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Green Colonialism

Conceptualizing Contemporary Sami Struggles for Life and Land

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Introduction

The goal of this thesis is to contribute to the conceptualization of the contemporary Sami struggles for life and land. In doing so, I will conduct a philosophical investigation of the emerging concept of “green colonialism.” The former president of the Sami parliament in Norway, Aili Keskitalo, has in multiple occasions invoked the term “green colonialism” to describe the contemporary implementation of wind power plants on Sami reindeer herding land. When considering Sami narratives and lived experiences and processes of meaning making among Sami reindeer herders affected by the implementation of green energy in Norway, the Sami express that their voices are not being heard and that they are not taken equally into account in the decision-making processes concerning the parks. In this thesis, I wish to answer two questions: “What is green colonialism?” and “What is wrong with green colonialism?” I am going to show that these questions are closely connected. Informing my investigation of these questions, I consider the debate on what is wrong with colonialism. Here my aim is to show that theorizing green colonialism within a colonial framework provides a valuable analytical tool for thinking about a range of issues regarding the implementation of green technologies on land which are important for indigenous peoples. Indigenous peoples often make a dual claim to both environmental justice and climate justice, including procedural and distributional claims. Both claims, however, are rooted in larger colonial struggles. The contemporary Sami struggles reflect what Miranda Fricker calls epistemic injustice. In its structural kind, epistemic injustice works to uphold the wrongful colonial structures, yet in its willful kind, the injustice intentionally works to destroy indigenous group hood.

My work is inspired by indigenous scholars and indigenous studies from all over the world. The Sami situation is often similar to other indigenous struggles in other parts of the world. I acknowledge that every indigenous group and their struggles are unique, yet I believe the concept of green colonialism can be a useful concept to capture and describe similar indigenous struggles elsewhere in the world. However, for the purpose of this thesis, I will consider the Sami situation in Scandinavia.

The Sami People

The Sami people is an indigenous people, living in Russia, Finland, Norway, and Sweden. The Sami population is estimated to be around 50,000 to 60,000 people (Berg-Nordlie and

Gaski 2022), but due to no official registration of who identify as Sami or have Sami background, it is difficult to know the exact number. Common to a great many indigenous peoples, the Sami have been subjected to long-term assimilation policies. During the 1800s, the Sami people were defined as a foreign race, and were often characterized as uncivilized, wild, and nomadic people. In all of the Nordic countries, a decision was recently made to assign a truth commission to investigate abuses of the Sami people by the states, including a proposal on pathways of reconciliation (Normann 2020; “Truth Commission in Sweden” 2022; “Truth and Reconciliation Commission Concerning the Sámi People to Begin Its Work in Finland” 2021).

Sami in Norway

In Norway, the Sami population were in a supreme court judgement concerning the Selbu case in 2001 found to qualify for the status as Indigenous people following the Article 1b of the ILO Convention 169/89. The International Labour Organization (ILO) was the first international instrument that referred to indigenous groups as “peoples” (Xanthaki, 2007). Article 1b of the ILO Convention concerning Indigenous and Tribal Peoples in Independent Countries (C169, 1989) reads,

peoples in independent countries who are regarded as indigenous on account of their descent from the populations which inhabited the country, or a geographical region to which the country belongs, at the time of conquest or colonisation or the establishment of present state boundaries and who, irrespective of their legal status, retain some or all of their own social, economic, cultural and political institutions.

The ILO has clarified that the convention is only a statement of coverage rather than a definition of indigenous peoples. Interestingly, there is no official, international definition. A possible reason for that is that indigenous people are so diverse that any definition risks being either over- or underinclusive in its scope (Reibold 2020). However, when we speak of indigenous peoples and what defines them, their indigeneity is often not of importance. Instead, what justifies the human rights of indigenous peoples is them being human beings (Ibid). The principle of equal status between ethnic Norwegians and the Sami people has been firmly established in Article 108 of “The Constitution of the Kingdom of Norway” which states that “it is the responsibility of the authorities of the State to create conditions enabling the Sami people to preserve and develop its language, culture and way of life” (1814). Efforts to protect the Sami language, culture and community life are also found in Norwegian

legislations such as the Sami Act, the Human Rights Act, the Education Act, and the Reindeer Husbandry Act (Bjørge 2019). Nevertheless, even though the history of colonial relationships and legacies between the Scandinavian states and the Sami are being highlighted, the Sami population are still struggling to advance rights and recognition. This struggle is particularly visible in the non-consensual wind power developments on land that is and has historically been essential to the indigenous Sami people's reindeer herding (Normann 2020).

A Call for Green Transition

One prominent driver of wind power development is increasing recognition of the problems caused by anthropogenic climate change. Climate change refers to long-term shifts in temperatures and weather patterns which since the 1800s has been traced back to human activities which have significant greenhouse gas emissions (IPCC 2022). Greenhouse gases (GHG) absorb energy that radiates upward from the Earth's surface, re-emitting heat to the lower atmosphere and warming the Earth's surface (US EPA 2016). Any increase in global mean surface temperature is projected to affect human health, with primarily negative consequences (IPCC 2018, 180). The warming is predicted to cause coastal flooding, vulnerability to water stress, sea level rise and extreme events, decline in crop yields, temperature-related morbidity, and heat waves (IPCC 2018, 453). The warming is also argued to jeopardize human rights such as the human right to life, health, and subsistence and to cause cultural and intergenerational injustice (Caney 2010; Heyward 2007; Heyward 2014; Whyte 2016; Page 2006).

Energy production and usage represent the largest sources of greenhouse gas emissions worldwide (IPCC 2014). Transforming our energy production from fossil fuel to renewable methods are thus seen as one of the most important changes in order to combat climate change. The Intergovernmental Panel on Climate Change's (IPCC) report on "Climate change 2022: Mitigation of Climate Change," states: "Reducing GHG emissions across the full energy sector requires major transitions, including a substantial reduction in overall fossil fuel use, the deployment of low-emission energy sources, switching to alternative energy carriers, and energy efficiency and conservation" (2022, 36). Various Green New Deal (GND) initiatives, such as the European Green Deal, claim to make the electricity and transportation sectors 100 percent sustainable by no later than 2030 and to fully decarbonize the economy by 2050 (Dunlap and Laratte 2022, 2). However, this proposed rapid and extensive deployment of low-carbon infrastructures, Dunlap and Laratte suggest, ignores the

extractive, land-use, and economic reality behind low-carbon and “renewable energy” infrastructures (2022, 2). When looking closer into where these renewable sources of energy are established and who will directly be impacted by them, it seems to be a pattern.

Concerning the building of hydroelectric dams, one million of the indigenous peoples living in the world’s rainforest are slated for relocation by dam projects during the next decade (LaDuke 1999). In the Philippines, almost all the large dam-building projects, have been built on lands occupied by the country’s six to seven million indigenous peoples (Johansen 2003, 145). In India, at least 40 percent of the people displaced by development projects are tribal people, who account, in total, for only 8 percent of the country’s population of one billion (Rajagopal 2001). Regarding wind power, Europe’s largest land-based wind farm is built on Fosen, mountain region that is, and has historically been, essential to the indigenous Sami people’s reindeer herding (Normann 2020). In addition to a long line of land grabs by the Norwegian government, the Sami are suffering a double burden. Finding good pastures throughout the year is getting harder with the climatic changes, and the land-grabs continue to decrease the areas which they can use for herding.

Sami Struggles Against Wind Power Developments in Norway

In 2005, a group called “Lavutslippvalget” was selected by the Norwegian authorities to investigate how Norway are to reduce their greenhouse gas emissions. As one of the suggestions towards climate mitigation, the report emphasized the need to introduce “environmentally friendly”¹ technologies, such as for example wind power (NOU 2006, 13). Today, wind power is commonly hailed as a vital part of a necessary green transition away from carbon emitting energy production towards renewable sources of energy. As of March 2021, 1164 wind turbines have been installed in 53 wind power plants throughout Norway (NVE 2021). Permits have been granted for the building of 32 new wind power plants, while applications for another 17 are currently being processed (ibid). Yet, there has been a nationwide mobilization against the establishment of windfarms in wilderness areas throughout the country. In the Arctic and the middle part of Norway, the building of wind power plants has been met with fierce resistance, especially from Sami reindeer herders who argue that their livelihood and way of life is threatened by the continues development of wind power on Sami reindeer herding areas. This specific objection has been made against both the developments on Fosen and Øyfjellet.

Fosen and Øyfjellet are in areas which are of crucial importance to local reindeer herding districts, and it is widely agreed that the installment of turbines in these areas will have devastating effects on local reindeer herding practices (Fjellheim and Carl 2020; Normann 2020; Kårtveit 2021; Norges Høyesterett 2021). At Øyfjellet, the building of a large wind power plant stretches over a vast area that deprives the local reindeer herders of vital winter pastures, making the reindeers dependent on being fed to make it through the winter (Fjellheim 2020). Moreover, the construction of the wind power plant started in the spring of 2020, while an appeal from local herding districts was still being processed in the court system (Kårtveit 2021). In a similar way, Europe's largest land-based windfarm which is located on Fosen peninsula in Trøndelag County is built on mountain regions where the indigenous Sami people have reindeer herding rights based on their historical land use of the area. Not only, but the South-Sami culture is particularly vulnerable and is carried by traditional reindeer husbandry on Fosen peninsula (Norges Høyesterett 2021, paragraph 141). Nevertheless, in 2010, the Norwegian Water Resources and Energy Directorate issued the license to build the windfarms, arguing that the overall benefits from the windfarms must overrule the injuries and consequences of those that will be affected (NVE 2010, 5). The local reindeer herders on Fosen took the windfarm company to court, arguing that the license decision is a violation of minorities' rights under Article 27 of the UN Convention on Civil and Political Rights (ICCPR). The Article 27 states, "In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language" (Norges Høyesterett 2021, paragraph 98). As the case moved up in the Norwegian court system, the Sami Parliament of Norway sent a complaint to the United Nations' "International Convention on the Elimination of All Forms of Racial Discrimination" concerning Norway's disrespect of the Sami culture by building the wind farms on areas essential to Sami reindeer herding. As a result, the United Nations asked Norway to temporarily stop the building process until it had a chance to consider the complaint. The Norwegian Ministry of Petroleum and Energy declined United Nations' request and thus allowed the continuation of the building process (Thobroe 2018). However, two years after the building of the windfarms were completed, the Supreme Court of Norway ruled that the wind power development on Fosen did violate Article 27 ICCPR and thus ruled that the license was invalid. Yet, in 2022, the windfarms are still standing on Fosen, without any signs that they will be taken down and the construction of the wind power plant on Øyfjellet remains in progress. In both these cases, Norwegian state

authorities have been siding with the wind power companies against the Sami reindeer herders (Norges Høyesterett 2021)

The First Indigenous Environmental Claims

The first environmental justice movement began as a grassroots response to the evidence that environmental hazards disproportionately affected the health and well-being of low-income communities and communities of color (Tsosie 2007, 1629; Melosi 1995; Taylor 2000; Bullard 2003). In the United States, a study done by U.S. General Accounting Office (U.S. GAO 1983) and one study by the United Church of Christ (UCC 1987), found that people of color were more likely to be exposed to environmental hazards than others. The U.S. GAO found that 3 of the 4 major hazardous waste landfills were located in communities that were predominantly black and living disproportionately below the poverty line. In a later study, Mohai and Bryant demonstrated that based on findings from sixteen studies on the evidence that income and racial bias exist in the distribution of environmental hazards, race is found to be more related to the distribution of these hazards than income (1992, 931). The term “environmental racism” was first introduced in the UCC study to describe their findings which suggested an “inordinate concentration of uncontrolled toxic waste sites in Black and Hispanic communities” (UCC 1987, 23). Bullard further defined the term as it “refers to environmental policy, practice, or directive that differentially affects or disadvantages (whether intended or unintended) individuals, groups, or communities based on race or color” (Bullard 2003, 50). Before the concept of environmental racism came into use, the environmental justice movement had mostly focused on the inequity in the distribution of environmental bads (Schlosberg and Carruthers 2010, 13). Yet, the studies concerning environmental racism highlighted the continuation of colonial legacies in the distribution of environmental amenities and risks.

Proponents of the environmental justice movement during the 1980s and 1990s generally considered indigenous peoples to be victims of “environmental racism,” like other racial minorities, based on their similar history of exclusion, stereotyping, and economic and political disenfranchisement (Tsosie 2007, 1629). Approximated two-thirds of the uranium deposits on federal lands in the United States are located on Indian reservations. During the 1970s, almost 100 percent of all federally produced uranium was mined on Native lands (Johansen 2003, xl). In the first People of Color Environmental Leadership Summit in 1991,

Indigenous peoples were well represented in their visionary document titled *The Principles of Environmental Justice*. Its preamble reads:

We, the people of color, gathered together at this multinational People of Color Environmental Leadership Summit, to begin to build a national and international movement of all peoples of color to fight the destruction and taking of our lands and communities, do hereby re-establish our spiritual interdependence to the sacredness of Mother Earth; to respect and celebrate each of our cultures, languages and beliefs about the natural world and our roles in healing ourselves; to promote economic alternatives which would contribute to the development of environmentally safe livelihoods; and to secure our political, economic and cultural liberation that has been denied for over 500 years of colonization and oppression, resulting in the poisoning of our communities and land and the genocide of our peoples, do affirm and adopt these Principles of Environmental Justice.

Moreover, in her attempt to identify an environmental justice frame, Taylor (2000) examined the 17 principles of the *Principles of Environmental Justice* and identified 25 different issues. Among some, protection from contamination and polluting industries, environmental policy based on mutual respect, demands for equal participation, self-determination, ethical and sustainable land use, a healthy community and work environment, and social and environmental education (539-540, also discussed in Schlosberg and Carruthers, 14). In addition, issues specified indigenous struggles such as treaty responsibilities and relationship between culture and nature were also emphasized.

Introducing Green Colonialism

Europe's largest wind farm on land is only one incident within a long line of territorial violations for the sake of resource extractions on Sami land. Aili Keskitalo, the former president for the Sami parliament in Norway, has summarized this policy and development practice as "green colonialism" (Normann 2020, 78). Concerning the Sami resistance to the wind power developments in Norway, Keskitalo has in several public statements used the term to describe the process where wind power companies are permitted to build on Sami reindeer herding land. In an interview with the International Journal Skylarks, Keskitalo argues,

It makes me so sad to see all these plans for building wind power plants on our homelands. The government tells us "oh, but you have to provide the solutions for climate change". But we already gave land because of energy production. Many wind

power plants have already been built or are planned to be built upon Sami reindeer herding areas. And we have earlier been forced to give up land to hydroelectric power plants. In fact, one of the greatest political conflicts between the Norwegian government and the Sami people was because of the Alta Dam. We have already given up land to save Norway's energy needs so it has to stop, it cannot go on forever. We will be eradicated... It's a bitter fact that it's done in the name of the environment, but I have no other word for it than green colonialism because it is colonialism. It's the same thing over again. It's the same thing they did before and now they're doing it again but they're changing the rhetoric (Kårtveit 2021, 164)

In "Green colonialism: The story of wind power in Sápmi," Bård Kårtveit argues that the story of green colonialism serves as a political narrative among Sami activists as it helps to describe "how the world works," what kind of forces they are up against, and what role they see for themselves in the ongoing struggles against wind power developments on Sami land (Kårtveit 2021, 174). By looking closer into Sami opponents to a proposal of building a wind power plant on one of the largest herding districts in Finnmark, the Davvi Wind Farm, a narrative of green colonialism encapsulates the different themes of local resistance to the project. Among these themes, Kårtveit discusses "environmental justice, asymmetrical power relations, destruction of indigenous livelihood, environmental destruction, the desecration of sacred places and Sami cultural heritage and the link between the Davvi project and earlier extraction of Sami land and resources" (2021, 165). In this thesis, I am going to develop these themes further and also suggest new ones. When considering Sami narratives and lived experiences and processes of meaning making among Sami reindeer herders affected by the implementation of green energy in Norway, the Sami express that their voices are not being heard and they are not taken equally into account in decision-making concerning the building of these parks. Indeed, as Keskitalo claims, I argue that green colonialism is colonialism.

Within the Nordic countries, the concept of colonialism has rarely been used to describe the relations between the Nordic states and the Sami people, with the exceptions of Sami activists, Sami parliaments and by non-Nordic scholars. In 1920, an activist of early Sami movement, Karin Stenberg criticized the Swedish state about "colonial politics" (Hirvonen 2008, 79-80). Moreover, the Sami Council used the term colonialism in 1959 to describe the special nature of the Sami issue, and Swedish Sami Erik Mankok did the same in 1966 (Fur 2013, 22). Today, the use of the concept is becoming more common in the academia, however, not only to describe the past relations between the Scandinavian states and the Sami as colonialism but it is also used to clarify what social, linguistic, and cultural effects the asymmetrical power relations of the past have on the present. Among many,

Greaves (2018), Lehtola (2015), Oljala and Nordin (2015) claim that recognizing the relations between the Nordic states and the Sami people as colonialism provides an essential analytical lens for understanding the formation of the modern Scandinavian and to recognize and investigate the past and present power relations. Nevertheless, what colonialism is and how we are to define it is still an ongoing discussion within and beyond the academy (Kohn and Reddy 2017; Moore 2016; Veracini 2011). Since every colonial event has its own unique story, to point out a core feature which is distinct to all cases of colonialism has proven itself to be a challenge.

The colonial history we know of involved multiple wrongs, such as for example murders, subjugation, torture, exploitation, sexual violence, enslavement, etc. Yet, as Renzo (2019) points out, the injustice already mentioned are wrong regardless of occurring in the context of colonialism. If all we can to explain the wrongfulness of colonialism is to point out its typical involvements of external wrongs, then the concepts “colonial injustice” or “colonial wrong” are either meaningless or too ambiguous. Therefore, a debate on the distinctive nature of a colonial, or even multiple colonial wrongs have found its way during the last years. Since the debate concerns itself of a distinctive nature or multiple distinctive natures of colonialism, how we define colonialism also relates to how we define the wrong(s) of colonialism. In the upcoming section, I will consider three theories concerning what colonialism is and what is wrong with colonialism. Uniquely about my analysis is the conceptualization of epistemic injustice within these theories, and their role in the contemporary continuation of colonialism through the name of green colonialism. Theories of epistemic injustice provide a deeper understanding of how social identities play a role in the mechanisms of oppression that again creates marginalization, subjugation, and social death. In its structural kinds, the injustices work to put large groups of persons under systematic threat of domination owing to identity prejudice within the collective social imagination and understanding. While in its willful kinds, the injustices intentionally undermine persons or large groups of persons as knowers or/and intentionally exclude persons or large groups of persons from the hermeneutical collective understanding.

