protest of downtown Bemidji (Pioneer Staff Report: 2018). Nothing else is mentioned, in terms of opposition to the pipeline, which is arguably peculiar considering how many people have been involved in the resistance, and the different gatherings that have taken place. This in some way demonstrates that Indigenous voices are not being presented at an equal level.

The resistance against Line 3 has been, like the DAPL resistance, joined by not only Indigenous people. The issue at stake, meaning the access to clean water and preservation of the environment fits in to the same frame as the issues that was raised in the Dakota Access Pipeline, and thereby engaged many of the same organisations and supporters. Environmental advocacy groups, religious groups and other Minnesotans have joined in on the resistance, also employing the same slogan of ‘Water is Life’/’Mni Wiconi’. Mni Wiconi is Lakota and translates to ‘Water is Life’, and has been spread through pictures in mainstream media, Facebook, and as a hashtag in social media. It is a simple slogan but also a very powerful frame that is difficult to contradict, who could argue that water is not crucial for our planet’s survival? By employing this kind of framing, the Water Protectors at Standing Rock were able to express their struggle as concerning the environment and also a matter of Human Rights, thus, concerning all people – not just Indigenous people. This has continued to be a slogan used by Water Protectors both online and when they meet up for rallies and speeches.

### **5.3 Did #NoDAPL change the relationship between the state and Indigenous people?**

I asked my informants about what, if anything, had changed in regard to relationships after #NoDAPL. As I mentioned in my introduction, what inspired my research question was the statements I read several places about how the Oceti Sakowin encampment was historical, significant – and could change the relationship between Indigenous people and the government in the United States. There seemed to be high hopes for changes in the future. The short answer I got from several people was that nothing has changed. The Dakota Access Pipeline was built, and Enbridge is still pushing for Line 3, with support from many local groups of people, in addition to high ranking individuals. However, once we dig a bit deeper into the Minnesotan community, it is possible to register some changes that have taken place as a result of, or have been influenced by what happened at Standing Rock.

#### **5.3.1 The way media represents Indigenous issues**

One small, yet possibly very important initiative that has been done in regard to relationships was a specific request sent to the media, by a group of locals in the area. Respondent C explained how she, after witnessing the polarization of Indigenous people and law enforcement at Standing Rock, wanted to try to prevent this from happening in their area as well. What sparked the conversation with local newspapers was one incident where Enbridge Energy's building in Bemidji had been subjected to gunshots. The incident happened at night, and no one was injured, but it was nevertheless a dangerous act that the police took very seriously. In the article, it was written that the newspaper had reached out to Honour the Earth for a comment (an indigenous-led organization that is resisting Line 3), thereby implying that this organization somehow was linked to the shooting, or a likely suspect. An article was published in the Bemidji Pioneer as well as in the Duluth News Tribune in February of 2017 (Pastoor: 2017). In both articles, it was stated that the organization did not know who was responsible for this attack, but nevertheless, it did place them in a negative light, because the newspaper was so quick to relate this attack to them. My informant and people from her community found this disturbing and unfair, and decided to reach out to newspapers and make them aware of their responsibilities.

The newspapers are reaching thousands of people every day and should be careful of the way they represent Indigenous people. The media is powerful in influencing what the community

are occupied with, and is as explained previously, an important actor in framing issues and events. It is therefore very important that they are made aware of how they contribute in framing certain groups in the community in a negative way, and how it can be prevented – in order to prevent unnecessary unrest or resentment. She felt that after they reached out, there is a difference in the amount of negative covering. It might be that the journalists are more aware of what they publish. In chapter 3, we looked at the importance of framing, and the decrease in negative covering of Indigenous people can be seen as positive for easing tension.

If we look at media as an entity that holds power, and also as a bridge between two parties – the ones that is pushing for a pipeline and the ones resisting the pipeline, there seems to be increased awareness for Indigenous issues on a general level, and some newspapers are indeed allowing Indigenous perspectives to be published. In that way, because of the increased coverage, Indigenous people in the US have gained a stronger voice to raise awareness for their concerns. An example of media giving Indigenous struggles a platform can be found in CNN's article about the Oceti Sakowin camp, where it was stated that "it's no secret that the United States has battled Native Americans throughout history, taking tribes' lands and forcing them into other areas" (Wehelie: 2016). In this article, the issue is framed to be of Environmental Justice concern, because it highlights how the disrespect for First Nation traditions, destruction of sacred sites and issues of climate change and reliance of oil is all connected in these pipeline issues. This article also adds a context to the pipeline resistance and demonstrates that we are witnessing a movement that is 'trying to address some of the wrongs of history'. Thus, alluding to the fact that this is not an isolated event that the Tribe is facing, rather, it these people have faced numerous injustices throughout history. The Guardian also published an article building on this powerful framing, with a statement from David Archambault, the Standing Rock tribal chairman that reads as follow; "whether it's gold from the Black Hills or hydropower from the Missouri or oil pipelines that threaten our ancestral inheritance, the tribes have always paid the price for America's prosperity" (Solnit: 2016, p.3). Having these views published by The Guardian and CNN demonstrates the span of the movement, and it is a positive development for the often stigmatized group.