Overview

In this thesis, I am going to offer an account on green colonialism informed by colonial, feminist, and indigenous theory. In doing so, I consider Sami narratives and lived experiences concerning the implementation of green energy in Norway through the lens of the debate on

what is wrong with colonialism. Each section considers different arguments to which component(s) that matters normatively in describing what is wrong with colonialism: Lea Ypi's domination account, Margaret Moore's territorial account and Patrick Wolfe's account on structural genocide. Concerning the debate on what is wrong with colonialism, I defend Ypi's domination account. I argue that what matters normatively in what is wrong with colonialism is the domination of one group over the other. However, this domination can take form in different ways. By considering both Moore's territorial account as well as Wolfe's structural genocide account, I claim that both Moore and Wolfe provide great theories on methods of colonial domination. In my critique of Moore, I argue that even though her account on the distinctive wrong of settlement is not successful in showing how settlement is wrong in abstraction from domination, her account demonstrates how settlement can be a method of domination. Following Wolfe's account on structural genocide, genocide is not a necessary component of colonialism, nor a distinct wrong. Yet, I suggest that genocide can be a method of colonial domination. In all sections, I conceptualize epistemic injustice within these theories, and their role in the contemporary continuation of colonialism through the name of green colonialism. Regarding green colonialism, all the methods of domination mentioned in the thesis has taken place, in some way or the other concerning both prior to and during the implementation of wind power plants on land that is and always has been essential for Sami reindeer herding.

In the first section, I put forward Ypi's account on the distinctive, procedural wrong of colonialism. Ypi argues that wrong is rooted in the creation and upholding of a common political association that denies both political collectives equal and reciprocal terms of cooperation (2013, 190). Moreover, as a precondition for a contemporary colonial political association, the political association must have been created by one political collective dominating the other political collective (Ypi 2013, 180). As a way of upholding this wrongful political association, I suggest, by referring to Catherine Lu (2011; 2017) and Iris Young (2006; 2011), that institutions, norms, practices, and material conditions play a conditioning role in reproducing objectionable social positions often rooted in historical injustice. Following Young's social-structural processes, accumulative outcomes of the actions of masses of individuals enacting their own projects still contribute to the accumulated effect of past colonial policies, attitudes, and cultural preferences. One example is through epistemic injustice, where identity prejudices within the collective social imagination continuing to put certain groups of people under systematic threat of domination and

subjugation (Fricker 2007b). When considering Sami narrative and lived experiences concerning green colonialism, I suggest that according to Ypi's account, green colonialism is colonialism, and green colonialism is wrong due to the upholding of a common political association that denies Sami equal and reciprocal terms of cooperation. As long as Sami are not allowed to relate to Norwegians as equals, guaranteed that their voices will be heard and taken equally into account in decision-making affecting the Sami, the colonial domination of the Sami will not end and thus continue in the name of green colonialism.

In the second section, I consider Moore's account on the wrongs of colonialism. As a critique of Ypi, Moore (2018) argues that territory is a distinctive colonial wrong in abstract from domination. However, I argue that Moore is making a methodological error. In addition, I claim that she is unsuccessful in showing how settlement is a distinctive colonial wrong in abstraction from domination. On the other hand, Moore's account on the territorial wrong of colonialism demonstrates how settlement can have dominating consequences. I suggest that Moore's account does demonstrate how settlement contributes to the colonial domination which I defended in the prior section. Both by the increasing influx of green technologies on Sami reindeer herding land, but also by the climatic changes. On the first, the increasing influx of non-indigenous settlement, through the implementation of green technologies on Sami reindeer herding lands intensifies the domination of the Sami by the means of disrespecting their attachment to land. As argued in the prior section, Sami narratives and lived experiences concerning the processes of planning and building these wind parks, the Sami ethnogeography is not recognized as equal with the legal framework protecting land rights, their views of land were neglected in courts and thus they are excluded from cocreating the institutions they are subject to. Second, Kyle Whyte (2016; 2018) argues that climate change reinforces and strengthen settler ignorance against indigenous peoples. Colonialism is rarely used to describe indigenous vulnerability to climate change. Instead, he argues that the common understanding of vulnerability relies on two ideas. First, indigenous is more dependent on the environment than others, and second, it is indigenous peoples' fault or bad luck that they live in certain ways that they are at risk. In this way, it is important to be clear about the precise relationship between indigenous groups and land. Climate change and the implementation of green technologies on Sami reindeer herding lands are both pertaining in colonial domination, as they both work to uphold the wrongful political association which Ypi takes to be the wrong of colonialism. Disrespecting Sami relations to land continue to put Sami under systematic threat of domination.

In the third section, I put forward Patrick Wolfe's account on settler colonialism as structural genocide. Wolfe (2006) argues that settler colonialism is inherently eliminatory, but in some cases also genocidal. Yet, even though genocide is not a necessary component of colonialism, or its distinctive wrong, genocide can be used as a method of domination. Following Raphael Lemkin's concept of genocide, Wolfe suggests that genocide also includes cultural genocide. As this claim has been met with resistance, I argue that a safe cultural identity is essential for individual well-being and thus depriving someone of their culture should be included in the legal definition of genocide. Moreover, when taking indigenous relations to the environment seriously, ecocide can be used as a method of genocide. The theorizing of the genocide-ecocide nexus began as to better understand the intersection between the destruction of ecosystems and the destruction of human groups, primarily regarding indigenous peoples. Crook and Short (2014; 2021) argue that for the past years, the logic of elimination has changed from the frontier massacres and assimilation policies to expansion of land grabs driven by the logic of global capitalism. However, as Clare Heyward (2014) argues, not all environmental destruction is genocide. From Heyward's two-fold condition which makes a situation genocide along with the Convention on the Prevention and Punishment of the Crime of Genocide's definition, I present an account on what I call willful testimonial injustice along with Gaile Pohlhaus' (2011) account on willful hermeneutical ignorance. On the first, hearer willfully undermine the speaker in their testimonial exchange, while in its structural kind, dominant social actors willfully undermine historically subordinate group members in order to maintain the current unequal structures. Willful hermeneutical ignorance, on the other hand, is always structural, and includes a group ignoring certain parts of the world by refusing to recognize and by actively undermine epistemic resources that attend to those parts of the world that they willfully ignore (Pohlhaus 2011). In this way, taking the harms and impacts of epistemic injustice seriously, willful epistemic injustice can make a situation or structure one of genocide.

As argued throughout the thesis, epistemic injustice can continue to put groups of people under systematic threats of domination and subjugation. This systematic threat can cause or facilitate the demise of a group as a distinct entity. In the introduction, I put forward the Supreme Court judgement concerning the building of the wind parks on Fosen (Norges Høyesterett 2021). The Supreme Court ruled that the wind power development on Fosen did violate Article 27 ICCPR, which proved that the installment of turbines in these areas will have devastating effects on local reindeer herding practices and thus Sami culture. Even

though genocide is not a necessary condition for colonialism or green colonialism, I argue that as long as the wind park on Fosen is standing, such particular incidence of green colonialism is one of genocide.

1 The Domination Account

As the most influential account discussing the distinctive wrong of colonialism, Lea Ypi argues in “What’s Wrong with Colonialism” that the wrong is rooted in the creation and upholding of a common political association that denies both political collectives equal and reciprocal terms of cooperation (2013, 190). Reciprocity in communication can only be provided through the establishment of a common political institution that allows people to relate to each other as equals, guaranteeing that all voices will be heard and taken equally into account in decision-making affecting both political groups (2013, 175). Furthermore, she suggests that only if the position of the historically wronged group changes such that the subsequent substantive principles of the common political association genuinely track its will and the “effects of path dependence disappear,” only then can we say that the colonial injustice has been superseded (Ypi 2013, 180). In this section, I propose a reading of Ypi’s domination account considering structural injustice as a way of upholding the wrongful association which Ypi takes to be the colonial wrong. I further propose epistemic injustice as a way social-structural processes continue to contribute to the accumulated effects of past colonial policies, attitudes, and cultural processes. When considering this connection, I argue it provides an essential analytical lens for understanding the formation of the modern Scandinavian and to recognize and investigate the past and present power relations. As long as Sami are restricted from relating to Norwegians as equals, guaranteed that their voices will be heard and taken equally into account in decision-making affecting the Sami, the colonial domination of the Sami will not end and thus continue in the name of green colonialism.

I begin the section by putting forward Ypi’s theory on what is wrong with colonialism. Second, I consider Nine’s critique of Ypi’s account and argue that such critique reveals how mis-recognizing indigenous relations to the environment can work to uphold a common political association which denies all its members equal and reciprocal terms of cooperation. Third, I connect Ypi’s account to Lu and Young’s theories on structural injustice. I suggest that the structural injustice approach reveals how the creation of a wrongful political association which denies all its members equality and reciprocity in cooperation continue through social-structural processes to constrain certain positions, by putting large groups of persons under systematic threat of domination. Moreover, one way these unequal structures continue and thus upheld the wrongful political association through epistemic injustice. Fourth, I connect both past Scandinavian relations to the Sami to the creating of a wrongful

political association. Further, when considering Sami narratives and lived experiences from both prior to and during the building of wind power plants on Fosen and Øyfjellet, the structural injustice approach reveals that the past asymmetrical power relations are reproduced in decision-making processes, as well as in court. Last, Ypi's domination account has been criticized by Laura Valentini (2015), arguing that due to an ambiguity in what Ypi means by a "political collective", there is no distinctive, procedurally wrong with colonialism. I end by addressing this objection, claiming that Valentini exaggerates the role of consent and thus creates a false dilemma.

1.1 Ypi: What's Wrong with Colonialism

Following Kohn and Reddy (2017), Ypi defines colonialism as "a practice that involves both the subjugation of one people to another and the political and economic control of a dependent territory (or parts of it)" (2013, 162). This definition, Ypi argues, includes two prominent elements. First, the definition suggests that colonialism is a practice involving collective political agents, such as indigenous societies or tribal groups. Second, the definition also suggests that colonialism includes an important territorial component. However, for Ypi, the territorial component is only descriptively crucial in distinguishing colonialism from other similar practices, but does not matter normatively (2013, 162). Instead, what matters normatively is the creation and upholding of a political association that denies its members equal and reciprocal terms of cooperation (2013, 190).

Ypi begins her account of the unjust colonial practice by revisiting Kant's cosmopolitan critique of the commercial practices of European states and the occupancy account which legitimize them. Kant endorsed the idea that everyone on the face of the earth is entitled to use natural resources commonly available (2013, 173). To pursue our own ends, such as having the possibility to form reliable life plans and to access opportunities necessary to promote these life plans, all agents must be free to acquire land and to have one's place on earth secured. However, as there is only a certain amount of land and resources on earth, using those resources and lands includes taking away both present and future peoples' opportunities to use those resources as well. Importantly, this reciprocal influence on other's freedom then requires reciprocity in communication. Following the Kantian idea, Ypi argues that such reciprocity in communication can only be provided through the establishment of a common political institution that allow people to relate to each other as equals, guaranteeing

that all voices will be heard and taken equally into account in decision-making affecting both political groups (2013, 175).

Along with the idea that everyone might be entitled to use natural resources, the Kantian cosmopolitanism suggests that such entitlement also includes the right to visit other areas and to establish political associations with other political groups (Ypi 2013, 173). Yet, these attempts to establish political associations with others must take place by contract, not force. More specifically, Kant argues that it requires a special kind of contract, such as one that “does not take advantage of the ignorance of those inhabitants with respect to ceding their lands” (Kant 1996, 490 quoted in Ypi 2013, 174). Ypi argues that the creation of a political association which guarantees equal and reciprocal terms of cooperation is an obligation (2013, 177). Such ideal of equal consideration of each other’s claims and of reciprocity in communication ought to be considered every time two previously unconnected political groups try to establish a basis for future political cooperation. She writes, “when territorial distinct collective agents first make contact with each other they have a duty (a) to not treat each other with hostility, (b) to communicate respecting criteria of equality and reciprocity, and (c) to set up a political association that reflects such criteria in rules it generates” (2013, 176). However, Ypi emphasizes that even though an offer of a political association is reflecting criteria of equality and reciprocity of decision-making, resistance to such offer may be justified if the right to self-defense in the face of hostility is threatened. Ypi suggests, “For an associative offer to be considered effectively equal and reciprocal, the consent of those on the receiving end is required” (2013, 179). Yet, according to Ypi, the consent is only an imperfect proxy for tracking an agent’s will and thus in the absence of a better alternative, consent might give us a first approximation (2013, 180).

The procedurally wrong of colonialism is then rooted in the creation and upholding of a common political association that denies both political collective’s members equal and reciprocal terms of cooperation. However, in arguing for what makes the procedural wrong distinctive to colonialism, Ypi writes, “What sets colonialism apart is the manner in which that same generic wrong [morally objectionable political relations] applies to territorially distinct political agents” (2013, 163). Yet, Ypi does not articulate further on what she means by territorial distinctive political agents. Neither does she articulate what she means by political collectives. She writes, “This article assumes that we know what makes the collective a political collective, and that indigenous societies or tribal groups do count as political collectives” (Ypi 2013, 162).

1.2 Incorporating Pre-existing Obligation

As a good starting point in considering Ypi's domination account, let us begin by discussing territory's role in colonialism. Cara Nine suggests in "Colonialism, territory and pre-existing obligations," that Ypi's account does achieve its goal to describe the distinctive, procedural wrong of colonialism, yet Ypi could accommodate the role of territory by incorporating a respect for pre-existing obligations. Nine suggests that on Ypi's view, historical residents may be subject to unequal treatment under newly formed political association because their historical patterns of land use are not considered to have any independent moral weight (2020, 2). However, instead of appealing to territorial rights as to critique or object to Ypi's account, Nine argues that by treating pre-existing obligations as having moral value, Ypi's view can recognize a groups historical land-use as morally relevant. Nevertheless, I argue that recognizing a groups historical land-use as morally relevant does not necessarily influence if the creation of a common political association is colonial or not. On the other hand, I suggest that not recognizing a groups historical land use is one way of upholding the common political association which Ypi takes to be a colonial wrong.

To show how Ypi's account ought to include pre-existing obligations as moral valuable when creating common political associations, Nine asks us to consider Susan (analogous to a new settler) and Lina (analogous to a historical resident) who recognize that they have interactions with each other that place them under a duty to form a political association. However, Lina has already made a commitment with her neighbor May as Lina and May (analogous to the community of historical residents) have agreed to plant and tend a community wildflower garden together. Lina and May's joint agreement to garden creates a collective body, Lina-May (2020, 7). The newcomer, Susan, approaches Lina and asks her to join her in a proposal to develop the public land, currently on the site of the flower garden, for the purpose of building an apartment block. On Ypi's view, Lina cannot make any non-essential land-specific claims to community land to exclude Susan or her proposal (Nine 2020, 7).

Nine argues that there are two ways to interpret the obligation to form a political association with Susan. First, Lina and Susan form a new association, or, second, Susan are included in Lina-May, making Lina-May-Susan. On either way, Nine suggests, it is difficult for Susan to make an offer to Lina on terms of equality and reciprocity if Susan does not consider Lina's prior commitments as having independent moral weight. On the first, Lina

cannot weight her special obligations from Lina-May in discussions within Lina-Susan as anything more than descriptive preferences which puts Lina in a compromising moral position. On the second, the obligation to include Susan then undermines the powers of Lina-May's joint body, disrespecting the equality of Lina and May. According to Ypi, Susan has now the power to change the terms of Lina-May at the same time as Lina-May has an obligation to include Susan in agenda changing negotiation regarding the terms of the new association. Only Susan has this power and not Lina or May. Nine writes, "This violates the principle of moral equality that the duty to politically associate was meant to uphold" (2020, 9). In this way, Nine claims that Ypi's account of the duty to associate creates conditions where the equality of persons is not respected because pre-existing obligations are not given any moral weight.

By acknowledging the normative strength bound to the fact that obligations continue to have a pro tanto moral hold on individuals even when they encounter new persons and situations, Nine argues that this means that others then have an obligation to respect Lina and May by taking their obligations into account (2020, 9). As Ypi's view is currently articulated, Susan must acknowledge Lina's basic general duties, yet, she has no obligation to acknowledge the independent normative weight of non-essential obligations that hold between Lina and May. However, Ypi can accommodate her account by incorporating an account of pre-existing obligations into her view. On a modified account, Nine writes,

the duty to offer political association need not treat parties as tabula rasa moral agents with no pre-existing obligation of independent moral value. Instead, negotiation over the terms of political interaction should appropriately weight pre-existing obligations in their deliberation (2020, 10).

In this way, Nine suggests that the distinctive, procedurally wrong of colonialism still consist in the creation and upholding of a common political association that denies both political collective's members equal and reciprocal terms of cooperation. Yet, included in a common political association that allow people to relate to each other as equals, guaranteeing that all voices will be heard and taken equally into account in decision-making affecting both groups, respecting pre-existing obligation as of independent moral value is necessary.

1.2.1.1 Recognizing Historical Land Patterns

On one hand, Nine is right that due to the lack of consideration of historical land patterns, some groups may be subjected to unequal treatment under newly formed political

associations. As I will argue later, the non-recognition of groups' historical land use can contribute to upholding a contemporary political association which Ypi takes to be a colonial wrong. On the other hand, not recognizing pre-existing obligations as having independent moral weight is only one factor that together with other factors may contribute to creating a wrongful political association. Yet I argue that it is not a necessary condition for what makes a situation colonial or not colonial.

In creating a common political association that do not deny both members' equal and reciprocal terms of cooperation, recognizing historical land use as having independent moral value is not a necessary condition for a common political association to offer equality and reciprocal terms of cooperation. Neither is it if these pre-existing obligations have independent moral value. In her example, Nine argues that since Lina cannot make any non-essential land-specific claims to community land to exclude Susan or her proposal, it is either difficult for Susan to make an offer to Lina in terms of equality and reciprocity if Susan does not consider Lina's prior commitments as having moral weight or the obligation to include Susan then disrespects the equality between Lena and May. Yet, how these two necessarily follow the fact that Lina cannot make any non-essential land-specific claims is difficult to understand. Even though Susan offers a proposal to Lina about building an apartment block does not mean that if they create a common political association, Lina must accept this offer, nor does Susan have any right to build this apartment block by creating a common political association with Lina. As many factors, such as unequal distribution, misrecognition, violence, force and so on, may subject certain political collectives to unequal treatment. The factors just mentioned are not necessary conditions for what makes colonialism wrong. What makes colonialism wrong is the domination of one political collective over another, what methods of domination is used is only descriptively important in identifying the domination. Importantly, these methods are not in themselves distinctive, procedural wrong. In this way, recognizing pre-existing obligations as having moral weight does not stop Susan in creating a common political association with Lina which denies Lina equality and reciprocity in cooperation. Even though Lina's pre-existing obligations have independent moral value, Susan can still dominate Lina in other ways and still respect the pre-existing obligations to May.