## **5.4 Line 3 causing divisions within the elite**

### **5.4.1 A controversial appeal**

Another aspect that can be viewed as easing tension between Water Protectors and the Governor of Minnesota and his administration, was the decision made to appeal the Public Utilities Commission (PUC) granting of a certification of need. Enbridge Energy had to prove that there was a need for a pipeline, in order to get the permission to start constructions. PUC granted the certificate, however, the former Governor, Mark Dayton appealed this decision in December of 2018, and his successor Tim Waltz continued this appeal in February of 2019. Waltz expressed that “when it comes to any project that impacts our environment and our economy, we must follow the process, the law and the science” (Kraker: 2019). Ultimately, what is causing this appeal is the lack of evidence that this pipeline will be needed to meet Minnesota’s demand for oil. But, the Governor also alludes to the environmental concerns that is linked to this permit (Kraker: 2019, Ferguson: 2019). Bringing the pipeline debate into the environmental framing in the political sphere also shows that there has been some success in terms of raising awareness. As previously mentioned, the Narwhale article argued Line 3 to have been less controversial because of the framing done by Enbridge Energy, however, it seems like the environmental concerns are surfacing as important aspects to consider. Arguably, this can be seen as a result of continued pressure by Water Protectors.

The appeal can on one hand be viewed as positive because it shows that environmental concerns are being taken into account, however, the continued appeal was not welcomed by everyone in the community. Numerous high-ranking individuals and Senators have publicly stated their discontent. Kurt Daudt, the leader of Minnesota House Minority found it unfortunate that the Governor sided with “extreme radical environmentalists” instead of Minnesotans (Ferguson: 2019). “Unfortunately, he’s listening to the eco-terrorists” said a member of the Legislature’s Senate Energy and Utilities Finance and Policy Committee. In a similar way, the Republican legislative leader asserted that this was a test on what One Minnesota means, and in their minds, Waltz failed the test (Kraker: 2019). Additionally, a letter with more than 2,500 signatures by business owners, labour union representatives, elected officials among others were delivered to Governor Waltz in January, asking him to pull the appeal (Ferguson: 2019).

The city councilman of Hallock, Mikey Totleben owns a motel and museum, and is a very strong supporter of Line 3. He and the city Mayor Dave Treumer both argued that the construction would be good for the town, and justified their opinion based on the expected increase in people visiting the town. The workers constructing the pipeline would need accommodation in addition to catering, which Totleben were depending on, and therefore expresses his disappointment to the Bemidji Pioneer. Disappointment was also reported by Thief River Falls Mayor Brian Holmer, not wanting to lose out on property taxes and the expected boost to local economy (Meibers: 2019). Therefore, in terms of understanding how the Line 3 resistance has been met by the different groups residing in Minnesota, there is not one consensus. Statements and letters like these shows that there are strong opinions about Line 3, and the people who are fighting for this pipeline to be built does not seem to think that the Water Protectors have a reason to argue with them, because the pipeline is what Minnesota needs – and they are not afraid of using negative framing such as terrorists and radicals. It also demonstrates that there are divisions within Minnesota’s non-Indigenous people as well, the dispute is not just an Indigenous people vs. the non-Indigenous people issue. The newspapers framing this as a controversial appeal also speaks into this sentiment of the pipeline leading to frustration within the elite as well.

On a national level, the Obama administration halted the construction of the Dakota Access Pipeline. However, things quickly changed once President Trump stepped into office, and gave permission to move forward with the construction (Garcia: 2017). President Trump has not been publicly vocal about his opinion about the Line 3 project, but he recently issued a new permit to the controversial Keystone XL pipeline, which previously had been halted by a U.S federal judge, on the grounds that there needed to be a more thorough insight into the impacts of potential oil spills (Daly: 2019). President Trump did not wait to let the new environmental review assess these concerns, and it is therefore arguably not likely that the Line 3 resistance can count on him for support for their environmental concerns. Thus, although the Dakota Access Pipeline brought these pipeline issues up to a national debate, little has changed in terms of the Water Protectors experiencing that actual changes in practices are being made.

### 5.4.2 Mutual aid and cooperation agreement announced

One thing that can be viewed as a negative change, or a negative response by the police, depending on what perspective you are viewing it from, is the ‘mutual aid and cooperation agreement’. The parties in the agreement consist of various northern Minnesota agencies, which opens up for sharing of resources between the parties if an emergency arises. This agreement was presented in the Bemidji Pioneer as a preparation “*to respond to matters such as protest activities that we perceive may occur in the future*”, a quote cited coming from Sheriff Phil Hodapp for Beltrami County (Liedke: 2018). In that way, this aid agreement was presented as being a result of ‘lesson learned’ from the #NODAPL movement, as the article also gave a brief explanation of the need to be prepared and start coordinating with other law enforcement agencies in advance – in case a large gathering of anti-pipeline organizations or Water Protectors would take place. This announcement did not sit well with everyone, because it implies that the police are preparing for increased violence in Minnesota or people breaking the law – and the media (and the Sheriff) convey the impression that things might escalate in a negative way, even before there had been any signs of this actually being a threat. It was mentioned to me that the community were a bit sceptical of this agreement being made at this point in time, because the motivation was unclear. Also, the way the Bemidji Pioneer framed this announcement created a very clear link between the aid agreement and pipeline resistance. It sends out a signal to the readers, that the police is preparing to deal with chaos.

Having seen the police brutality at Standing Rock, and what people have claimed to be “a level of force exceeding what was needed” (Parrish and Brown: 2019), it is perhaps not hard to imagine that this sort of agreement could worsen the relationship between Indigenous people and law enforcement, because of the uncertainty it brings about. Respondent B also emphasised that the Water Protectors at Oceti Sakowin had been there in peace and prayer, and what escalated the situation was the arrival of military vehicles, and the increased aggressiveness of law enforcement. Will Parrish and Alleen Brown for the Intercept argued that the police have been preparing for a major standoff over Line 3, and it is worrying. As they put it, the police response to #NODAPL served as a “chilling example of law enforcement agencies acting as bulwarks of the oil industry” (ibid: 2019, p.3).

Other sources claim that this agreement has been in the works for several years and was not initiated because of the things that happened at the Oceti Sakowin camp. A ‘letter to the editor’ was published in the Bemidji Pioneer, in March of 2018, where a concerned citizen and community member encouraged people to not pass judgement without knowing the different perspectives (Bailey-Johnson: 2018). With respect to the aid agreement, the writer stated that “it is not, and should not, be a step to intimidate or reduce the lawful right to peacefully demonstrate”. The letter also highlighted the fact that mutual aid agreements have existed in Minnesota since the 1950s, and this new legislation is merely an update, which seeks to prepare for large-scale events (ibid).

The author of the letter, as well as Beltrami County Commissioner Reed Olson both were alarmed by the fact that the focus seemed to be about “how quickly can we get police and sheriff deputies out for protests”. Olson suggested; “maybe a better discussion could have been about engaging the community and ensuring we have a safe environment for people to peacefully and legally protest” (Liedke: 2018). This is important. Building a positive relationship between law enforcement and the rest of the community is in the best interest for everyone, and the perceived pre-emptive move to block potential unrest, regardless of how long it has been under work, may well be working against this. The confusion in relation to the announcement of the agreement may be rooted in the uncertainty from all sides.

Nevertheless, it is difficult to deny that the timing of the agreement, regardless of what sparked this initiative, is very inconvenient, in terms of easing tension in the community. If in fact, this agreement was not initially discussed because the law enforcement feared increased violence and the need for more resources to tackle pipeline resistance, the statements made by Sheriff Hodapp certainly did not reject this idea. Although most people might know that the things you read in the media might have been twisted, certain things might have been left out etc., the headline ‘Sheriff’s office taking steps in case DAPL-type protests come to area’ very clearly draws the line between the agreement and the Dakota Access Pipeline resistance (ibid). Howard Becker’s concept of a hierarchy of credibility can help to explain why the statement from one person can be very influential. Becker argues that in any system of ranked groups, it is assumed that people at the top have access to more information, and thus has a more complete picture of situations. He contends that “from the point of view of a well socialized participant in the system, any tale told by those at the top intrinsically deserves to be regarded as the most credible account obtainable of the organizations’ workings” (Becker:

1967, p.241). Put in to this specific case, we can assume that Sheriff Hodapp's statements will reach many people, and his perceived idea of a potential crisis can also be negative for the community. It might create distance between law enforcement and Water Protectors, in addition to fuelling negative ideas into the minds of those already sceptic towards the resistance movement.