As mentioned, disrespecting group's historical land use can be used as a method of domination and thus a way of identifying how contemporary political associations continue to put peoples of a certain political collective under a systematic threat of domination. To

explain why the lack of consideration of historical land patterns may work to uphold the wrongful political association which according to Ypi is the colonial wrong, let us consider many indigenous peoples' relations to land. On one hand, it is important to emphasize that indigenous peoples are diverse and unique in their own way. In "Indigenous People and Climate Change," Tsosie argues that in the first generation of environmental justice claims for native peoples, some tribal leaders and attorneys spoke out against the efforts of environmental activists to portray Natives as a noble people who live in harmony with the land, insinuating that 'real Indians' would not consider commercial endeavors. Kevin Gover, the attorney for the Campo Tribe, noted that such "stereotypes perpetuated an incorrect and paternalistic view of tribal self-governance and limited the tribes from engaging in economic development that made sense" (Tsosie 2007, 1631). On the other hand, not recognizing how the Western understanding of land differ from the Indigenous understanding of land, may contribute to put indigenous peoples under systematic domination.

Often common to many indigenous groups is their special relations to the natural world. In "Settler Colonialism and Cultural Studies," Carrillo A. Rowe and Eve Tuck argue, "For Indigenous societies, land is peoplehood, relational, cosmological, and epistemological. Land is memory, land is curriculum, land is language. "Land" also refers to water, sky, underground, sea" (2016, 5). Among many, LaDuke (1999) and Whitt et al. (2001) have made great contributions to demonstrate the distinctiveness as well as the commonalities among a great number of indigenous peoples. In "Belonging to Land: Indigenous Knowledge Systems and the Natural World," Whitt et al. refer to a community of traditional owners of the Kakadu National Park, as a *Bining* argues "A main part of traditional culture is that *Bining/Munggy* are responsible for caring for country – this is a responsibility with important obligations to past, current and future generations of traditional owners" (2001, 705). They further point out the moral implications of genealogical bonding as expressed by the Yolngu people of Australia, "The precise relationships are those of kinship and thus entail certain obligations and responsibilities: certain types of beholdenness like those of sister to brother or parent to child" (Whitt et al 2001, 717). In a similar way, Winona LaDuke argues in *All Our Relations: Native Struggles for Land and Life* that Native American teachings describe the relations all around, including animals, plants, rocks, and so on, as their brothers, sisters, uncles, and grandpas. She writes, "Our relations to each other, our prayers whispered across generations to our relatives, are what bind our cultures together" (1999, 2).

In “Settler colonialism, Decolonialization, and Climate Change,” Kerstin Reibold argues that settler colonialism forces indigenous peoples to adopt land-use patterns that are in line with the dominant Western ethnogeography, and which conflict with their own traditional ontologies of land (2022, 2). An ethnogeography, according to Reibold, is “a culturally specific conception of land which comprises two elements: an ontology of land and specific land-use patterns in which the land ontology is materialized” (2022, 2). In most cases, the land-use patterns reflect the respective land ontology. Yet, in the case of settler colonialism, many indigenous peoples have been forced to adopt to land-use patterns that are in line with the dominant Western ethnogeography. Reibold writes,

Settler colonial states have erected a legal, political, and economic system that reflect their own land ontology, and their land use changes the land and original ecosystems so as to mirror their land ontology.⁹ Eventually, they imposed this ethnogeography on Indigenous peoples by forcing them under a jurisdiction which reflected the settler ethnogeography and by reducing Indigenous self-determination and land bases so severely that traditional land use became almost impossible to uphold.¹⁰ Consequently, even if Indigenous peoples have retained their culturally specific ontology, they must participate in the settler ethnogeography due to being subjected to the rules that regulate land use and land value according to the settler ontology of land (2022, 2)

The dominant western ethnogeography, moreover, follows the long traditions of Anglophone political philosophy where land is seen as a geographically bounded, fixed territory which is a passive instrument of the human will, essentially worthless until value is inserted by “mixing labor” (2022, 4). On this view, value is thus imbued in land solely through economic or instrumental activity, and land is only important as a store of natural resources or economic potentialities. On the other hand, the indigenous ethnogeography is more relational where land forms the basis for a kinship and societal system that extends beyond the human. Nevertheless, by not recognizing indigenous ethnogeography as equal within the legal frameworks protecting land rights, indigenous views of land are often neglected in courts and indigenous peoples are excluded from cocreating the institutions they are subject to. In this way, considering Reibold’s connection between the non-recognition of historical land use and the exclusion from cocreating the institution one is subject to, makes visible how this non-recognition can have dominating consequences. However, as pointed out, it is not the lack of recognition that is the procedural, distinctive wrong of colonialism, yet it may be one way of contributing to the denial of equal and reciprocal terms of cooperation.

In the next part of this section, I will consider this method in more detail, suggesting that social-structural processes continue to put large groups of people under systematic domination and subjugation. As a precondition of a contemporary colonial association, the political association must have been created wrongfully. A structural injustice approach makes visible how the outcomes of the actions of the masses of individuals enacting their own project contribute to the accumulated effects of past colonial policies, attitudes, and cultural preferences.

1.3 Structural Injustice: Upholding a Wrongful Political Association

In *Black Skin, White Masks*, Frantz Fanon argues that the long-term stability of colonial system of governance relies much on the “internalization” of forms of racist recognition imposed or bestowed on indigenous peoples by the colonial state and society. According to Fanon, the attitudes against indigenous peoples were first cultivated among the colonized through the unequal exchange of institutionalized and interpersonal patterns, which over time caused the colonized population to internalize these attitudes and thus these attitudes along with the structural relations with which they are intertwined came to be recognized as more or less natural (Fanon 1967). Lu (2011; 2017) and Young’s (2011; 2006) accounts on structural injustice demonstrates how the institutions, norms, practices, and material conditions play a causal or conditioning role in producing or reproducing objectionable social positions, conduct or outcomes often rooted in historical injustice (Lu 2017, 19). Young presents a theory of social-structural processes which demonstrates how accumulated outcomes of the actions of the masses of individuals enacting their own project still contribute to the accumulated effects of past colonial policies, attitudes, and cultural preference, working to uphold a wrongful common political association. In *Epistemic Injustice: Power and the Ethics of Knowing*, Miranda Fricker identifies two ways the social-structural processes continue to put certain groups of peoples under systematic domination: testimonial injustice and hermeneutical injustice. In its systematic kind both injustices stem from structural inequalities of power and work to put large groups of persons under systematic threat of domination owing to identity prejudices within the collective social imagination and understanding. In this part of this section, I argue that social-structural processes continue to deny certain groups equal and reciprocity in cooperation and structural epistemic injustice continue to deny specific voices from being heard and taken equally into account in decision-making affecting

these groups, such as upholding the wrongful common political association which Ypi takes to be the wrong of colonialism.

1.3.1 Structural Injustice and Colonial Domination

The economic, political, and social frameworks that each society has, such as for example its laws, institutions, policies, and so on, result in different distributions of benefits and burdens across members of the society (Lamont and Favor 2017). In *A Theory of Justice*, Rawls argues that justice concerns this distribution and how they determine advantages and disadvantages. The subject of social justice is, he writes, “the way in which the major social institutions distribute fundamental rights and duties and determine the division of advantages from social cooperation” (1999, 6). Major institutions, moreover, include the legal systems’ definition of basic rights and duties, market relations, the system of property in terms of production, and organization of family. In “Epistemic Justice as a Virtue of Social Institutions,” Elizabeth Anderson distinguishes transactional from structural theories of distributive justice. A transactional theory identifies criteria of justice for particular exchange or interaction between two people, while a structural theory supplies criteria for assessing global properties of a system of rules that govern these transactions and impose constraints on permissible rule with regards to controlling cumulative effects of individual transactions that may be innocent from a local perspective (Anderson 2012, 163-164). Moreover, Lu (2011; 2017) and Young (2011; 2006) discuss how a structural approach identifies the contributory role of structural injustice within colonized societies in the production of colonial injustice.

Structures, Young argues, denote the confluence of institutional rules and interactive routines, mobilization of resources, and physical structures such as building and roads (2006, 111). They constitute the historical givens in relations to which individuals act, and which they are relative stable over time (Ibid). Structural injustice, Young writes,

exist when social processes put large groups of persons under systematic threat of domination or deprivation of the means to develop and exercise their capacities, and the same time that these processes enable others to dominate or to have a wide range of opportunities for developing and exercising capacities available to them (Young 2011, 52).

Drawing on Young’s account on structural injustice, Lu suggests that a structural injustice approach can highlight the contributory role of those who participate in rules, institutions and social practices at various levels that enable, encourage and produce “widespread and

repeated” violations (Lu 2011, 268). An account of the continuities of present with past injustice is therefore important for understanding how the present conditions are structural and how these structures have involved, and where intervention may be most effective (Lu 2011, 181-82). Similar to Ypi, Lu argues that only when victims of colonial structural injustice achieve the necessary conditions for effective political and social agency within their respective societies, social structures can be considered adequately reformed (Ypi 2013, 180; Lu 2011, 264).

1.3.1.1 Social-structural processes

In all societies, including those under colonial rule, individuals occupy different social positions that enable them to exercise different capacities for social agency (Lu 2011, 269). As mentioned, Young argues that structural injustice exist when social processes put large groups of persons under systematic threat of domination or deprivation of the means to develop and exercise their capacities (Young 2011, 52). These social processes, moreover, can enable and encourage interactional injustice. Within the social-structural processes, Young points out how four related aspects work together to produce or reproduce structural injustices: 1) objective social facts experienced by individuals as constraining and enabling, 2) macro social space in which positions are related to one another, 3) as existing only in actions, 4) commonly involving the unintended consequences of combination of the actions of many people (2011, 53). First, as individuals, we experience much about the society we live in as objectively constraining. The operation of social-structural processes creates “channels” for the actions of individuals, guiding and constraining them yet without disabling their flow (Reiman 1989; Young 2011). Young points out two important ways which to consider the objective, constraining facility of structures. The material, such as Jean-Paul Sartre’s *practico-inert* (Sartre 1976), is the way accumulated effects of past actions and decisions have left their mark on the physical world, opening some possibilities and foreclosing others (Young 2011, 54). As an example, Young points out how many of the physical facts about metropolitan regions of the U.S. today are structured products of a combination of social policies, investment decision, and cultural preferences of the mid-twentieth century (2011, 54). Even though some of these attitude and exclusionary policies from the mid-twentieth century have atrophied to some extent, the racially segregated inner-city neighborhoods remain. The other, however, includes how institutional and social rule constitute another stubbornly objective and difficult-to-change aspect of structural process. Insofar as some share social rules, these rules may collude to put certain people in precarious positions. In this way, social structures

appear as objective, given and constraining, yet not in the form of direct coercion of some individuals over another, but they constrain more indirectly and cumulatively as blocking possibilities (2011, 55).

Second, in addition to social constraints and opportunities as a consequence of objective facts, Young suggests that social relations from the point of view of structures also means taking a broad macro point of view on the society that identifies its major social positions and how these positions relate to one another systematically (2011, 56). Indeed, when considering members of society in terms of social positions, such as common positions which individual persons with diverse attributes, life histories, and goals find themselves, certain positions are revealed as constraining. Third, Young claims that structures are produced only in action without being reduced to action in their description, and persons act in relation to their knowledge of structures (2011, 60). Moreover, people act within institutions where they know the rules and understand that others have certain expectations or that certain patterns of speech and behavior have certain meaning. Yet, these actions in reliance with institutional rules is often not even part of intentional consciousness of the actors, but rather a habit. When developing or enhancing our capacities to bring about ends, however, we rely on resources, such as skills, ability to mobilize the actions and skills of others, and so on. These resources, Young points out, refer to power as ability and power over others. Indeed, our habits follow what are typical of people in similar social positions. This typification of social differentiation and relationships operates to reproduce structural inequalities (2011, 62). Fourth, and last, social structures, then, refer to the

accumulated outcomes of the actions of the masses of individuals enacting their own projects, often uncoordinated with many others. The combination of actions affects the conditions of the actions of others, often producing outcomes not intended by any of the participating agents (2011, 62-63).

Taking all the four together, social-structural processes reveal how the creation of a wrongful political association which denies all its members equality and reciprocity in cooperation continue to constrain certain positions, by putting large groups of persons under systematic threat of domination.

1.3.2 Epistemic Injustice

Social injustices breed epistemic injustices; or rather, these two kinds of injustice are two sides of the same coin, always going together, being mutually supportive and reinforcing each other (Medina 2013, 27).

Theories of epistemic injustice provides a deeper understanding of how social identities plays a role in the mechanisms of oppression that again creates marginalization, subjugation, and social death. The injustice is one example of how us acting within our knowledge of preexisting structures work to reproduce asymmetrical power relations and other past injustices. Indeed, in Fricker's account of epistemic injustice, she portrays harms due to this injustice that runs deep as well as wide in a person's psychology and practical life, such as being degraded qua human as well as preventing social groups from participate as equals in society.

1.3.2.1 Fricker's Account of Structural Epistemic Injustice

In everyday testimonial exchange, Fricker suggests, the hearer often makes use of stereotypes as heuristics in order to judge the speaker's credibility. The hearer perceives the speaker in the light of a set of background assumptions about how far people like the speaker is trustworthy. Fricker argues that in this interaction between the speaker and the hearer, identity prejudices can wrongfully undermine the speaker in their capacity as giver of knowledge. As a necessary component of testimonial injustice, Fricker suggests that prejudices can take form in different ways. In the most general sense, she writes "The idea of a prejudice is most basically that of a (33) pre-judgement, where this is most naturally interpreted in an internalist vein as a judgement made or maintained without proper regard to the evidence" (2007b, 3). The general conception of prejudice can be both positive as well as negative and may permit motivations that are not ethically bad. However, when we are to identify a testimonial injustice, it is not the general form of prejudice that is at work. Instead, Fricker introduces the notion of negative identity prejudices, which is always generated by some ethical bad affective investment and "are prejudices with a negative valence held against people *qua* social type" (2007b, 5). By combining the notion of negative identity prejudice with stereotype, Fricker proposes a definition of a negative identity-prejudicial stereotype:

A widely held disparaging association between a social group and one or more attributes, where this association embodies a generalization that displays more (typically, epidemically culpable) resistance to counter-evidence owing to an ethically bad affective investment. (2007b, 5)

Fricker distinguishes between two ways that identity prejudicial stereotypes determine our credibility judgements in a wrongful way. Either because one decides not to shift one's belief when presented with counterevidence to the held prejudice or when identity prejudices are residual and a part of the collective social imagination.

Fricker suggests that concentrating on prejudicial beliefs that are shaped *inter alia* would lead us to underestimate the incidences of testimonial injustice. Instead, she wishes to focus on the operation of identity prejudice whose content may be inconsistent with the beliefs held by the subject (2007b, 6). Due to our social imagination, social stereotypes exist as pictures in our heads which “expresses an association between a social group and one or more attributes, and which thereby embodies one or more generalization about that social group” (Fricker 2007b, 27). Importantly, these pictures and images conditions our judgements without our awareness. Fricker identifies two ways prejudicial residue from the collective social imagination may exist in a subject's social consciousness even when it conflicts with one's beliefs. First, the prejudicial residue may be captured under a diachronic aspect. Fricker writes, “Imagine, for example, a woman who has freed herself of sexist beliefs – a card-carrying feminist, as they say – and yet her psychology remains such that in many contexts she is influenced by a stereotype of women as lacking the requisite authority for political office” (2007b, 7). In this way, the woman's beliefs have moved on, but contents carried in her social imagination have not. Her social imagination thus constitutes a residual prejudicial force that continue to shape her judgements and motivations, without her permission. Second, the prejudicial residue may also be captured under a synchronic aspect. As an example, Fricker writes, “a lifelong committed anti-racist whose patterns of social judgements none the less betray a residue from racist elements that are contained in the collective social imagination” (2007b, 8). In this case, the lifelong committed anti-racist is unable to filter out the racist prejudices within the social judgements in such way that these prejudices impinge on this person's own pattern of judgement without the person's permission. Residual prejudices, both diachronic as well as synchronic, can thus shape our credibility judgements without our immediate awareness. In the diachronic case, because prior personal beliefs are still present in one's social imagination, or in the synchronic aspect where our prejudices are part of the collective social imagination. However, Anderson (2012) argues that more must be shown for testimonial injustice to be judged as a case of structural rather than transactional injustice.

Testimonial injustice is by Fricker initially illustrating transactional injustice. However, the injustice can become systematic if members of a social group suffer from it across social domains, in conjunction with prejudicial discrimination in access to other goods. Yet, Anderson argues that more must be shown before this can be judged as a case of structural rather than transactional injustice (2012, 165-166). In considering if the pre-emptive testimonial injustice is structural or not, Anderson turns to on the mechanism whereby certain knowers were unfairly excluded from testifying. On the one hand, she writes “If an aide was charged with drawing up a list of witnesses to testify before a Congressional hearing and passed over certain otherwise qualified individuals out of identity prejudice, this should count as transactional epistemic injustice, because fault can be traced to an identifiable agent” (2012, 166). On the other hand, testimonial exclusion becomes structural when institutions are set up to exclude people without anyone having to decide to do so. Anderson writes,

The Congressional committee may simply have a tired old list of witnesses reflecting the prejudices of long- retired Congressional chairs. The aides may continue drawing witnesses from the outdated, biased witness list, without knowing that it fails to represent a sound cross-section of expertise on the issues before the committee. Their Congressperson may have failed to authorize any aide to update the list, and may be unaware that it is outdated, in which case no one need be at moral fault for failing to call relevant witnesses to the stand. The custom of drawing witnesses from the list would then be a structural injustice. (2012, 166)

Anderson identifies three structural causes of group-based credibility deficits: differential access to the markers of credibility; ethnocentrism; and the “shared reality bias” (2012, 169). On the first, she suggests that the hearers commit no transactional testimonial injustice if they take lack of education or poorly used grammar as markers of low credibility. In societies that systematically deprive disadvantaged social groups access to a decent education, the hearer generates additional structural inequalities in opportunities for exercising full epistemic agency (2012, 169). Second, ethnocentrism is the bias in favor of groups in which one belongs (ibid). Considered in itself, epistemic ethnocentrism is morally innocent. On the other hand, Anderson argues, if the different groups engaged in inquiry are segregated along the lines of salient social identities that are also the basis of systematic unjust groups inequality, ethnocentrism will then cause the advantaged groups to discount the testimony of disadvantaged groups (2012, 170). Third, shared reality bias is the tendency of individuals who interact frequently to converge in their perspectives on and judgements about the world (Hardin and Conley 2001). In the same way as the two before, shared reality bias is innocent

from the point of view of transactional justice. However, when groups of inquirers are segregated along the same lines that define group inequality are segregated along the same lines that define group inequalities, the shared reality bias will tend to insulate members of the disadvantaged groups from perspectives of the systematically advantaged (2012, 170). In this way, Anderson portrays a structural injustice including transactional injustice if the latter systematically put groups of people under domination and subjugation.