## **5.5 New and stronger relationships emerge**

### **5.5.1 Growing solidarity between Indigenous nations**

What I would argue to be significant, during the resistance against the Dakota Access Pipeline and the period after, is the togetherness or unity of Indigenous people all around the world. As discussed previously, the resistance brought together Indigenous people and others concerned about the environment, which in and of itself made the #NODAPL movement one that assembled people with different backgrounds. However, we should not underestimate the significance of the fact that bands within Oceti Sakowin, the Great Sioux Nation came together. According to Moore, it was more than 150 years since the bands had united, making the gathering at Standing Rock historical (2019: p.173). The last time Oceti Sakowin had assembled was prior to the Battle at Little Bighorn. In addition, one of Moore's informants highlighted that the biggest event was the reconnection with the Crow/Apsaálooke Nation. According to her source, Crow people entered their territory to offer assistance, and it was very significant because "the last time that happened was 246 years ago" (ibid, p.173). To understand the significance of this, one should know that Lakota and Crow/Apsaálooke have been enemies for centuries. The Lakota people, who were forced away from their land, in their turn would drive the Crow to face the loss of their land. The Crow were also siding with the US working as scouts in The Great Sioux War, in which the Sioux were defeated (Ravna: 2018). The war was the last time these Tribes met on Sioux land, and therefore, it is of high importance.

What we saw at the Dakota Access Pipeline resistance camp was an emergence of new connections between Indigenous nations from all over the world. Johnson and Kraft described a scene of "hundreds of tipis, tents and fireplaces.. more drums, banners and Indigenous flags than we have ever seen gathered in one place" (2017: p.135). Respondent B, who had stayed at the camp recounted meeting Indigenous people from Ecuador, Navajo people residing in



New Mexico, groups from New Zealand, South America, Central America, France, Germany and so on. As he exclaimed; “everybody was there”. It was almost like its own community, and the people I talked to all gave me the impression of a place where people were helping out in any way they could and formed strong relationships across nations. Kraft and Johnson presented this idea of Indigenous peoples translating themselves to Indigenous others, where people are increasingly identifying themselves as ‘Indigenous’ as a general class of belonging. This, they remark is because of the increased focus of common struggles, in addition to “cross-cultural critiques of settler states by externally situated Indigenous others” (2017, p.143). The previous quote by Sami actor Sarakka Gaup talking about solidarity for ‘our brothers and sisters’ demonstrates this mentality.

### **5.5.2 Growing alliances between Indigenous nations and Environmental organizations**

What has been highlighted by many in relation to pipeline disputes is the interconnection of Indigenous rights and environmental concern. As mentioned previously, we have seen growing alliances between Indigenous rights organizations and Environmental Justice organizations coming together sharing a common interest of preserving the environment. Although many may associate #NODAPL with Indigenous peoples, the Water Protectors consisted of people from many different backgrounds. One of the individuals that I sat down for an interview, respondent B, explained that his motivation to drive out to the camp at Standing Rock was the environmental concerns that he perceived to be linked with the proposed pipeline. He is very focused on the dangers to the ecosystem and saw the Dakota Access Pipeline as a threat to the water, which is crucial for our planet’s survival. This was also the reason for him being concerned about Line 3.

The combined effort between different groups was highlighted by respondent A as something they took with them from the Dakota Access Pipeline resistance and wanted to continue working on. He stated; “coming out of Standing Rock along with allies, we are using this concept of building a bigger we”. The allies, the *bigger we* do not only consist of Indigenous groups, but also other social movements, women movements, youth movements, people of colour, religious people, people sharing a common ground of struggle. The experience at Standing Rock showed the importance of aligning and building coalitions, and the power of gaining world attention lifted up the spirit of a lot of people. In my informant’s opinion, they were blessed as far as what the movement was able to accomplish – the world’s attention on

‘how America treats its own Indigenous peoples, violating our Human Rights’. Although in the end, the Dakota Access Pipeline was built, and is currently transporting oil, the #NoDAPL movement is not viewed by all as a failure. Moore concluded that “the events surrounding the #NoDAPL have reinvigorated a nationwide discussion about renewable energy and the environmental dangers of continued fossil fuel use, especially in regard to climate change and water pollution” (2019, p.7).

Along the lines of framing this as an environmental concern, the people participating in the resistance coined themselves Water Protectors – they did not want to be referred to as protesters. This can also be seen as a contributing factor of spreading the environmental concern. Not only can it be seen as a more positive framing than ‘protesters’, it also sets the stage for what is actually the main thing they all are raising their voices for. Contamination or poisoned water is not unfamiliar to the American public, and this framing arguably touched upon that fear. Around the world, and indeed in the United States, there has been large disasters that led to polluted waters. One that first came to mind when talking about this issue was the water crisis in Flint Michigan. The crisis started in 2014, when the city switched the supply for drinking water. A new system was about to be build, but meanwhile, the residents of Flint would rely on water from the Flint river. The water was reported to be murky, people were starting to get rashes and the water both smelled and looked bad. Despite many complaints, it took 18 months for the issue to be taken seriously. By then, children had been subjected to lead poisoning, and many people had suffered illness as a consequence of drinking the water (Clark: 2018, Butler et al: 2016). Also around the same time, people San Juan County, Colorado, witnessed the Animas River turn yellow after a debris wall connected to a mine collapsed, sending contaminated water into the river. Mining has been big business in Colorado, and at the time of the collapse, there were workers in the area trying to take care of acidic water leaks from another mine, which also connects to the Animas River (Artiola et al: 2016, Pappas: 2015).

In terms of gaining leverage on a national and international level, the Dakota Access Pipeline resistance arguably broke a barrier for other movements to follow. Not only have these types of fossil fuel resistances been able to step in to the realm of Environmental Justice, where they have demonstrated that these projects mount to Environmental Racism. As previously explained, place attachment is an important component of Environmental Justice, and the Water Protectors have successfully raised awareness for their sacred sites. StopLine3, one of

the NGOs in Minnesota stepped into the Environmental Justice framing when they highlighted the Environmental Justice section from the Final Environmental Impact Statement that had found that the potential construction would disproportionately affect Indigenous people – in other words, a construction would be viewed as Environmental Racism (StopLine3: 2017b). The water contamination in Flint Michigan is an often cited case of Environmental Racism, and it is highlighted as an example of the local residents not having their concerns addressed, arguably because the people affected were mostly from poor communities (Butler et al: 2016). With the consequences that later was revealed, more people became aware of Environmental Racism, and people also became aware of what Environmental Racism can look like in practice.

Sara Steimer highlighted the importance of incorporating the environmental discourse by stating that “many Americans may not know or understand treaties or sacred burial grounds, but most have heard about climate change and pollution” (2017). They have also, by focusing on the environmental aspect, been able to stand on a bigger platform. The movement touched upon fears that regards everyone – and was thus able to convey the need for everyone to be concerned. Adding to this, respondent A highlighted what he thought to be an important achievement of #NODAPL; “people learned that this is a deeper issue than this pipeline, they learned that this pipeline is part of a fossil fuel economy, part of a matrix that is addicted and feeds on fossil fuels”. Thus, alluding to the fact that they are facing a powerful system, and not just this one company and that one pipeline. Getting recognition for their struggles also steps into the aspect of Justice as Recognition laid out in Chapter 3. Who merits power and who is worthy of getting their voices heard has arguably changed, by the recognition that the First Nation tribes are still fighting for their survival and fighting for the survival of the land.

Turning our attention to the concept of power and how power structures changed throughout these years of pipeline resistance, we have witnessed the Indigenous people being hardly not present in the news, to become internationally recognised and have been enabled a platform to speak up about injustices. They have gained power in that sense, however, they have not successfully been able to stop the pipelines from being built. Employing Luke’s understanding of Power as “A exercises power over B when A affects B in a manner contrary to B’s interest”, we see that there is still a way to go, for the power balance to be significantly shifted. The Indigenous people and their allies have managed to halt and delay constructions for a while, and requested more thorough review of environmental concerns, but there seems

to be a continuation of the ones in power yet again getting the resources that they want, and the less powerful suffering the consequences. In other words, the First Nation people are being recognized and allowed to have their views published, but they are not given the power of rejecting pipelines interfering with their land or resources. Nevertheless, the Line 3 resistance is inspired to keep fighting, and as Respondent C told me; you can't use fossil fuels indefinitely, so at one point, there has to be a transition to something more sustainable.

### **5.5.3 The tip of the spear**

The First Nation tribes have in many ways been, as respondent B described, the tip of the spear in this fight. They are the ones at the front, or at least that is how it often is presented in the media. However, as this chapter has explained, the issue is not just a First Nation issue, it is not only about Indigenous people in the United States again having to witness their land being taken without permission - although that is also a very important part of the issue. It is argued by the movement and its supporters that it is important for everyone to recognize that pipelines also pose a threat to the environment and violation of rights, and that is something that the Standing Rock Sioux Tribe was able to communicate. The same goes for Line 3, and also here, we see many Indigenous people raising awareness and initiating activism – but they are not alone in this fight. Respondent B highlighted the importance of media also taking part in spreading this message, and not just stating ‘the pipeline-tribes are mad’ because it limits the issue to just be concerning the First Nations, making it easier to dismiss.

## **5.6 Reaching outside the United States**

Although the main focus of this project has been within the United States, the Dakota Access Pipeline and Line 3, it might be interesting to expand our vision and see how the #NODAPL movement has influenced other Indigenous people and activists concerned for the environment. The notion of solidarity was mentioned at the beginning of this chapter, and it seems like a good description of initiatives and meet-ups that we see around the world.