1.3.2.1.1 Hermeneutical Injustice

As the second kind of an epistemic injustice, hermeneutical injustice is an injustice of having a significant area of one's social experience obscured from the hermeneutical collective understanding owing to prejudicial flaws in shared resources for social interpretation (Fricker 2007a, 1). In the same way as testimonial injustice, hermeneutical injustice involves identity prejudice, such as prejudice against someone because of their social identity. However, it is always structural and thus worsen the already structural inequalities of power as the generally powerless groups have no influence on the collective hermeneutical resources which again works to uphold these power relations (2007a, 8). Fricker defines structural hermeneutical injustice as:

the injustice of having some significant area of one's social experience obscured from collective understanding owing to a structural identity prejudice in the collective hermeneutical resource. (2007a, 8).

Moreover, the already identity prejudice of the powerless groups become structural as the groups with social power renders the collective hermeneutical resources which again tracks the subjects within the identity prejudice through a range of different social activities besides the hermeneutical.

As a second way, Fricker points out that hermeneutical gaps might equally concern not only the content but rather the form of what can be said, such as the characteristic expressive style of a given social group may be rendered just as much of an unfair hindrance to their communicative efforts as an interpretive absence can be (2007a, 13). As argued by Carol Gilligan (1982), women (at least at one point in history) have a 'different voice' when it comes to ethical judgements, and a voice that is not recognized as rational but is rather marginalized as morally immature. Women's attempts at communicative intelligibility when it comes to moral matters are then hindered by a hermeneutical gap of this kind. The hinderance, Fricker argues, is unjust in so far as it derives from hermeneutical

marginalization, such as from the fact that their powerlessness restricts them from full participation in those practices whereby social meaning is generated (2007a, 13).

1.3.3 Conclusion

Following Lu and Young, a structural injustice approach reveals how the creation of a wrongful political association which denies all its members equality and reciprocity in cooperation continue to constrain certain positions, by putting large groups of persons under systematic threat of domination. Moreover, one way these unequal structures continue and thus upheld the wrongful political association which denies all its members equality and reciprocity in cooperation is through epistemic injustice. In everyday testimonial exchange, Fricker suggests, the hearer often makes use of stereotypes as heuristics in order to judge the speaker's credibility. The hearer perceives the speaker in the light of a set of background assumptions about how far people like the speaker is trustworthy. Fricker argues that in this interaction between the speaker and the hearer, identity prejudices can wrongfully undermine the speaker in their capacity as giver of knowledge. Negative identity prejudices, she suggests, "are prejudices with a negative valence held against people *qua* social type" (2007b, 5) and can both undermine certain group-members as knowers and exclude certain experiences from the collective hermeneutical understanding. However, according to Anderson, more must be shown for testimonial injustice be structural. She identifies three structural causes of group-based credibility deficits: differential access to the markers of credibility; ethnocentrism; and the "shared reality bias" (2012, 169). As mentioned, Ypi argues that reciprocity in communication can only be provided through the establishment of a common political institution that allow people to relate to each other as equals, guaranteeing that all *voices* will be heard and taken equally into account in decision-making affecting both political groups (2013, 175). In the next part of this section, I consider Sami lived experiences concerning the building of wind power plants on their herding land in the lens of a structural injustice approach. This approach reveals that green colonialism is colonialism.

1.4 Green Colonialism: Upholding a Wrongful Political Association

In arguing what makes contemporary political association a colonial wrong, Ypi does not claim much more than if the position of the historically wronged group changes such that the subsequent substantive principles of the common political association genuinely track its will and the "effects of path dependence disappear" (Ypi 2013, 180), we can say that the colonial

state no longer is colonial. However, as a precondition for contemporary political association to be a colonial wrong, it must have been created wrongfully, such as denying both political collective's equality and reciprocity in cooperation. In the previous part of this section, I argued that social-structural processes continue to put large groups of peoples, such as the historically wronged political collective, under systematic threats of domination and subjugation. Moreover, a structural injustice approach, including structural epistemic injustice, makes visible how the outcomes of the actions of the masses of individuals enacting their own project contribute to the accumulated effects of past colonial policies, attitudes, and cultural preferences. In this part of the section, I place past Scandinavian relation to Sami within Ypi's colonial framework. When recognizing the past relations as colonialism, it provides an essential analytical lens for understanding the formation of the modern Scandinavia and to recognize and investigate the past and present power relation, such as to clarify what social, linguistic, and cultural effects the asymmetrical power relations have and how they are reproduced. When considering the Sami narratives concerning the procedures prior to and during the building of the wind power plants on their herding land, these stories reflect inequality in decision-making, but also the experiences of being undermined as knowers and excluded from the hermeneutical collective understanding. In the way social-structural processes work to uphold the political association which Ypi takes to be the wrong of colonialism, green colonialism is revealed as a continuation of colonial domination. Not only a continuation, but green colonialism is colonialism. As long as the Sami are denied relating to Norwegians as equals, guaranteed that their voices will be heard and taken equally into account in decision-making affecting the Sami, the colonial domination of the Sami will not end and thus continue in the name of green colonialism.

1.4.1 The Scandinavian Relations to the Sami as Colonialism

Following Kohn and Reddy's (2017) definition of colonialism, both the expansion of Swedish and Norwegian rule on Sami land included subjugation by the state of Denmark-Norway (at the time) and the state of Sweden over the Sami, as well as political and economic control over the land which the Sami had historically occupied. However, for Ypi, the territorial component is only descriptively crucial in distinguishing colonialism from other similar practice, but do not matter normatively (2013, 162). Instead, what matters normatively is the creation and upholding a political association that denies its members equal and reciprocal terms of cooperation (2013, 190). Until the 16th century, Sami and non-Sami had been engaging in commercial as well as social interaction for century. Yet, during the 1600s

Denmark-Norway and Sweden gradually established and enforced a social hierarchy where they enjoyed cultural superiority and political dominance over Sami in such way that Sami were no longer allowed to make decisions governing the course of their collective society or, in many cases, their individual lives (Greaves 2018, 107). In the beginning, the Sami were allowed to keep the possession over their land as long as they paid taxes. However, with the discover of silver deposits and other natural resources, the Sami loss both their possession to land, as well as the right to use the resources on their traditional territories (Lehtola 2015, 25). In the 18th century, the state control over the economic, cultural, and religious life of Sami communities was strengthen by various policies and decrees (Ojala and Nordin 2015, 10). In Sweden, the state established churches in the Sami areas, and missionaries and clergymen campaigned against Sami non-Christian religious beliefs and practices (Ojala and Nordin 2015, 11), while a little later in Norway, the Norwegian government adopted a policy of “Norwegianization” which rejected Sami culture and identity by forcing the Sami into an ethically and culturally uniform Norwegian population. As an assimilation policy, Norwegianization was successful as it resulted in the near elimination of Sami language use in Norway (Greaves 2018, 113).

However, the past injustices concerning the colonial domination of Sami is today recognized through the Truth and Reconciliation Commission in Norway and Sweden as well as public apologies by both King Harald V of Norway and the Central Boards of the Church of Sweden to the Sami people. Efforts to protect the Sami language, culture and community life are found in Norwegian legislation such as the Sami Act, the Human Rights Act, the Education Act and the Reindeer Husbandry Act (Bjørge 2019), and the Sami parliament was established to improve the Sami political positions and promote Sami interests. Not to mention, Norway was the first country in the world to ratify the ILO 169 in 1990, including the principle of “Free, Prior and Informed Consent.” The EPIC,

recognizes indigenous peoples’ inherent and prior rights to their lands and resources and respect their legitimate authority to require that third parties enter into an equal and respectful relationship with them based on the principle of informed consent. Procedurally, free, prior, and informed consent requires processes that allow and support meaningful choices by indigenous peoples about their development path (UN Sub-Commission on the Promotion and Protection of Human Rights 2004, 5)

Yet, the extent which Sami communities ought to influence decisions regarding projects within their own core areas are conflicted. At the very last, the Sami are to be involved in the

decision-making process through a formal consultation. Nevertheless, when considering Sami lived experiences and narratives from both prior to and during the building of wind parks on their herding land, the Sami expresses that their voices are not being heard and they are not taken equally into account in decision-making concerning the building of these parks.

1.4.2 Green Colonialism: Inequality in Decision-making

According to Sami activists, the consultations concerning the building of the wind power plants are often a sham, a process where reindeer herders enter with no change to influence the project itself. Kårtveit quotes a local activist in Tana, as the activist says:

It's a theatre. A farce. The leaders of the company have been making "coffee-chat visits," stopping by stores in various places, swinging by for a few hours before heading on. It's all been very sudden, and poorly advertised, so that no one who are engaged could have the time to prepare, or make it there in time to engage with them. I don't know why they do this. I guess it just to be able to say they have engaged with and listened to the locals. They've also tries to engage in "consultations" with the reindeer herders, but they've been skeptical. What's the use? Consultations are just a formality, a meeting where developers can present their plans, and where the herders can accept or object, it doesn't make a different. But if you've showed up, they can say they've engaged in a dialogue (Kårtveit 2021, 166).

Furthermore, in the statement by Keskitalo, quoted in the beginning of this thesis, she refers to the conflict around the Alta dam. Going back to the 1970s, a controversy around a hydro power project in Alta became the turning point for Sami struggle for cultural recognition and indigenous rights in Norway (Kårtveit 2021). The hydro power project involved the flooding of nature reserve of great importance to the Sami community. An alliance of Sami and environmental activists campaigned against the proposal (Greaves 2018, 114). Even though the hydro power project was built, the struggle against the Alta dam was the turning point for Sami rights and recognition. In fact, the Alta conflict led the Norwegian authorities to commission a public report on the Sami's cultural and political rights (Sametinget.no). In 1989, the Sami Parliament was opened as an indigenous parliament with the role to improve the Sami political position and promote Sami interests and is today primarily a political body for the Sami people (Ibid). The Sami Parliament is the prime dialogue partner for the Norwegian government in its Sami policy. Yet, with the recognition of Sami and Sami rights, the public report on the Sami's cultural and political rights, and the opening of the Sami Parliament, members of the Sami community express a vast asymmetry in relations between

the Sami and the developers in terms of power and resources when decisions about these wind power plants are made.

Even though the Sami Parliament is the prime dialogue partner for the Norwegian government in its Sami policy, the Sami parliament have no influence in the decision-making. Going back to the windfarms on Fosen, the Sami parliament of Norway sent a complain to United Nation's "International Convention on the Elimination of All forms of Racial Discrimination" concerning Norway's disrespect of the Sami culture by building the wind farms on areas essential to Sami reindeer herding. The United Nation asked Norwegian government to temporary stop the building process until they had a chance to consider the complaint. However, The Norwegian Ministry of Petroleum and Energy decided to reject United Nation's request and thus allowed the continuation of the building process (Thobroe 2018). Moreover, Kårtveit quotes a prominent member of the Sami Parliament as the member says:

If they (reindeer herders) argue to meet with the wind power developers, and are presented with the plans, they can make their objection, but those will be ignored. And once you've met with them, the developers can say that they've engaged in a dialogue with you and tried but failed to reach a shared understanding (Kårtveit 2021, 166).

Kårtveit argues that the concept of "dialogue" serves to conceal the vast asymmetry in power and resources between the industrial developers and the local Sami herders as the concept create an impression that they have been included in the decision-making process (2021, 166). The concept of dialogue indicates a meeting taking place on level playing field. In general, Sami activists engaging with industrial agents in their home areas rarely find themselves operating on a level playing field (Kårtveit 2021, 167). The exclusion from decision-making processes concerning their land and interests continue to put Sami people in a position of being dominated.

1.4.3 Green Colonialism: Epistemic Injustice

As discussed above, a structural injustice approach reveals how the creation of a wrongful political association which denies all its members equality and reciprocity in cooperation continue to constrain certain positions, by putting large groups of persons under systematic threat of domination. One way these unequal structures continue and thus upheld the wrongful political association which denies all its members equality and reciprocity in cooperation is through epistemic injustice. Recalling Fricker's account on structural epistemic injustice, a precondition for both testimonial and hermeneutical injustice is that a social group

is either wrongfully undermined as a giver of knower or obscured from the hermeneutical collective understanding owing to negative identity prejudice, which she defines a prejudice with a negative valence held against people qua social type (2007b, 5). For hermeneutical injustice, the social group has areas of their social experiences obscured from collective understanding owing to a structural identity prejudice in the collective hermeneutical resource (2007a, 8). While for testimonial injustice, the injustice may result both from prejudicial beliefs that are shaped *inter alia* as well as from our social imagination. The kind of testimonial injustice I have focused on for now is the kind resulting from structural negative identity prejudice in our social imagination and may thus condition our judgements without our awareness. In “Green colonialism in the Nordic context: Exploring Southern Saami representations of wind energy development,” Normann reports on the knowledge disputes during the lawsuits in regard to the building of wind power plants on Sami reindeer herding land.

During the three lawsuits she observed, weakness in the environmental impact assessments preceding NVE’s licensing of wind power parks were largely discussed among the Sami (2020, 87). The Sami researchers’ and herders’ knowledge virtually became disqualified in these fundamental processes. Some Sami expressed their perception that the disqualification was due to misrepresentations of Sami people within the Norwegian constitutions. She writes, “Saami knowledge might be taken as biased, putting empathy with other Saami over what comes to be considered as “value-free knowledge” and defending a “hidden agenda” favoring reindeer herding” (2020, 87). On the other hand, the consultants which were to complete the impact assessment were chosen by the wind power companies and partially financed by one of the state companies with interests in the construction of the wind parks. Moreover, in the courtroom, Normann observed multiple translation issues between the Sami and the Norwegian court. She writes,

First, while proceeding centered on issues of economic efficiency in herding, a proper language to describe the deep, and even spiritual, connection that many Saami maintain with animals and mountains was absent. Saami concerns were confined to technical and economic considerations. Second, there are more cultural-specific ways of being and speaking. On occasion, I sensed that judges and lawyers might have misunderstood key aspects in witnesses’ account, considering how they speak about herding. Saami witnesses seemed to be taking for granted certain fundamental knowledge about the reindeer’s movement, so things were left unsaid, and perhaps not fully understood by the judges (Normann 2020, 87).

In a similar way, lack of knowledge among the general population, politicians, and scientists are by the Sami community considered to affect the processes of wind power development on Sami reindeer herding land. A member of the South-Sami community in Norway reflects on the ignorance towards the Sami as a people and their contemporary struggles:

There was very little knowledge, and they did not believe that the Saami live so far south, and less so that there is reindeer herding. So I see, that many people have not understood that there is reindeer herding here. And, if you don't know that, you won't take a position either (...) I have heard several say, "Oh my God, I did not believe there was reindeer herding here." And then, when you read about the case, we are not even mentioned. That is disappointing to me. Disappointing, and I think it is strange that it is even allowed to invisibilize in this way. But the media is powerful, it has great power. (Normann 2020, 86)

In regard to both the struggle of inequality in decision-making, being undermined as knowers and excluded from the hermeneutical collective understanding, the Sami community expresses that the struggle against the wind power development is a continuation of the history where they have to fight for their existence. Normann quotes a Sami as he says:

Historically, we are a people that has had to struggle to exist. This is perhaps an extension of that; we see that if we do nothing, we disappear. Because many also neglect their Saami identity, they select it away. Many are worried about that, and the ones who are proud of their identity, are very concerned that it must continue existing and flourishing. (Normann 2020, 87).

As a part of the colonial history, the Scandinavian states gradually established and enforced a social hierarchy where they enjoyed cultural superiority and political dominance over Sami in such way that the Sami were no longer allowed to make decisions governing the course of their collective society or, in many cases, their individual lives (Greaves 2018, 107). The Sami people were defined as a foreign race, and were often characterized as uncivilized, wild, and nomadic people. Following Fricker's account of testimonial injustice and Young's account of social-structural processes, these prejudices against Sami may still determine one's credibility judgements in a wrongful way. Either because one decides not to shift one's belief when presented with counterevidence to the held prejudice, or where the identity prejudices are part of the collective social imagination. Considering all the agents involved, such as the ones involved in the environmental impact assessments in regard to NVE licensing of the wind power parks, the Norwegian Ministry of Petroleum and Energy decision not to respect United Nation's request to temporary stop the building process on Fosen, or the wind-power

developers who did not listen to the Sami in decision-making regarding the wind power development, the chance that all of them carry prejudicial beliefs about the Sami which are shaped inter alia is quite small. Instead, Fricker's notion of testimonial injustice demonstrates that we all may carry identity prejudices of the Sami within the collective social imagination which again conditions our judgements without our awareness – working to uphold a common political association which denies its members equal and reciprocal terms of cooperation. In addition, in Anderson's critique of Fricker's structural testimonial injustice, she considers three structural causes of group-based credibility deficits: differential access to the markers of credibility; ethnocentrism; and the “shared reality bias” (2012, 169).