In September of 2018, a group from Canada came all the way to Finland to stand in solidarity with the Sami people who were facing the threat of a railway that would interfere with reindeer husbandry. Not only were they worried because the railway would cross the

migration route, but also because of the likelihood that many reindeers could be hit by the train (Montrouge: 2018) This is a common problem in Norway, where hundreds of reindeers have been killed in collisions with trains in the last few years. Taking the Nordland Line as an example, approximately 2000 reindeers were killed in the years 2013 to 2016 (Vollan et al: 2017). The group that came from outside Scandinavia to take part in the protest consisted of people from the Cree Nation, Climate Justice activists, in addition to a forest campaigner working for Greenpeace and a Maori representative from New Zealand (Montrouge: 2018). This is an example of how wide the network of Indigenous people and Environmental/Climate Justice activists are – because, it is no small effort to travel all the way from Canada to Finland. In addition, this campaign is by no means comparable to the Dakota Access Pipeline resistance in size, but it nevertheless touches upon the same concerns for Indigenous survival and our planets survival.

In April of 2019, a delegation of Indigenous women from Guatemala, Colombia, Israel, Nepal, Kenya and Nicaragua travelled to Minnesota to attend a meeting discussing impacts of extractive industries, and exchange knowledge and strategies for resistance (IEN: 2019). This global delegation of women connecting because of their shared concerns for Indigenous rights and environmental concerns, organized by the Indigenous Environmental Network (based in Bemidji, Minnesota) and the international women’s rights organization MADRE, demonstrates the alliance building that one of my informants were talking about. The idea of building connections across nations has not been restricted to the Dakota Access Pipeline resistance, but has continued to inspire more Human Rights activists, Water Protectors and likeminded groups of people to stand together against injustices.

### **5.7 Concerns for the future of Indigenous people protecting land and the environment?**

Despite being marginalized and often the most vulnerable groups of society, Indigenous people have demonstrated great resilience and the ability to organize themselves. Additionally, despite the perceived ongoing threat for First Nations having their land exploited and used without consent, many of them remain strong. Moore, in her meeting with the Standing Rock Sioux Tribe, found herself a bit surprised. In her view, the ‘sky was precipitously falling’ with the US current president, however, her informants had a different perspective of the contemporary situation. As they put it; “we have lived through Andrew Jackson, we lived through Lincoln, we’ll live though Trump” (2019, p.ix).

In spite of the resilience the First Nations have showed, and the continued collaboration with non-Indigenous allies, there are some developments in several states that can be viewed as being influenced by the massive pipeline resistances – and these developments are arguably a reason to be concerned. In South Dakota, a new legislative piece has been introduced in 2019 – The Riot Boosting Act (Kusnetz: 2019). The Keystone XL pipeline that have been previously mentioned, would go through Oceti Sakowin territory, in what is today known as South Dakota. The resistance against this pipeline has also been able to mobilize quite a lot of support. However, on a state level, there seems to be increased criminalization for people opposing pipeline projects. In the new act, organizing communities is discouraged and it is also criminalizing the work to defend tribal land, by among other things stating that the law also falls upon those who “does not personally participate in any riot but directs, advises, encourages, or solicits other persons participating in the riot to acts of force or violence”. It also states that “a person is subject to the jurisdiction of the courts of this state for riot boosting that results in a riot in this state, regardless of whether the person engages in riot boosting personally, or through any employee, agent, or subsidiary» (South Dakota Legislative: 2019). This legislation caused some people to argue that it interferes with their right to free speech (Tilsen: 2019, Noem: 2019).

Governor of South Dakota, Kristi Noem came out with a statement published in the USA Today Network, rejecting these allegations. She argues that she strongly supports freedom of speech and the freedom of assembly, and that this law is implemented to make sure that “when a decision is made, those decisions can actually be implemented”. She highlights the fact that some resistance against infrastructure has turned violent, and as soon as a resistance turns violent, it will be considered to be a riot (Noem: 2019). Several people have argued that this is an attempt at preventing the resistance of the Keystone XL pipeline. Additionally, it has been demonstrated more than once that law enforcement at Standing Rock used excessive amount of force, and arguably were the ones to escalate the situation – and referring to it as a riot. Amy Goodman, the person whose video went viral after recording the police dogs that bit the Water Protectors were in fact issued a warrant of arrest, after law enforcement alleged that she had taken part in a riot. The allegations were dropped, but it goes to show that there are different views on what a riot is and when one is taking part in it (Levin: 2016). Looking into the different legislations that have been introduced in different states post-Standing Rock could be a thesis on its own, but this is just one example of creation of bad relations between

Water Protectors and law enforcement. In May of 2019, as a response to the act, the Ogalala Sioux Tribe banned Noem from entering the Pine Ridge Reservation (Klinski and Kaczke: 2019). Like Beltrami County Commissioner Reed Olson pointed out in the mutual-aid agreement, this is not the way to build good community relations.

If we turn our attention to places outside the United States, there are reasons to be concerned for Indigenous people's rights and security. The United Nations Special Rapporteur on the Right of Indigenous peoples of the United Nations Human Rights Council published a report in 2018 that raised concerns about an escalation of harassment and criminalisation of Indigenous peoples and Indigenous Human Rights defenders. In particular, the UN Special Rapporteur highlighted the issue to be worrisome for the ones defending rights to land, territories and natural resources (Berger: 2019, p.14). The report states that Human Rights violations frequently occurs in relation to Indigenous People resisting extractive-industry projects, dams and other large-scale projects on Indigenous territories without informed consent. A report by the Inter-American Commission on Human Rights that also was put out in 2018 had found that approximately 20 Indigenous leaders had been killed in Guatemala the last year. The number could be higher, and the ones that have been murdered, were in most instances victimized because they were defending their territory (ibid: 2019).

## CHAPTER 6: CONCLUSION

This thesis started off by explaining the Dakota Access Pipeline resistance and how that particular movement gained international attention. Although not successful in stopping the construction of the pipeline they were resisting, the Water Protectors were predicted to have done something historic, something that would lead to changes for First Nation tribes and the relationship with the state. These statements aroused my curiosity, and it is also these statements that helped me formulate my research question. The goal of this thesis was to assess how The Dakota Access Pipeline resistance has affected Indigenous peoples in their continued resistance against extractive industries. To do this, I have looked at another pipeline resistance in the US, the Line 3 resistance that is currently unfolding in Minnesota. The approach to answering this research question is through a qualitative case study, where the methods for collecting data has been unstructured interviews and discourse analysis.

The main challenges faced throughout this project has to do with the interviews. It was difficult to find individuals that agreed to take part in this research project, and my positionality could possibly have been a contributing factor in this. As was argued in chapter 2, the insider-outsider position is relative, and it might be that some people did not want to take part in this, because they viewed me as an outsider. I have also had to take in to account the history of First Nations in the United States, and Indigenous people in general, when approaching this thesis. It is important to remember to be extra cautious when doing research with stigmatized or vulnerable groups. Not only because they might be easily identified, but also because there is a risk of continued stigmatization.

By looking at some of the events that have taken place in the world, conflicts over resources between Indigenous people and states, it is possible to see how the Dakota Access Pipeline and Line 3 is two more examples that adds to the long line of injustices involving the Indigenous people of the United States. The First Nation tribes in the US have experienced treaty violation after treaty violation, but they have continued to fight to protect the land and protect the water. The Dakota Access Pipeline resistance were able to touch upon a fear that regards everyone – the fear of polluting watersheds, and thus, engaging climate justice activists, NGOs advocating for environmental concerns and others that came to show



solidarity. This environmental approach has been adopted by the Line 3 resistance as well, and it is a frame arguably has opened up for a wider audience and given the movement a stronger voice. Thus, the #NoDAPL movement possibly opened up doors for other movements to follow, and also made the pipeline resistance appear in newspaper articles across the world, breaking a barrier that previously prevented Indigenous people from having their voices and opinions acknowledged.

In answering the research question, the focus has been on looking at how media representation on the Line 3 issue and the resistance has been covered, how people in the community perceive the post-DAPL period and what actions the state has taken. There has also been a focus on how the Indigenous people are perceiving their situation today. Ellen Moore's work on media coverage regarding Standing Rock showed how the framing changed over time, and the Standing Rock Sioux Tribe was able to get their message broadcasted to the whole world, both through newspapers and through Facebook. The environmental justice frame that was publicized then, can also be seen in the media coverage of Line 3. However, the Line 3 resistance has not been able to reach a comparable number of supporters, and the international recognition is yet to happen. There have been some media coverage by non-American newspapers, but nothing like what happened during the Dakota Access Pipeline resistance. Additionally, there was an important initiative that addressed the negative covering of Indigenous people and cases in Minnesotan newspapers, which was stated to be a reaction to the polarization of Indigenous people and law enforcement at Standing Rock. At the Oceti Sakowin camp, the law enforcement came heavily armed, and were caught on a Facebook live stream showering the Water Protectors with ice cold water during freezing temperatures. Coming out from that experience, the community did not want something similar to happen with Line 3, so they reached out to editors, and tried to convey the importance of the power the media holds in setting the stage for what information people in the community is offered. Regardless of whether or not the Line 3 issue is widely known outside the US, the issue is being covered in newspapers, and some of the newspapers are publishing articles that shows the link between pipelines, Indigenous rights and Environmental Justice.