Going back to Anderson, she argues that there are three structural causes of group-based credibility deficits. Considering the second, ethnocentrism, such as the bias in favor of the group in which one belongs (2012, 169), none of the those who disqualified Sami researcher's and herders' knowledge in the environmental impact assessments preceding NVE's licensing of the wind power parks were Sami. Instead, they all belonged to the same group, namely chosen by the wind power companies and partially financed by one of the state companies with interest in the construction of the wind parks (Normann 2020, 87). The same ring true for the judges and lawyers concerning the lawsuit in regard to the building of wind power plants on Fosen, as they all belonged to the dominant group. Similarly, the third cause of group-based credibility deficits, “shared reality bias”, such as the tendency of individuals who interact frequently to converge in their perspectives on and judgements about the world (Hardin and Conley 2001) is also applicable to the Sami experience in the courtroom.

As another social process which put the Sami people under systematic threat of deprivation of the means to develop and exercise their capacities, Normann reflected on how a proper language to describe the deep, and even spiritual connection that many Sami maintain with animals and mountains was absent when the Sami witnessed in the Court concerning the lawsuits against wind power development on Sami reindeer herding land. The Sami are not taken seriously when expressing the injustice of wind power developments on Sami reindeer herding land as it disrupts their special relations to environment, which again does not exist in the common Norwegian understanding of land and land rights. Their testimonies are not even being considered in the decision-making process. In the second part of Normann's observation from court, Normann sensed that judges and lawyers might have misunderstood key aspects in witnesses' accounts. The Sami witnesses, she argues, seemed to take for granted certain knowledge about reindeer's movement. In this way, a common

understanding within the Sami community as well as the deep, and even spiritual connection that many Sami maintain with animals and mountains are obscured from the collective understanding owing to a structural prejudice in the collective hermeneutical resources. This lacuna in the collective hermeneutical resource do also disadvantages the Sami in their testimonial abilities which again support the identity prejudice within our social imagination that again continue the colonial domination.

1.4.4 Conclusion

As a precondition for a contemporary political association to be considered a colonial wrong according to Ypi's domination account, the common political association must have been created on the basis of denying one political collective equal and reciprocal terms of cooperation. As shown in this part of this section, this rings true for the past Scandinavian relations to the Sami. However, today these injustices are recognized by the Scandinavian states efforts to protect Sami language, culture and community are established. On the other hand, when considering Sami lived experiences and narratives from both prior to and during the building of wind parks on their herding land, the Sami expresses that their voices are not being heard and they are not taken equally into account in decision-making concerning the building of these parks. When considering the Sami narratives within a structural injustice approach, it became clear that the past power relations are still present in the upholding of the common political association with the Norwegians. The Sami are still denied equal and reciprocal terms of cooperation, Sami are still not considered equal to the Norwegians, and their voices are not being heard or taken equally into account in decision-making affecting the Sami. Following the epistemic injustice approach, structural negative identity prejudices against the Sami are revealed. During the three lawsuits in regard the building of wind power plants on Fosen, the Sami were both undermined as knowers and excluded from the hermeneutical collective understanding. The structural testimonial injustice as well as hermeneutical injustice continue to put Sami under systematic threat of deprivation and domination. A proper language to describe the Sami deep, and even spiritual connection with animals and mountains were absent in the collective hermeneutical resources. As long as the Sami are not allowed to relate to Norwegians as equals, guaranteed that their voices will be heard and taken equally into account in decision-making affecting the Sami, the colonial domination of the Sami will not end and thus continue in the name of green colonialism. According to Ypi's domination account, green colonialism is colonialism.

1.5 An Objection to Ypi's Domination Account and a Response

In “On the Distinctive Procedural Wrong of Colonialism,” Laura Valentini argues that Ypi’s account rest on an ambiguity in what she means by “political collective” In both the aggregate and corporate interpretation of “political collective,” Valentini suggests that neither version is convincing and thus there are no distinctive procedural wrong with colonialism. However, I respond to the critique by arguing that Valentini exaggerates the role of consent in Ypi’s account which creates a false dilemma in addition to the one Wietmarschen discusses (Wietmarschen 2018). Instead, what matters in the takeover of a collective is not the consent in itself, but rather the creation and upholding of a common political association that denies its members equal and reciprocal terms of cooperation.

Valentini criticizes Ypi’s ambiguity in what is meant by ‘political collective.’ She argues that Ypi slides between an aggregate and corporate understanding. Not only that, both understandings fail to exhibit a distinctive procedural wrong of colonialism. Moreover, when discussing the two interpretations of what is meant by ‘political collectives,’ Valentini suggests three principles that would explain the wrong of colonialism in Ypi’s terms. On the aggregate interpretation, Valentini argues that the wrong of colonialism is explained by the following principle:

It is wrong to acquire/exercise control over individual members of a political collective without their voluntary consent (2015, 316)

Valentini then goes on by arguing that such principle would imply too much and is therefore an insufficient principle to describe the procedural wrong of colonialism. First because of some instances of control, such as the use of coercion in the service of protecting others’ rights are by the principle classified as wrongful (2015, 317). And second, by using lack of consent as the imposition of ongoing terms of a wrongful association, such claim fails in explaining what is *distinctive* procedurally wrong with colonialism because most of the countries of the world today are also lacking individual consent to the control that their government exercise on them (2015, 318). She writes, “If tracking individuals’ wills is necessary for avoiding “colonial wrongdoing,” then all existing well-ordered democratic states exhibit the distinctive procedural wrong of colonialism” (Valentini 2015, 321). However, due to Ypi’s language of “the will of the group,” Valentini argues that Ypi would

most likely not commit to the aggregate interpretation. Instead, she turns to the more plausible interpretation – the corporate interpretation of a political collective.

On the corporate interpretation, a group is understood as a collective agent, with beliefs, desires, and a will of its own (Valentini 2015, 323). Since Ypi gives no explicit criteria of what she makes a collective a political collective, Valentini argues that the most straightforward corporate interpretation of Ypi's account relies on the following principle:

It is wrong to acquire/exercise control over a political collective without tracking its will (for example, without its voluntary consent) (Valentini 2015, 323)

However, following the corporate principle, Valentini argues that if the moral standing of collectives is explained in normative individualist terms, the principle just stated would turn out implausible. From a normative individualist perspective, the moral standing of a collective is explained by, and therefore conditional on, the collective's serving the legitimate interests of individuals. This, according to Valentini, commits us to the view that the exercise of control over a tyrannical state requires the tyrannical state's voluntary consent for it not to be procedurally wrong (2015, 324). Yet, Valentini proposes a possible response that Ypi would imply. She argues that Ypi's response to the first principle within the corporate interpretation may so be that a collective political agent has moral standing if and only if it allows its members equality and reciprocity in decision making. Following this possible response by Ypi, Valentini argues that the procedural wrong of colonialism is then explained by the principle:

It is wrong to acquire/exercise control over a political collective without tracking its will (for example, without its voluntary consent), if and only if the collective in question is "equal and reciprocal" (2015, 325)

Valentini then asks, "But in virtue of what does a collective count as "equal and reciprocal"?" (2015, 325). In attempting to answer her own question, she provides two possibilities. One possibility that Valentini suggests is to invoke the consent of all members. Yet, since no realistic political collective tracks *every* member's will, then no political collective would thus have moral standing and such possibility would not be realistic. Instead, a second possibility may be that the condition of "equality and reciprocal" is satisfied when a collective is appropriately considering the legitimate interests of its members. Consequently, Valentini argues that following such possibility, it allows for circumstances under which colonialism is not *distinctively* procedurally wrong. She writes, "What matters morally [in a takeover of a

collective] is the subjugation of individual human beings, their being denied equal status under the law, independently of the identity of the collective who makes and enforces the law” (Valentini 2015, 328). What is wrong with colonialism, from a procedural perspective, is then the same as what is wrong with other governments that also fail to realize “relational” or “democratic” equality among their members. In this way, Valentini argues, colonialism is only procedurally wrong, but not distinctively.

1.5.1 A Response

Going back to the aggregate interpretation of political collective provided by Valentini, the distinctive procedural wrong of colonialism is to “acquire/exercise control over individual members of a political collective without their voluntary consent” (2015, 316). Further, Valentini argues that such principle is insufficient to describe the procedural wrong of colonialism. First, because some instances of control, such as coercion in protecting citizens’ rights are by the principle classified as wrongful, and second, the claim that lack of consent is an imposition of ongoing terms of a wrongful association fails in explaining what is distinctive procedurally wrong with colonialism. However, considering the principle which explains the aggregate interpretation of the distinctive procedurally wrong with colonialism, Valentini refers to the individual consent within an already established political association. She argues that the principle would imply too much. As an example, Valentin writes,

A wrongful attacker, A is harming an innocent victim, B. A policeman, C, arrives at the scene and issues the following coercive command directed at A: “Stop harming B, otherwise I shall arrest you!” A has not consented to the form of control that C – or the government on whose behalf C is acting – exercise over him, and yet C’s actions are far from wrongful. (2015, 317)

It is indeed true that coercion in the service of protecting other’s rights is surely morally permissible, yet Ypi is only interested in the instances of control when territorial distinct agents ought to create a common political association and if this control continue. Instead, Ypi argues that in the establishment of a common political association uniting two already established political associations, consent of the receiving political collective is required. To see the difference between what Valentini and Ypi conceive as consent, consider the difference between a people of a political collective not consenting to create a common association with ISIS and a person not consenting to the speed limit in the country they live. I think we all would recognize that there is a significant difference between the two examples.

In fact, Valentini's understanding of consent reflects the second part of the example, while Ypi refers to situations where already created political collectives have the right to hold back their consent if they feel the hostility in the establishment of a common political association with another collective.

As a second critique following the aggregate principle, Valentini argues that the principle would also be insufficient as the lack of consent cannot be used as an explanation of the distinctively procedurally wrong with colonialism. She writes, "If the lack of individual voluntary consent is what does the explanatory work, then what is wrong with, say, ... the Dutch colonization of South Africa is equally wrong with ... the present government of the Netherlands" (Valentini 2015, 318). However, how consent does any explanatory work of what is distinctively procedurally wrong with colonialism is not clear to me. Ypi does acknowledge that colonialism is a distinctive wrong within a larger family of wrongs (2013, 163), yet what sets colonialism apart from its family of wrongs is the fact that the generic wrong applies to territorially distinct political agents. Even though Ypi does not articulate what specifically she means by territorial distinct political agents, it is safe to say that she refers to already established political associations that do not share the same territory. Following Kantian cosmopolitanism, in having our place on earth secured, we must establish a common political association with others in the same area, as we are using the same natural resources. Such entitlement also includes the right to visit other areas and to establish political associations with other political groups (Ypi 2013, 173). On the other hand, consent is required on the receiving end of an offer of a common political association because of two reasons. First as a result of an imperfect proxy for tracking an agent's will (2013, 180) and secondly because of the right to self-defense in the face of hostility. However, it is hard to see how consent does any explanatory work of what is distinctively procedurally wrong with colonialism. Ypi is nowhere claiming that lack of consent is what is wrong with colonialism. Nevertheless, Valentini suggests in her concluding remarks that Ypi would most likely not commit to such interpretation anyway (2015, 323). Due to Ypi's language of the "will of the group," Valentini turns to the more plausible interpretation of Ypi's account – the corporate interpretation of a political collective.

According to the first principle in the corporate interpretation, "it is wrong to acquire/exercise control over a political collective without tracking its will (for example, without voluntary consent)" (Valentini 2015, 323), Valentini argues that such principle would conflict with normative individualism. From a normative individualist perspective, the moral standing of a collective is explained by, and therefore conditional on, the collective's serving

the legitimate interests of individuals. This, according to Valentini, commits us to the view that the exercise of control over a tyrannical state requires the tyrannical state's voluntary consent in order for it not to be procedurally wrong (2015, 324). However, Ypi does not specifically touch upon the dilemma of intervening with a tyrannical state or not. It is also not clear what Valentini refers to as a tyrannical state. Yet, if a tyrannical state is tyrannical because it does not serve the legitimate interests of its members in decision making, it is quite clear that Ypi believes that such tyrannical state is indeed a distinctive wrong within the same family of wrongs as colonialism. She writes, "[colonialism] is a distinctive wrong within a larger family of wrongs, the wrong exhibited by associations that deny their members equality and reciprocity in decision making" (Ypi 2013, 163). Nevertheless, it may so be that Valentini is right that Ypi would think that the exercise of control over a tyrannical is wrong. But only because the exercise of control over another state may not be compatible with the right way to establish a common political association. As mentioned, Ypi argues that along with the right to have our place on earth secured, we also have a right to visit other areas and to establish political relations with others. Yet, in establishing these political relations, these attempts are not to take place by force but instead ought to allow people to relate to each other as equals, guaranteeing that their voice will be heard and considered equally in decision making. In this way, there would seem to be nothing wrong if a state established a common political association that reflects equality and reciprocity with the tyrannical state to improve the living conditions of its people. Ypi writes, "If, with the passage of time, the position of the historically wronged group changes such that the subsequent substantive principles of political association genuinely track its will and the effects of path dependence disappear, we can say that injustice has been superseded" (Ypi 2013, 180). In this way, Ypi allows for establishing common political associations without consent if the established political association genuinely tracks the will of both collectives.

Importantly, Ypi argues that consent is an imperfect proxy for tracking an agent's will and because of the absence of a better alternative, consent might give us a first approximation. Even though consent might be required, Ypi suggests that there would also be wrong to withhold it when the associative offer reflects equality and reciprocity. She writes, "Residents might be committing a moral wrong in refusing fair and reciprocal offers to associate, and visitors should exercise moral pressure to persuade such societies to join such associations" (2013, 180). Valentini comes to realize in her concluding remarks that according to Ypi, the takeover of a collective without its consent is actually not what matters morally in the takeover. She notes;

we are left with no reason to think that the takeover of collective without its consent is never wrong per se. What matters morally is the subjection of individual human beings, being denied equal status under the law, independently of the identity of the collective who makes and enforces the law. (Valentini 2015, 328)

We are then able to say that acquiring control over a tyrannical state without the state's consent is not procedurally wrong due to the fact that the tyrannical state may withhold its consent but may instead be procedurally wrong if the state acquire control over the tyrannical state by subjugating the individual human beings of the tyrannical state. On the other hand, Valentini writes, "from a normative individualist standpoint, a "justice-enhancing takeover" cannot be wrongful" (2015, 327). If that is so, Ypi seems to still be at conflict with the normative individualist view. As mentioned, Ypi argues that if any association denies its members equality and reciprocity in decision making, the association is procedurally wrong. If the justice-enhancing takeover then denies its new members equality and reciprocity in decision making, the takeover is wrongful. Ypi's view is still in conflict with the normative individualist standpoint that such a takeover cannot be wrongful. However, if we proceed from the fact that Ypi's account conflicts with the normative individualist standpoint because she believes that even a "justice-enhancing takeover" can be wrongful if the takeover denies its members equality and reciprocity in decision making, is the argument which leads Valentini to conclude that there is no distinctive procedural wrong with colonialism, such conclusion seems to be quite doubtful. Valentini too comes to the realization that consent is not what matters morally in the takeover of a collective, but rather the subjugation of the people within the collective. Therefore, whether it is a justice-enhancing takeover or not, denying equal status under the law should in all cases transcend the importance of consisting with the so-called "normative individualist standpoint." Yet, why this should matter in the first place is also a question of wonder. Colonialism was not a justice-enhancing takeover. There is no reason the corporate understanding is insufficient to describe a "political collective" in a way that colonialism is not a distinct and procedurally wrong.

1.6 Conclusion

In this section, I have considered Ypi's account on the distinctive, procedural wrong of colonialism. Following Kohn and Reddy's definition of colonialism, such as "a practice that involves both the subjugation of one people to another and the political and economic control

of a dependent territory (or parts of it)” (Kohn and Reddy 2017 quoted in Ypi 2013, 162), Ypi argues that this definition includes two prominent elements. First, the definition suggests that colonialism is a practice involving collective political agents, such as indigenous societies or tribal groups. Second, the definition also suggests that colonialism includes an important territorial component. However, for Ypi, the territorial component is only descriptively crucial in distinguishing colonialism from other similar practices, but does not matter normatively (2013, 162). Instead, what matters normatively is the creation and upholding of a political association that denies its members equal and reciprocal terms of cooperation. As a starting point in discussing Ypi’s account on the wrong of colonialism, I began by consider Nine’s critique of Ypi. Nine argue that Ypi is does achieve its goal to describe the distinctive, procedural wrong of colonialism, yet her account could accommodate the role of territory by incorporating a respect for pre-existing obligations. However, I argue that it may not matter on the distinctive procedural wrong of colonialism if we incorporate a respect for pre-existing obligation. On the other hand, Nine reveals how not recognizing indigenous relations to land can work to uphold the wrongful political association which Ypi takes to be a colonial wrong. From this realization, I connect structural injustice to Ypi’s domination account. From Lu and Youngs’ structural injustice accounts, the creation of a wrongful political association which denies all its members equality and reciprocity in cooperation continue to constrain certain positions, by putting large groups of persons under systematic threat of domination. One way of doing so, I suggest is through epistemic injustice, such as for example not recognizing indigenous ethnogeography as equal within the legal frameworks protecting land rights, which consequently neglect indigenous views of land in courts and excludes indigenous peoples from cocreating the institutions they are subject to. Moreover, when considering Sami narrative and lived experiences concerning the processes of building the wind power plants on their herding lands, the Sami expresses inequality in decision-making, but also the experiences of being undermined as knowers and excluded from the hermeneutical collective understanding. The structural testimonial injustice as well as hermeneutical injustice continue to put Sami under systematic threat of deprivation and domination. As long as the Sami are not allowed to relate to Norwegians as equals, guaranteed that their voices will be heard and taken equally into account in decision-making affecting the Sami, the colonial domination of the Sami will not end and thus continue in the name of green colonialism. According to Ypi’s domination account, green colonialism is colonialism.

2 The Territorial Account

A second account on the distinctive procedural wrong(s) of colonialism, Moore argues in “The Taking of Territory and the Wrongs of Colonialism” that the particular framing of the recent debate on what is wrong with colonialism is problematic due to its project of searching for one single feature that accounts for the wrongfulness of colonialism (Moore 2018, 89). She suggests that if we theorize domination as colonialism’s central, wrongful element, we fail to fully understand the extent of such wrong. Instead, a central part of the wrongs of colonialism includes the wrongness of forcibly settling on land and by doing so disable the previous groups from being able to exercise their entitlements. By referring to the legitimate-expectation argument along with the land-use incompatibility argument, she claims that the two work in tandem to demonstrate that settlement is a distinctive form of colonial wrong in abstraction from domination. In this section, I argue that Moore’s account on the wrongs of colonialism is both making a methodological error as well as being unsuccessful in showing how settlement is a distinctive colonial wrong. Instead, I suggest that settlement can be a method of colonial domination. The increasing influx of non-indigenous settlement, through for example the implementation of green technologies intensifies the domination of the Sami by the means of disrespecting their attachment to land and thus uphold the common political association which Ypi takes to be the wrong of colonialism. Similarly, Kyle Whyte (2018; 2016) argues that climate change reinforces and strengthens settler ignorance against indigenous peoples. As the Sami already struggles to adapt to climatic changes, the continuous land grabs to save Norway’s energy needs intensifies ignorance towards Sami struggles for life and land.