In terms of how the #NoDAPL movement has affected relationships in communities, my field work gave me some interesting insights into the situation. The general feeling was that nothing really had changed, because there is still a push to construct Line 3, and some of the

permissions that Enbridge Energy needed have been granted. However, the interviews also gave me the impression that they do not feel defeated, and the resistance continue to be inspired by what the Dakota Access Pipeline movement was able to do. Within communities, as this thesis has shown, there is not a clear-cut division between Indigenous people and the non-Indigenous people in this resistance against Line 3. Minnesota's previous governor, and the current governor both have appealed the decision to grant Enbridge a certificate for the construction to commence.

The relationship between law enforcement and Water Protectors likely took a toll when the mutual-aid agreement was publicly known, and some key people were quoted in the local newspaper, where it was said that they needed to be ready in case a large number of pipeline resisters were to come together for a rally, speech etc. The way the agreement was presented made it sound like this was very much inspired by what happened at Standing Rock, and the law enforcement feared a possible emergency. Despite the attempt of showing that this had been in the work for several years, and was not initiated by the #NoDAPL movement, it is difficult to deny that the announcement was a potential negative development in the relationship. This, I argue, is because it sends out a message of the law enforcement preparing for chaos, and not focusing on creating spaces for peaceful resistance. Knowing how the police acted at Standing Rock, one can assume that many people will fear something similar could take place in Minnesota as well.

The data has also uncovered a growing tendency to criminalize pipeline resistance in the United States. The example from South Dakota is not a single case, and it is therefore likely that we will see more division between law enforcement and Water Protectors. When the line between peaceful protest and riot seems to be unclear, and the laws are getting stricter, there is reason to worry about what future pipeline resistance might look like. The banning of the Governor of South Dakota from a reservation also shows that the relationship First Nation tribes have with the state continues to be shaped by disagreements that are rooted in access to resources. The different acts and policies mentioned in Chapter 4 that were introduced in the 1800s and 1900s were all pushing for the same goal; controlling the resources. Even though the conflicts we see in 2019 are not shaped by massacres and rising death tolls, what is at the centre of dispute is rooted in conflict over who has access to resources.

Ending this conclusion on a more optimistic note, there are some positive developments to find in the aftermath of the Dakota Access Pipeline resistance. The large gathering of all kinds of people coming from all over the world, in addition to the massive social media support that the #NoDAPL movement received showed how many people cared and were willing to sacrifice a lot just to be there in solidarity. The ones that were not able to be there physically contributed in other ways. These coalitions of allies have been an inspiration, and although the Dakota Access Pipeline was built, the Water Protectors still felt successful in what they achieved. The ones resisting Line 3 today have seen that it is possible to reach a large audience, and the previous movement made sure that the pipeline resistance have allies all over the world. They remain positive – using social media, raising awareness with the same tactics that the #NoDAPL movement did. The Environmental Justice framing that continues to be associated with these resistances enables them to speak to a large audience, and in this day and age where there is increased awareness for global warming, this framing helps to show that pipelines are not just a tribal issue – it is an issue that regards everyone.

The predictions that sparked my interest in this topic talked about changes, and this thesis have found that there are some changes affecting the Indigenous people resisting pipelines. Going into the field, my understanding was that there are growing coalitions between different NGOs and community members that are both Indigenous and non-Indigenous. This proved to be the case, and I left the field thinking that I had a clear answer to my research question. However, once time passed, there continued to pop up news articles about stricter punishment for Water Protectors and confrontations between law enforcement and pipeline resisters. The last couple of months have therefore led me to view the situation a bit differently. For future research, it would be interesting to follow the Line 3 and the Keystone XL pipeline resistance and see if there will be introduced more obstacles to pipeline resistance, such as the Riot-Boosting Act. People raising awareness for Indigenous rights and environmental issues are operating in a time where the attention of the public and the media quickly changes, and one has to work hard to stay in the ‘spotlight’. The Dakota Access Pipeline resistance was able to do that for a certain amount of time, and it arguably allowed other pipeline resistances to go the same path, using the same strategies and framing of their cause. #NoDAPL also, by employing the Environmental Justice frame created a connection between Indigenous Rights and Environmental Justice that was too powerful to be

overlooked, and the continued resistance against other pipelines are able to associate with the same framing. There is continued optimism within Indigenous communities, and as a final quote summarising the sentiments gathered in this research, Linda Black Elk stated; "We were invisible to people, they didn't want to see us and we're not invisible anymore" (Gunderson: 2017).

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