I begin the section on putting forward Moore’s account on the territorial wrong. Second, I present my critique of her account. I argue that Moore is making a methodological error. In addition, she is unsuccessful in showing how settlement is a distinctive colonial wrong in abstraction from domination. However, third, I suggest that Moore’s account does contribute to show how settlement have dominating consequences and contributes to the colonial domination which I defended in the prior section. Both by the increasing influx of green technologies on Sami reindeer herding land, but also by the climatic changes.

2.1 Moore's Account on the Territorial Wrong

Moore begins her account of the wrongs of colonialism as including two distinct wrongful elements by discussing the definition of colonialism. As most forms of colonialism had some shared features that explain why we refer to them as 'colonialism', these features often includes both political domination and settlement on land that was not previously regarded as settlers' land (Moore 2018, 89). However, Moore suggests that these features are distinct as it is possible to have the first without the second, and the second without the first. She writes, "the fact that there are different institutional practices [of colonialism] might lead us to question the methodological assumption that we should be looking for a single feature that explains all forms of colonialism as wrongful" (2018, 90). Once we accept this, Moore suggests that it no longer follows that domination is *the* wrong of colonialism but the wrong consist in multiple wrongs which includes settlement.

To see why settlement of already occupied land in the New World was wrong and should be included in an account of the wrongs of colonialism, Moore argues we must consider taking of land in abstraction from the relations of domination and subordination. To clearly show how the settlement is wrong, she suggests that it is important to be clear about the precise relationship between indigenous groups and land and how particular land-use patterns give rise to entitlements, and thus what those entitlements consists in (2018, 90). By territorial rights, Moore refers to "the right that indigenous people had to use the land, control it, and to exclude potential settlers from it" (2018, 91), while indigenous peoples is "a community that is self-governing, but does not take the form of a state" (2018, 91). However, to demonstrate the wrongs of settlement, Moore incorporates both a legitimate-expectation argument along with a land-use incompatibility argument. As the former is insufficient to protect people's plans and projects, incompatible land-use patterns provide a form of (jurisdictional) control over territory including rights of exclusion (2018, 91).

First, to explore the role of legitimate expectations and the relationship between past practices and future plans, Moore provides an example (2018, 92). The example begins with a group of settlers from England which move to land in the New World and establishes a small community. Importantly, the settlers live by farming, fishing, and hunting, and they were not driven by necessity as they could have survived where they were. Yet the population density of indigenous inhabitant in the New World was less than the land could support. The settlers did not attempt to dominate the indigenous people who also lived on the land; however, the

new settlers occupied a place that the indigenous group had previously wandered about in, hunting, and gathering and fishing. The indigenous community was still able to use a large enough area to continue its way of life after the settlement. Nevertheless, following the example, Moore argues that to see the wrong of such settlement, we might appeal to a legitimate-expectations argument and thus claim that the partially nomadic indigenous group could object to the arrival of a new group on the grounds that the new settlement unsettles the indigenous group's plan and ways of life by altering the amount and the specific land which will be available to them, and when. She writes,

We measure whether the position of the indigenous group has worsened (unacceptably worsen) from a temporal position: we examine what people have or expect to have available to them (as part of their set of options) at time t_1 (prior to settlement), and regard changes to these expectations as requiring justification (2018, 92-93).

The idea, Moore argues, is that expectations, after a while, give rise to claims of justice or entitlements (2018, 93). However, not just any expectation that a person might have would give rise to justice claims, but only legitimate expectations. Legitimate expectations, she suggests, can be adopted in both a moralized sense where legitimate expectations are what is prescribed by relevant norms, or on a more practically sense where the term means something like "what is reasonable to expect to happen" (2018, 93). In both understandings, Moore argues that the indigenous group were occupying the land legitimately. Either because their presence on the land was traditional in the sense that it was not achieved by coercion or other types of injustice, and that the relevant group norms supported their control over land, or because it would be reasonable by the indigenous group to make future-oriented plans based on their access to the land (2018, 94). However, because the moralized sense of the term threatens to be circular, Moore wishes to focus on the idea that the people have strong interest in stability of place in order that they can make reasonable plans and projects in life. In this way, she writes,

Exclusion from a place is an acute form of disruption of people's place-related plans, and this is what justifies a right to reside in a place and not be expelled from it; but, since acute disruption can also be felt by rapid change in the nature and extent of the land to which one has access and which is a background assumption of many people's plans and activities, it also justifies some degree of control over that place (2018, 94).

However, the legitimate-expectation argument is not alone sufficient to explain the wrongs of settler colonialism. Moore acknowledges that the argument suggests that indigenous people

did have a relationship to land that justifies permanent occupancy and use rights, yet it does not demonstrate how all kinds of white settlement is wrong or why indigenous people should have fuller territorial rights, involving jurisdictional control over a particular geographically area and rights of exclusion (2018, 95).

To demonstrate that all kinds of white settlement are wrong and to show why indigenous people should have fuller territorial rights, Moore refers to land-use incompatibility argument. By land-use incompatibility, she means how “Different land-use patterns may be partially or completely incompatible with one another” (2018, 96). Going back to the original example of English settlement, Moore asks us to imagine a much bigger influx of non-indigenous settlers, in order both to highlight the problem of land-use incompatibility and to explain why use-rights and rights not to be expelled are insufficient to give the requisite security. On the problem of land-use incompatibility, she writes,

it may be true that one small group of settlers will not disrupt the indigenous way of life or culture, but many settlers, with traditions of dense land use such as tilled fields, mining operations, and urban spaces, are threatening to largely nomadic hunter-gathering society that assumes not only rights of movement, but of hunting animals and taking food as they come across them” (Moore 2018, 97).

Moreover, Moore argues that the English settler groups’ presence is in this way disanalogous with other groups who are indigenous to the land. Not only that, but the settlement of the English in significant numbers will prevent the indigenous groups from being able to have collective agency over their lives (Ibid).

Following the legitimate-expectations argument, indigenous groups have claim to particular land due to the importance of projects and affective attachments and value. However, Moore argues that in a settler colonial context, compromise concerning the use of land or space is not a fair outcome (2018, 97). Since the settlers and indigenous groups relates to land differently, to settle on indigenous land without their (informed) consent would according to Moore be a form of disrespect. She writes, “depriving them of collective agency, disregarding their attachments to the land, and non-consensually unsettling the basic background conditions in which they live, and the plans and projects and way of life that gives meaning and value to their lives, is a form of disrespect” (2018, 97-98). By combining the two arguments, Moore suggests that settlement is thus a distinctive wrong in addition to the wrong of domination within the distinctive wrong of colonialism.

2.2 A Methodological Error

Moore's account of the wrongs of colonialism makes great contributions to how territory plays a significant role in settler colonialism. However, I think she is making a methodological error as to argue why settlement should be included as a distinct wrong of colonialism. Moore may be right that there are multiple features at play in what we define as "colonialism." Going back to Kohn and Reddy, colonialism is defined by a kind of domination involving subjugation, and political and economic control over a dependent territory (Kohn and Reddy 2017). The fact that territory is relevant when speaking of both colonialism and settler colonialism is true. Yet, as Ypi demonstrates, the territorial component is only descriptively crucial in distinguishing colonialism from other similar practices, but does not matter normatively (2013, 162). On the other hand, Moore argues that the fact that there are different institutional practices of colonialism might lead us to question the methodological assumption that we should be looking for a single feature that explains all forms of colonialism as wrongful (2018, 89). I argue that such argument seems to be rooted in a methodological error.

Regardless of agreeing with Ypi or not, the concept of colonialism includes domination. For instance, domination involving the subjugation of one people to another (Kohn and Reddy 2017), and from Veracini (2011) defining colonialism as "exogenous domination." However, settler colonialism, as a kind of colonialism includes dominations but also settlement. Moore argues that since there are different institutional practices of colonialism, we should then question the single feature that explains all kinds of colonialism. This statement seems a bit strange. For instance, let us pretend that the distinctive, single feature of fruits is for example that they disseminate their seeds. Yet, all fruits are different. They have different colors, shapes, etc. Moreover, it would then be strange to argue that since there are different kinds of fruits, we should question the methodological assumption that all kinds of fruits disseminate their seeds on the basis that fruits have different colors. In a similar way, the distinctive feature of colonialism includes domination and political and economic control over a dependent territory. However, just because settler colonialism also includes settlement, it does not follow that we ought to question the distinctive feature of colonialism.

Further, Moore claims that she wishes to focus on the wrongs we can attribute to settler colonialism, where territory was settled as part of the colonial project (2018, 89). However, in danger that her focus on settler-colonialism makes her argument less powerful, she then claims that settler-colonialism is in fact the paradigmatic case of colonialism and thus when speaking of colonialism, we should refer to settler colonialism (2018, 89-90).

Again, this argument too seems a bit strange. Going back to the example of the fruits. Even though apples are the fruit which most people associate with the term fruit it does not follow that we should define all fruits in terms of the features of an apple. Doing so, fruits that are not similar to an apple would then no longer be conceptualized as a fruit. Instead, focusing on the wrongs we can attribute to settler colonialism is useful. As settler colonialism involves settlement, which colonialism not necessarily do, an account of the wrongness of settlement do richen our understandings of why settler colonialism is wrong in addition to the already colonial wrong of domination. On the other hand, Moore is not successful in arguing that settlement is wrong as distinct from domination.

In arguing that settlement of already occupied land in the New World was wrong, Moore suggests that it is important to be clear about the precise relationship between indigenous groups and land and how particular land-use patterns can give rise to entitlements in the first place, and what those entitlements consist in (2018, 90). In doing so, she claims that we must consider taking of land in abstraction from other elements of colonialism, such as domination and subjugation (2018, 90). To demonstrate the wrong of settlement, Moore incorporates both a legitimate-expectation argument along with a land-use incompatibility argument. As the former is insufficient to protect people's plans and projects, incompatible land-use patterns provide a form of (jurisdictional) control over territory including rights of exclusion (2018, 91). In this way, the two arguments work in tandem in order to explain the distinctiveness of what is wrong with settlement.

On one hand, it is a great point that indigenous people have a strong interest in stability of place and that many indigenous peoples and non-indigenous people do relate to land differently and thus this difference ought to be respected. However, in explaining why settlement on indigenous land is wrong, in abstraction from domination, Moore argues that such settlement deprives indigenous people of collective agency, disrespecting their attachment to land, and non-consensually unsettling the basic background conditions and the plans and projects and way of life that gives meaning and value to their lives (2018, 97-98). Moreover, if what is wrong with settlement is the deprivation of indigenous peoples' collective agency, disrespecting them and influencing their way of life without consent, then settlement in itself is not a distinctive wrong, instead, the settlement is wrong due to the domination of a people by another people.

2.3 Settlement, Climate Change and Colonial Domination

Even though I argue that Moore is unsuccessful in showing how settlement is a distinctive colonial wrong, her account does contribute to how settlement have dominating consequences and contributes to the colonial domination which I defended in the prior section. Moore suggests that it is important to be clear about the precise relationship between indigenous groups and land and how particular land-use patterns can give rise to entitlements in the first place, and what those entitlements consist in (2018, 90). I will come back to the latter part in the next section, but to emphasize the argument made in the previous section, it is important to be even more clear about the precise relationship between indigenous groups and land. As argued in the previous section, disrespecting the different land ontologies continue to put large groups of persons under systematic threats of domination through epistemic injustice. When certain group's land ontologies are denied equality within the legal frameworks protecting land rights, indigenous views of land are often neglected in courts and indigenous peoples are excluded from cocreating the institutions they are subject to. Moreover, as my reading of Moore points out, settlement of non-indigenous peoples contributes to dominating consequences, such as by depriving indigenous peoples' collective agency, disregarding their attachments to land, and non-consensually unsettling basic background conditions and plans and projects and way of life that gives meaning and value to their lives (2018, 97-98).

In this section, I will consider the dominating consequences of the latter: non-consensually unsettling background conditions and plans and projects and way of life that gives meaning and value to their lives. Concerning the concept of green colonialism, the increasing influx of implementation of green energy on Sami reindeer herding areas intensifies the domination of the Sami by the means of disrespecting their attachment to land and thus uphold the common political association which Ypi takes to be the wrong of colonialism. Moreover, in addition to taking more land for green energy, climate change intensifies the ignorance towards indigenous relations to land. Following Whyte, in "Settler Colonialism, Ecology, and Environmental Injustice," he introduces the concept of vicious sedimentation to describe how constant ascription of settler ecologies into indigenous ecologies fortify settler ignorance against indigenous peoples over time (2018, 138). Vicious sedimentation, Whyte argues is "the pattern of how environmental change compound over time reinforces and strengthen settler ignorance against indigenous peoples" (Whyte 2018, 137-138). At one level, settlers are unwilling to recognize the different conceptions of land and how indigenous people often relate to land and how this conception differ from the settlers. At another level, the settlers stay ignorant to how each and every instance of

environmental destruction engage the longer and larger issue of pertaining to mechanisms of colonial power and underlying land-based structures of domination. The sedimentation is vicious because it significantly damages settlers' inclination for consensual decision-making with indigenous peoples.

2.3.1 Scandinavian Colonialism as Settler Colonialism

The connection between Scandinavian colonialism and settler colonialism has not until very recently gained modest attention. As mentioned in the discussion concerning colonialism, the relations between the Nordic states and the Sami have been viewed as more gradual and less violent than European colonialism elsewhere in the world (Ossbo 2022, Lethola 2015, Greaves 2018). Yet, in recent years, the view of the Nordic colonialism as non-violent has been modified, by pointing at discriminating structures and cultures embedded in its society (Ossbo 2022, 2). Greaves points out how the Swedes established permanent settlements in Sapmi, including areas used by Sami reindeer herding activities (2018, 103). Despite Sami objections, their efforts to convince the Swedish Crown that their reindeer herding livelihood would be endangered were unsuccessful and increasing amounts of land were granted Swedish farmers under the *Lapland Regulations* of 1749 (Ibid). Furthermore, Wunder points out that the Scandinavian states still assert “power over the lands that they had taken by expansion, usurping Saami sovereignty. Their ultimate purpose was to displace and deny independence to the Saami people” (2007, 32). Regarding green colonialism, Keskitalo argues in the statement presented in the introduction, that the implementation of green technologies on Sami reindeer herding land is deeply unjust by referring to the lands that they have already given up for this implementation. She claims that this cannot go on forever as they will be eradicated. Indeed, when looking at the distribution of the green technologies in Norway, the wind park on Fosen which is the largest wind park on land in Europe, the soon-to-be wind park on Øyfjellet will be the largest wind power plant in Norway when completed and the Davvi Wind Farm, will be the largest in North of Europe. Considering the size of the Sami population in Norway, it seems quite unjust that three of the largest wind parks in Norway are being built on land essential for Sami culture and reindeer herding. Following Moore, the large influx of the implementation of green technologies on land that is and has historically been essential for the Sami, intensifies the domination by continue to disrespect their attachment to land. As mentioned in the prior section, Sami narratives and lived experiences concerning the processes of planning and building these wind parks, the Sami ethnogeography is not recognized as equal with the legal framework protecting land rights,

their views of land were neglected in courts and thus they are excluded from cocreating the institutions they are subject to, continuing to uphold the wrongful political association which Ypi takes to be the colonial wrong.

2.3.2 Indigenous Vulnerability to Climate Change as Colonialism

In addition to the increasing influx of non-indigenous which intensifies the domination of indigenous peoples, climate change fortifies this intensification. Due to the disrespect of indigenous land ontologies, and the non-consensually unsettling of basic background conditions and the plans and projects and way of life that give meaning and value to indigenous lives, many indigenous groups are extra vulnerable to climate change. Whyte suggests that the issue of colonialism must be considered regarding indigenous vulnerability to climate change. For many indigenous peoples, the impacts of climate change are experienced as a continuation of settler and other forms of colonialism that they have endured for many years. Regarding the concept of green colonialism, many Sami also connects the struggle against wind power developments on their herding land to a continuation or repeated colonialism. For many Sami, the double burden of having to give away land as well as having to adapt to climate change feels deeply unjust. A Sami activist states,

We want to take care of the climate as well. But we are already suffering a double burden. We have already had to give up a lot of land for the building of hydro power plants, electric cables and other wind power plants. In addition, we are already feeling the effects of climate change on our plains. Finding good pastures throughout the year is getting harder. And we're not the ones who have cause this! And yet now, the wind power people are coming here, telling us we have to contribute and give up our land to saving the climate. We have already given up too much (Sami activist, Lebesby, quoted in Kårtveit 2021, 165).

The concept of “climate justice” concerns the global impacts of climate change will fall disproportionately on minority and low-income communities (Tsosie 2007, 1633). Since the first IPCC reports, the evidence is quite clear that our world is warming, and dangerous climate change and extreme events are increasingly impacting nature and people’s lives everywhere (IPCC 1990). Moreover, indigenous peoples are among the population whose well-being is threaten the most by the climatic changes (Whyte 2018, 140). However, Whyte points out that even though it is always emphasized in indigenous climate justice movements, the issue of colonialism in regard to indigenous vulnerability to climate change and justice is rarely considered in the governmental and academic literature. In the latter, he argues,

indigenous peoples are often seen as facing great risk as a matter of happenstance or bad luck (Whyte 2016, 13).

In the Climate Change and Indigenous Peoples Backgrounder, produced by the United Nations describes Indigenous peoples as vulnerable

owing to their dependence upon, and close relationship with the environment and its resources. Climate change exacerbates the difficulties already faced by vulnerable Indigenous communities, including political and economic marginalization, loss of land and resources, human rights violations, discrimination, and unemployment (UN Permanent Forum on Indigenous Issues, 1).

Furthermore, the proceedings from the United Nations Conference on Indigenous peoples, Marginalized Populations and Climate change states,

Impacts on their territories and communities are anticipated to be both early and severe due to their location in vulnerable environment, including small islands, high altitude zones, desert margins and the circumpolar Arctic. Indeed, climate change poses a direct threat to many indigenous and marginalized societies due to their continuing reliance upon resource-based livelihoods” (McLean, Ramos-Castillo and Rubis 2011, 5).

In fact, these understandings of vulnerability, Whyte suggests, lean on two ideas. First, the idea that indigenous peoples are more dependent on the environment than others, and it is by dint of indigenous peoples own choosing or simply happening to live in certain ways that they are at risk. Second, climate change impacts visit populations, such as indigenous peoples, who have socioeconomic problems, is also happenstance. Colonialism is rarely referenced in relations to local indigenous lifestyles and socioeconomic conditions beyond the obvious fact that the latter is colonialism’s legacy (Cameron 2012; Haalboom and Natcher 2012; Whyte 2016, 14). Moreover, Whyte argues that the climatic vulnerability is not a case of bad luck, but the looping effect of colonialism. He writes,

There is no bad luck. Climate injustice against Indigenous peoples, then, refers to the vulnerability caused by settler and other forms of colonialism “both” because colonial institutions facilitate carbon-intensive economic activities that produce adverse impacts while at the same time interfering with Indigenous peoples’ capacity to adapt to the adverse impacts (2016, 18)

For many indigenous peoples, the impacts of climate change are experienced as a continuation of settler and other forms of colonialism that they have endured for many years.

In the same way as colonialism, the climate change undermines indigenous qualities of responsibilities through land dispossession or loss, and the pollution or emissions of many industrial activities whose operation either are or were secured through colonial land (Whyte 2018, 140). As long as settlers are unwilling to recognize the different conceptions of land and how indigenous people often relate to land different from the settlers, as well as the settlers stay ignorant to how every instance of environmental destruction engage the longer and larger issue pertaining to mechanisms of colonial power and underlying land-based structures of domination, climate change will fortify the colonial domination.

2.4 Conclusion

In this section, I put forward Moore's territorial account on the wrongs of colonialism. Moore argues that if we theorize domination as colonialism's central, wrongful element, we fail to fully understand the extent of the wrongfulness of colonialism. Instead, a central part of the wrongs of colonialism includes the wrongness of forcibly settling on land and by doing so disable the previous groups from being able to exercise their entitlements. However, I claimed that her account is both based on a methodological error and that she is unsuccessful in showing how settlement is a distinctive wrong in abstraction from domination. Even though I suggested that Moore is unsuccessful in showing how settlement is a distinctive colonial wrong, her account does contribute to how settlement have dominating consequences and thus highlights the colonial domination which I defended in the prior section on Ypi. First, the increasing influx of non-indigenous settlement, through the implementation of green technologies on Sami reindeer herding lands intensifies the domination of the Sami by the means of disrespecting their attachment to land. As argued in the prior section, Sami narratives and lived experiences concerning the processes of planning and building these wind parks, the Sami ethnogeography is not recognized as equal with the legal framework protecting land rights, their views of land were neglected in courts and thus they are excluded from cocreating the institutions they are subject to. Second, Whyte argues that climate change reinforces and strengthens settler ignorance against indigenous peoples. Moreover, colonialism is rarely used to describe indigenous vulnerability to climate change. Instead, the common understanding of vulnerability relies on two understandings. First, indigenous is more dependent on the environment than others, and second, it is indigenous peoples' fault or bad luck that they live in certain ways that they are at risk. In this way, it is important to be clear about the precise relationship between indigenous groups and land. Climate change and the

implementation of green technologies on Sami reindeer herding lands are both pertaining in colonial domination. Disrespecting Sami relations to land continue to put Sami under systematic threat of domination.

3 Settler Colonialism as Genocide and the Ecocide-Genocide Nexus

When we speak of colonial struggles today, we often refer to cases where settler colonialism is at play. As from Kohn and Reddy's definition of colonialism, settlement is not a necessary component. Yet, settler colonialism, Rowe and Tuck argue is, "The specific formation of colonialism in which people come to a land inhabited by (indigenous) people and declare that land to be their new home" (Rowe and Tuck 2016, 4). Veracini defines colonialism as "exogenous domination," and has two fundamental and necessary components: "an original displacement and unequal relations" (2011, 1). Due to the move and the establishing of the colonizer's ascendancy, the movement and the domination which are at place in colonialism is unique to all kinds of colonialism. However, Veracini argues that colonizers and settler colonizers want essentially different things. He writes, "Colonialism reproduces itself, and the freedom and equality of the colonized is forever postponed; settler colonialism, by contrast, extinguish itself" (Veracini 2011, 3). Wolfe argues in "Settler Colonialism and the Elimination of the Natives" that settler colonialism is inherently eliminatory, but in some cases also genocidal. In this section, I propose an account on willful testimonial injustice. Along with Polhaus' account on willful hermeneutical ignorance, I argue that epistemic injustice can intentionally undermine groups of people as speakers and exclude groups of peoples from the collective hermeneutical resources in a way that makes a situation or structure one of genocide. Placing green colonialism within this framework, I argue that green colonialism is not necessarily genocidal, yet, considering the wind park development on Fosen, I argue that such particular incidence of green colonialism is.

I begin this section by putting forward Wolfe's framework on settler colonialism as structural genocide. Including cultural death into the definition of genocide has been criticized by many. I respond to this criticism, and argue that a safe cultural identity is essential for individual well-being and thus ought to be included in the definition. Second, because of the inclusion of cultural death into the definition of genocide and the recent recognition of many indigenous peoples' relations to the environment, the concepts of genocide and ecocide have just made its connection. Crook and Short (2014; 2021) argue that for the past years, the logic of elimination has changed from the frontier massacres and assimilation policies to expansion of land grabs driven by the logic of global capitalism. Yet, not clearly discussed by Crook and Short, Heyward puts forward a two-fold condition which makes a situation one of genocide in contrast to cultural injustice. Third, following Heyward's two-fold condition of genocide

along with the CPPCG definition, I present an account on what I call willful testimonial injustice, similar to that of Gaile Polhaus' account on willful hermeneutical ignorance. Both willful testimonial injustices can intentionally undermine groups of people both as speakers and exclusion from the collective hermeneutical resources in a way that makes a situation or structure one of genocide. Last, I consider green colonialism's place in the framework of genocide.

3.1 Settler Colonialism and Structural Genocide

Settler colonialism, Wolfe suggests, has both negative and positive dimensions. On the negative dimension, settler colonialism strives for the dissolution of native societies, while on the positive, it establishes a new colonial society on the territory which the settlers invade (Wolfe 2006, 388). Such an invasion, however, is a structure, not an event. Wolfe writes, "the logic of elimination marks a return whereby the native repressed continues to structure settler-colonial societies" (2006, 390). Since the settler's invasion includes to destroy the already established societies for then to replace it by their own, this elimination and replacement is eternal and continues into the present. Because of this dimension of elimination by structure, Wolfe begins his consideration of settler colonialisms' relationship to genocide. In this part of this section, I put forward Wolfe's account on settler colonialism as structural genocide. Following Raphael Lemkin's concept of genocide, Wolfe argues that genocide also includes cultural genocide. As European colonialization involves a continuation of a range of complementary strategies whose common intentions is the destruction of heterodox forms of indigenous groups hood, Wolfe argues that it is a kind of death. However, the Convention on the Prevention and Punishment of the Crime of Genocide does not implicitly include cultural genocide. In later work on genocide, the connection between destroying a social group through the destruction of their culture is commonly made, and multiple scholars have voiced frustration by the limitation of the UN definition. On the other hand, others have expressed a worry for the extension of the concept. Yet, in this part of the section I argue that a safe cultural identity is essential for individual well-being and thus depriving someone of their culture should be included in "crimes of all crimes"

3.1.1 Wolfe: Settler Colonialism as structural genocide

Wolfe begins his consideration of settler colonialism as genocide with a reference to Isabel Hull. He writes, "While it is clearly the case, as Isabell Hull argues, the place, scale and

intensity of certain forms of modern genocide require the centralized technological, logistical and administrative capacities of the modern state” (Wolfe 2006, 393). Along with a range of thinkers, such as W. E. B. Dubois, Hannah Arendt and Aime Cesaire, Wolfe suggests that some of the core features of modernity were pioneers in the colonies. Not to mention, the industrial revolution required colonial land and labor to produce raw material in the same way as it required metropolitan factories, etc. (Wolfe 2006, 394). However, of itself, Wolfe argues, modernity cannot explain the insatiable dynamic whereby settler colonialism always needs more land. Instead, a whole range of primary sectors can motivate the project. Most importantly, Wolfe suggests that agriculture in contrast to extractive industries, is a rational means/end calculus that is “vouchsafing” its own reproduction, generating an eternal, repeated pattern (2006, 395). In settler colonial terms, he argues that it is the agriculture that enables a population to be expanded by continuing immigration at the expense of indigenous lands and livelihoods (Wolfe 2006, 395). Further, in this settlement, indigenous peoples are either forced into a dependence on the introduced economy or they are reduced to the settler’s identity and citizenship.

Following Lemkin’s concept of genocide, Wolfe argues that the “Group” is more than a purely numerical designation as *genos* refers to a denominate group with a membership that persists through time, which Raphael Lemkin translated to “tribe”. However, Wolfe suggests that genocide and mass murder are not the same thing, though genocide has been achieved by means of summary mass murder. He writes, “But there can be summary mass murder without genocide, as in the case of 9/11, and there can genocide without summary mass murder, as in the case of the continuing post-frontier destruction, in whole and in part, of indigenous *genoi*” (Wolfe 2006, 398). In the case of 9/11, the bulk of the victims were part of the group “Americans”, yet the strike on the World Trade Center was a one-off event. On the other hand, in the European colonialization of the Indians in today’s United States, it involves a continuation of a range of complementary strategies whose common intention is the destruction of heterodox forms of Indian grouphood. Wolfe writes, “Here, in essence, is assimilation’s Faustian bargain – have our settler world, but lose your Indigenous soul. Beyond any doubt, this is a kind of death” (2006, 397).

Assimilation, Wolfe suggests, can be a more effective mode of elimination than conventional forms of killing (2006, 402). Moreover, when invasion is recognized as a structure, rather than an event, the history continues, yet, in order not to downplay the settler colonial genocidal impact, Wolfe introduces the concept of “structural genocide” (2006, 403).

Structural genocide, he argues, avoids any questions of degree that are entailed in qualified genocides. Instead, the structural genocide enables us to both appreciate the concrete empirical relationship between spatial removal, mass killings and biocultural assimilation, as well as it allows us to recognize the structural genocides history along with its possible recurrence (Wolfe 2006, 403). In this way, Wolfe suggests that the recognition of settler colonialism as structural genocide implies that we should monitor situations in which settler colonialism intensifies, or how the settlement of societies that are not yet, or fully settler colonial are intensified. Since settler colonialism persist over periods of time, structural genocide should be easier to interrupt than short-term genocide (Wolfe 2006, 403).

3.1.2 Defining Genocide

Though there is a growing interest in the link between colonialization and genocide, not everyone agrees with the inclusion of cultural death within the concept. In the Convention on the Prevention and Punishment of the Crime of Genocide (CPPCG), it is written:

In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: (a) Killing members of the group; (b) Causing serious bodily or mental harm to members of the group; (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (d) Imposing measures intended to prevent births within the group; (e) Forcibly transferring children of the group to another group (United Nation 1946, Article II).

The convention, however, carry large influence of the time it was written. Both the genocide concept and legal definition emerged from the context of the Second World War, the Holocaust has proven hugely influential to both the scholarly and popular understanding of the term. Yet, Raphael Lemkin, who first introduced the concept of “genocide” and initiated the United Nations’ Genocide Convention, created the concept by combing the Greek word *genos*, meaning tribe and the Latin word *cide*, meaning killing (Lemkin 1944). As from the mythology of the concept, Lemkin thought of culture to be a fundamental part of the killing involved in genocide. In his own writing, Lemkin highlighted colonialism as a vital aspect of genocide. In *Axis Rule in Occupied Europe*, he writes:

Genocide has two phases: one, destruction of the national pattern of the oppressed group; the other, the imposition of the national pattern of the oppressor. This imposition, in turn, may be made upon the oppressed population which is allowed to remain, or upon the territory alone, after removal of the population and the colonization of the area by the oppressor’s own nationals. (1944, 79)

In later work on genocide, the connection between destroying a social group through the destruction of their culture has been voiced by multiple scholars in accordance with the limitation of the UN definition (Moses 2008; Short 2016; Zimmerer 2004). On the other hand, among some, Alvarez and Gone express a worry for the extension of the concept as it undermines the instances which include group-based mass murder. In *Native America and the Question of Genocide*, Alvarez argues that the term is being overused when discussing the harms experienced by the indigenous peoples in North America. As many of the assertions of the term is based more on an outrage and horror, the clear and rigorous understanding of the concept becomes ambiguous in what is and what is not genocide (2015, 3). Yet even though he expresses a worry for the extension of the term, he acknowledges that residential school systems in the U.S. was a form of cultural genocide. On the other hand, Gone argues in “Colonial Genocide and Historical Trauma in North America” that the concept of genocide should only refer to instances of violence that involves mass murder. As there are already a variety of terms to describe violence towards cultural identity, he suggests that genocide should only be referred to in regards of group-based mass murder because such crime ought to be referenced as the “crime of all crimes” (2014, 279). However, Gone’s critique of the extension of the concept of genocide ignores how mass murder of a group not necessarily is genocide, as pointed out by Wolfe, and how genocide may involve a continuation of a range of complementary strategies of group-based killings. Not to mention, the physical and mental violence of these complementary strategies which in many instances are correlated with large numbers of suicide.

3.1.3 Why Cultural Identity Matters

In Article 108 of the Norwegian constitution it is written, “it is the responsibility of the authorities of the State to create conditions enabling the Sami people to preserve and develop its language, culture and way of life” (1814). The protection and preservation of indigenous cultures are today often recognized both nationally as well as internationally. In the Indigenous and Tribal Peoples Convention, no 169, it is stated that governments have the responsibility for developing and “promoting the full realization of the social, economic and cultural rights of these peoples with respect for their social and cultural identity, their customs and traditions and their institutions” (United Nation 1989, Article 2). Following Kymlicka, Raz and Margalit, and Nickle, along with a hand of social scientists, a safe cultural identity is both of concern for liberal theories of justice but is also essential for individual well-being. However, in this thesis, I am primarily concerned with the identity within what Raz and

Margalit calls “encompassing groups,” such as groups where individuals find in them a culture that shapes a large degree their tastes and opportunities, and that provides an anchor for their self-identification and safety of effortless secure belonging (1990, 448).

Following a liberal framework, Kymlicka argues that liberals should be concerned with the fate of cultural structures as it is only through having a rich and secure cultural structure, people can be aware of the options available to them and intelligently examine their value (1989, 165). As Rawls suggested that the freedom to form and revise our beliefs about value is a crucial precondition for pursuing our essential interest in leading a good life, we should have the social conditions needed to intelligently decide for ourselves what is valuable in life (1989, 164). Kymlicka claims that seeing the value of our activities is very important and even crucial to what Rawls calls self-respect, such as the “sense that one’s plan of life is worth carrying out” (1989, 164). Further, he argues that cultural membership is then important in pursuing our essential interests in leading a good life, and so consideration of that membership is an important part of having consideration for the interests of each member of the community (1989, 168). In this way, cultural belonging is the main source of meaningful options of choice, and since options of choice are necessary to the ability to form and revise beliefs about value, which is in turn necessary for Rawls’ notion of self-respect, cultural belonging is necessary to self-respect and thus inherits the status of a primary good. However, in danger of abuse, Kymlicka suggests that even though cultural belonging is a primary good, this does not allow a transplant of people from one culture to another (1989, 175). He writes, “Someone’s upbringing isn’t something that can just be erased; it is, and will remain, a constitutive part of who that person is. Cultural membership affects our very sense of personal identity and capacity” (1989, 175). Kymlicka refers to the connection between personal identity and cultural membership as suggested by several considerations such as sociologists recognizing that the sense of belonging to a cultural structure and history is a source of emotional security and personal strength (1989, 175). Together with the context of choice argument, Kymlicka shows that cultural membership is valuable within a liberal framework. Not only, but membership in a cultural community is a relevant criterion for distributing the benefits and burdens which are the concern of a liberal theory of justice (1989, 162).

Nickel suggests that the argument that membership in cultural community is the source of meaningful options for choice is not the only reason why secured cultural belonging is valuable (1994, 638). By considering a scenario where a minority group is under coercive

pressure to abandon their distinct culture, practice, and beliefs and to assimilate to the dominant culture, Nickel points out four reasons why we should think that depriving someone of their culture would be a terrible thing. First, he writes, “some members of the minority group will be physically and mentally harmed by the loss of their culture” (1994, 639). The fact that a secure cultural membership is important for the well-being of their members has been pointed out by multiple social scientists, researching the effects of colonialization where indigenous peoples were denied their cultural identity. In the research and literature on indigenous peoples’ health, the connection between intergenerational pain and suffering resulting from long-lasting impacts of colonialization, displacement from culture and country, genocidal policies, racism, and the overall systematic advantages, are often remarked as the cause of the large waves of today’s indigenous health issues (Gatwiri et al 2021; Parker 2010; Dudgeon et al 2018; Health Canada 2014). In Australia, indigenous children are seriously overrepresented in child welfare system (Gatwiri et al 2021) and Inuit communities in Canada and Greenland experience some of the highest suicide rates in the world (Dudgeon et al. 2018).

Robert Parker (2010) refers to the history of colonialism as he argues that mental illness was present in Australian Aboriginal culture prior to European colonization. Yet, the prevalence rate of mental illness and suicide in the current Aboriginal population has a significant increase since pre-colonialism times. Such increase, he suggests, reflects the significant disruption of Aboriginal society and has a strong context of social and emotional deprivation (Parker 2010, 3). Similarly, Gatwiri et al, claim that the overrepresentation of Aboriginal and Torres Strait Islander children and young people in residential care is strongly correlated with the violent, colonial history, and the intergenerational trauma which had profound impact on their families and communities. They write,

Their experiences of abuse and neglect transcend individual trauma and include intergenerational pain and suffering resulting from long-lasting impacts of colonization, displacement from culture and country, genocidal policies, racism and overall systemic disadvantage (2021, 829).

Moreover, in Australia, Aotearoa/New Zealand, Canada, the United States of America, Greenland, and Scandinavian countries of Finland, Norway, Sweden, and Russia, are all countries where the indigenous peoples have elevated suicide rates compared to non-indigenous/mainstream population (Dudgeon et al 2018; Pollock et al 2018).

Second, since the loss of culture would deprive the members from transferring the culture, way of life and religion to their children and grandchildren, this Nickel suggests, “is a frustration of widespread and deep human desire, will have effect of greatly weakening the bonds between parents and children and is a very substantial infringement of liberty” (1994, 639). This transferring of culture to next generation is also what sustains an epistemic framework. Bhargava argues that epistemic injustice is one form of cultural injustice that occurs when the concepts and categories by which a people understand themselves and their world are replaced or adversely affected by the concepts and categories of the colonizers (2013, 414). Third, the members of the minority group will be forced to do something extremely difficult, such as rapidly function within the language and culture of the dominant group. Last, members of the group will feel that something of great value has been destroyed and lost. Nickel writes,

The development of a distinct culture, language and religion is a major achievement of thousands of contributors over many generations, and its destruction will seem to many to be comparable to the destruction of a great city, cathedral or work of art (1994, 640).

Not only will it be a loss for the members of the culture, but also for the mainstream culture. In *Indigenous Knowledge for Climate Change Assessment and Adaptation*, Nakashima, Rubis and Krupnik (2018) refer to Warren et al (1995), Nakashima and Roué (2002), Sillitoe et al (2002) and Sillitoe (2007), as they point out how indigenous knowledge ensure well-being of people around the globe by providing food security from hunting, fishing, gathering, pastoralism or small-scale agriculture, as well as health care, clothing, shelter and strategies for coping with environmental fluctuations and external forces of change.

Nickel also argues that within a constitutional democracy that generally respect human rights, minority groups may also be hurt because they are also losing a distinctive culture, language and religion that is a major achievement of thousands of contributors over many generations. In addition, he suggests that the minority will also suffer psychological difficulties of being part of a distinctive minority, such as lack of pride and self-esteem (1994, 641). By recognizing the importance of secured cultural identity for “encompassing groups,” intentionally denying entire cultures such thing ought to be included in “crimes of all crimes”.

3.1.4 Conclusion

In the Convention on the Prevention and Punishment of the Crimes of Genocide, it is written that “genocide means any of the following acts committed with intent to destroy, in whole or

in part, a nation, ethnic, racial or religious group” as “causing seriously bodily or mental harm to members of the group” (United Nation 1946, Article II). Moreover, in the research and literature on indigenous peoples’ health, the connection between intergenerational pain and suffering resulting from long-lasting impacts of colonialization are often remarked as the cause of the large waves of today’s indigenous health issues (Gatwiri et al 2021; Parker 2010; Dudgeon et al 2018; Health Canada 2015). As already discussed, in Australia, Aotearoa/New Zealand, Canada, the U.S., Greenland, and the Scandinavian countries are all countries where indigenous peoples have elevated suicide rates compared to non-indigenous (Dudgeon et al 2018; Pollock et al 2018). Indeed, in this part of this section, I argue that it is about time to take cultural identity seriously and recognize the importance of cultural identity both for liberal societies as well as for individual well-being. When doing so, cultural genocide must be clearer included in the legal definition of genocide. In the next part of this section, I consider the connection between ecocide and genocide.

3.2 The Ecocide-Genocide Nexus

In recent years multiple scholars have connected settler colonialism to the continuously disruption of indigenous peoples’ relations to the environment. Settler colonialism, however, is a type of colonialism which always includes settlement. In “Settler Colonialism as Eco-Social Structure and the Production of Colonial Ecological Violence,” J. M. Bacon suggests that settler colonialism is an eco-social structure that produces or/and maintains drastic and enduring inequalities between settlers and indigenous people as the structure disrupts indigenous eco-social relations (2018, 59). In *All Our Relations*, LaDuke tells the story of the colonialization of the Oglala Lakota in South Dakota, U.S. (LaDuke 1999, 141-49) During the 1800s, buffalo killing was part of military policy, and land grabbing was part of America. The story of the buffalo peoples of the Oglala Lakota reflects how destroying the environment takes a great part in the colonialization and the killing of Oglala Lakota. She refers to psychologist Utng Erickson’s analysis of Lakota communities on the internalized impact of the constant degrading and disempowering federal policies have on Indian people. She writes, “Erickson specifically discusses the impact of the loss of the buffalo led to the spiritual and ethnic death of the Lakota” (149). Further, LaDuke discusses how multiple indigenous peoples, such as the Tillamook, Siletz, Yaquina, Alsea, Siuslaw, Umpqua, Hanis, Milku, and other peoples living at the mouths of salmon rivers are comparing the distinction of the one

hundred and seven stocks of salmon to the existence of their peoples (2015, 1). However, it is not until recently the concepts of genocide and ecocide has made its connection. In this part of this section, I consider the ecocide-genocide nexus. The theorizing of the nexus began as to better understand the intersection between the destruction of ecosystems and the destruction of human groups, primarily regarding indigenous peoples. Crook and Short argue that for the past years, the logic of elimination has changed from the frontier massacres and assimilation policies to expansion of land grabs driven by the logic of global capitalism. They identify the political economy of capitalism to be the driving force allowing the continues genocide of indigenous peoples. However, not clearly discussed by Crook and Short, even though the consequences of an action or actions includes cultural death, it does not mean it qualifies as genocide. I refer to Clare Heyward as she puts forward a two-fold condition which makes a situation one of genocide. In this way, not all ecocide is genocide, as genocide includes a refusal to see individuals as human beings.

3.2.1 Ecocide as a Method of Genocide

It is not until recently ecocide and genocide has made its connection. The term “ecocide” was first introduced in 1970 by a group of scientists to describe the devastation of land in Vietnam as a result of chemical weapons (Eichler 2020, 107). In the Conference on War and National Responsibility in Washington, Arthur W. Galston proposed a new international agreement to ban ecocide. He argued that,

[ecocide] could be perpetuated against humankind ... then an attempt to destroy a natural environment qualified disrupting. Such an atrocity required a similar concept – ecocide, or an attempt to wipe out a specific environment (Short and Crook 2014, 307).

In making a link with genocide, Galston suggested that environmental destruction can have genocidal impact and that the environment can be seen as a victim of ecocide in the same way as a social group of people can be seen as victims of genocide (Short and Crook 2014, 307). In recent years, campaigns to criminalize ecological destruction in its own right and as a strict liability offence has been taken up by Polly Higgins, highlighting the particular devastating impact of environmental destruction has on indigenous peoples who depend on the health of their local environment for both their own physical well-being as well as for their spiritual and cultural health (Short and Crook 2014, 308). The investigation into the relationship between the two began as to better understand the intersection between the destruction of ecosystems (ecocide) and the destruction of human groups (genocide), primarily regarding

indigenous peoples. In 1995, Grinde and Johansen examined the testimonies of Native people impacted by a variety of environmental disasters, such as uranium mining, the endangerment of fisheries, and other destruction of land, water, and nonhuman life, as they linked ecocide to genocide. Short and Crook further developed this idea, arguing that ecocide is a method of genocide. They write,

by ecologically induced genocide we mean any ecologically destructive practice, or process, that forcibly controls indigenous and place-based peoples' interaction with, ejects them from or prejudices or precludes the enjoyment of, their land and the local ecosystem, whether it be climate change, the Anthropocene, mining and extractions of fossil fuels and minerals and their associated environmental externalities, or even the latest market orientated conservation and climate change mitigation schemes, which render them socially dead even if non-lethal coercive means are used (2021, 167)

Moreover, when Crook and Short first theorized the genocide-ecocide nexus, they suggested it contain two primary components. First, especially in the case of indigenous groups whose identity and well-being are intimately wrapped up in the integrity of ecosystems in which they live, ecocide can become a method of both cultural and physical genocide (2014, 313).

Second, genocide and ecocide, they argue, are consequences of the role of colonialism, which they understand as an ongoing, inherently genocidal project, and capitalism which they argue drive and legitimate the dispossession of native peoples from their lands for the extraction of natural resources (Ibid). For the past year, the logic of elimination for many indigenous peoples worldwide have changed from the informed frontier massacres and the assimilationist agendas to underpin expansion of land grabs driven by the logic of global capitalism (2014, 309). Not only, but the ecological crisis we now face allow the appropriation of land for environmental purposes and thus “merely displace and mutate the ecological dialect into new forms with devastating genocidal and ecocidal consequences” (2021, 163).

3.2.2 Greenwashed Relations of Genocide

Following Wolfe's concept of structural genocide, genocide is the eliminatory structures of indigenous group hood which continue to structure settler-colonial societies (2006, 390).

These structures do not depend on an exterminatory, intending agent but are present in institutions and “social forces” that still remain in all modernizing and colonizing societies that seek to acquire indigenous lands and thus eliminate those who are opposing (Crook and Short 2014, 2021). For the past years, the logic of elimination has changed from the frontier massacres and assimilation policies to expansion of land grabs driven by the logic of global capitalism. Not recognizing the deeper social force driving eco-genocide today, Crook and

Short argue, “the destruction of entire peoples and their way of life will be justified, rationalized (or made invisible) in the name of “progress,” gross domestic product GDP, green development, poverty alleviation, and many more sleights of hand” (2021, 165).

Since the first IPCC reports, the evidence is quite clear that our world is warming, and dangerous climate change and extreme events are increasingly impacting nature and people’s lives everywhere (IPCC 1990). However, capitalism’s central motor force is the drive to accumulate capital, and thus in the process, all other social and natural relationships are subordinated to this primary goal. Following this insatiable drive, efforts to tackle climate change and climate change mitigation is then placed within “market environmentalism,” such as “green economy” or “green growth.” This new “green economy,” Crook and Short suggest, sought to “fundamentally restructure socio-ecologies to make them more amenable to structural accumulation strategies” (2021, 180). The key to value these commodities, the green economy requires institutional matrix, such as public and governmental bodies, to artificially create a market for these environmental goods (2021, 180-181). Especially with the ecological crisis we are facing today, the capitalism is both driven by an enormous array of actors, as well as taking place on local, national and international levels which again together drive the continues green grabbing: “the appropriation of land for environmental purposes, the new environmental commodities merely displace and mutate the ecological dialectic into new forms with devastating genocidal and ecocidal consequences” (2021, 163). Crook and Short identify the political economy of capitalism to be the driving force allowing the continues genocide of indigenous peoples.

In the political economy of capitalism, Short and Crook identifies two key structures which give rise to ecocide-genocide nexus. The first structure, they argue, is the prior indigenous land-theft and colonial domination which in fact precede the later eco-destructive and industrial projects today. The indigenous land-theft and colonial domination, otherwise known as *primary accumulation*, Short and Crook writes,

the name given to the violent and predatory process that originally transformed feudal relations of production into market relations dependent on the commodification of the means of economic subsistence. This necessarily entails expanding into non-capitalist territory, “into a world dense with cultural difference,” beyond the circuits of capitalist production and outside the realm of ordinary “expanded reproduction,” to forcibly incorporate or “enclose” materials, resources and labour not yet subject to the laws of

generalized commodity production, the global accumulation process and the realm of exchange value (2021, 175).

Without the prior colonial land theft and domination, the necessary legal and institutional architecture, such as private property regimes enforced by the political justification and the violence of the relevant settler colonial state, would not be in place in order to continue the land-grab and destruction of pre-capitalist indigenous ecological-political orders (2021, 175).

Second, the *law of value* explains the ecologically destructive forces unleashed by capitalist extractive industries (2021, 176). Under capitalism, a distinction is made within the categories of value: use value and exchange value (2014, 302). Use value is the actual utility or usefulness and exchange value is a signifier for abstract social labor time which equates to the socially necessary labor time that was invested in the making of the product. As the latter is exchanged for money in the process of accumulation, this, Short and Crook argue has a number of ecological implications (2014, 302). As money become the measure of general wealth, capitalism undervalues the contribution of nature to the social production of wealth since nature only is quantified in terms of monetary value. Ecological connections and diversities are lost in this abstraction of exchange value and the pricing of aspects or parts of nature enable the destruction as long as it for sale or as elements of the means of production (2021, 177). The extraction, processing and distribution of these elements is conducted in manner that disregards its relationship with the ecological whole and disembodies and dislocates these natural commodities. This transformation applies equally to market environmentalist and the genocide of indigenous peoples living off this nature (ibid). This narrow understanding of exchange value, combined with the continues drive to accumulate capital, requires more and more of what Short and Crook call “throughput materials and energy” (Ibid).

Altogether, the social construction of abstracting value from money obscures both the delicate and intricate web of ecological interconnections and the relationship with human beings, such as many indigenous peoples, to nature in the social production of their existence (2021, 182). Within the logic of capitalism along with the logic of elimination, colonial states “eliminate and/or reconfigure competing value systems from/into their institutional and economic structure” (Dunlap 2017 quoted in Short and Crook 2021, 183). By doing so, moreover, such imposition of “national” pattern of the oppressor is intertwined with

discourses of knowledge via disciplinary institutions which continuously work to internalize those discourses (2021, 183).

3.2.3 Cultural Injustice vs Ecocide-Genocide

As noted in the Convention on the Prevention and Punishment of the Crime of Genocide, “genocide means any of the following acts committed with the *intent*¹ to destroy...” (United Nation 1946, Article II). Even though the consequences of an action or actions includes cultural death, it does not mean it qualifies as genocide. In “Climate change is cultural injustice,” Clare Heyward discusses two essentially important issues concerning the debate on the genocide-ecocide nexus. First, she points out how climate change is not genocide and thus provides two conditions which makes a situation one of genocide. Second, she argues that if recognizing a secure cultural identity as a core element of individual well-being and self-respect, it should be considered unjust if individuals face severe threat to cultural identity, even when not intended. As not clearly discussed by Short and Crook, Heyward distinguishes between genocide and cultural injustice, even when caused by ecologically destructive practice.

Heyward argues that the corresponding conditions which makes a situation one of genocide is twofold:

- 1) the refusal to see individuals as human beings, but merely as undifferentiated members of an inferior group and 2) to act in ways that cause or facilitate the demise of that group as a distinct entity (2014, 13)

Already mentioned, secure cultural identity is a core element of individual well-being and self-respect. As climate change threatens the environment as we know it today, Heyward argues that such change can cause severe cultural threat to indigenous peoples’ cultural identity in a way that recognizing and responding this cultural threat should be an element of climate policy (2014, 158). She identifies two categories of cultural injustice that occur because of climate change: loss of ways of life and territorial dispossession (2014, 154).

Heyward argues that many indigenous peoples express a deep identification with their lands and view their cultural identity as being bound up to the environment where they live. Yet, due to the changes caused by climate change, such changes impact the indigenous peoples’ cultural practice and identity. Heyward refers to a case made by the Inuit

¹ Emphasize added

Circumpolar Conference (ICC), an organization representing the Inuit people in different states around the Arctic Circle, as they submitted a petition to the Inter-American Court of Human Rights in 2005 (2014, 154-155). Even though the court did not accept the petition, they agreed to hold a hearing where the ICC could express their concerns. The ICC petition listed a number of traditional Inuit practices that have been put at risk by climate change. The petition emphasized that the Inuit was not only losing property and food sources, but culturally distinctive forms of property and food.

Second, as many of the Inuit live in coastal communities, rising sea levels and coastal erosion caused by climate change threatens their homes in a way that may force them to relocate (2014, 156). In relocating, the Inuit would be forced to abandon their way of life, and seek a new life in a different country, adopting the ways of a different culture. Not only, but Heyward emphasizes that they would also lose their status as a distinctive, self-governing community (2014, 157). By territorial dispossession, the loss stands to be two-fold. Individuals in this predicament stand to lose both their distinct way of life as well as their membership of a self-determining political community with control over their own affairs (2014, 157). In addition, some groups face the loss of their territory and with it, their ability to maintain as a self-determining political community. In this way, climate change threatens culturally distinct ways of life and their ability to maintain as a self-determining political community but is not genocidal.

3.2.4 Conclusion

As many scholars already have pointed out, settler colonialism disrupts the indigenous eco-social relations. Killing species necessary for indigenous peoples have been used as methods of indigenous elimination in the early colonialization of America. However, today, the logic of elimination for many indigenous peoples worldwide have changed from the informed frontier massacres and the assimilation policies to land grabs driven by logic of global capitalism. Capitalism mode of production, continue to structure the continues colonial land grab and assimilation of today's settler states. The political economy of capitalism rely on the prior colonial land-grabs and domination of the indigenous peoples as such domination and settler land ontology is still structuring the relations between the settlers and the indigenous peoples and thus allow for its continuation. By not recognizing the underlying "social forces" at place, moreover, the greenwashing genocide is being justified by the means of "progress" or green development. Moreover, the capitalist law of value allows environmental destruction

and upholds ignorance towards indigenous peoples' relations to nature as something else than exchange value. Within the logic of capitalism along with the logic of elimination, the colonial states' imposition of national patterns of the oppressor is intertwined with discourse of knowledge via disciplinary institutions working to internalize those discourses (Crook and Short 2021, 183). However, even though the consequences of an action or structures includes cultural death, it does not mean it qualifies as genocide. Heyward put forward a two-fold condition which makes a situation one of genocide. According to these conditions, she argues that climate change is not genocide. On the other hand, as secure cultural identity is a core element of individual well-being and self-respect, and as climate change can cause severe cultural threat to indigenous peoples' cultural identity, climate change is a cultural injustice. Nevertheless, as not previously connected, in the next part of this thesis, I argue that willful epistemic injustice can intentionally undermine groups of people as speakers and exclude groups of peoples from the collective hermeneutical resources in a way that makes a situation or structure one of genocide.

3.3 Willful Epistemic Injustice as a Method of Genocide

Recalling the Convention on the Prevention and Punishment of the Crime of Genocide's definition of genocide as well as Heyward's two-fold condition which makes a situation one of genocide, we are left with two different concepts of what makes a situation genocidal. The CPPCG emphasizes,

any of the following acts committed with the intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: (a) Killing members of the group; (b) Causing serious bodily or mental harm to members of the group; (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (d) Imposing measures intended to prevent births within the group; (e) Forcibly transferring children of the group to another group (United Nation 1946, Article II).

While Heyward emphasizes a refusal to see individuals as human beings, and "to act in ways that cause or facilitate the demise of that group as a distinct entity" (2014, 13). As I have argued throughout this thesis, epistemic injustice plays a crucial role in upholding the wrongful political association which Ypi takes to be the wrong of colonialism. Moreover, going back to Fricker's account on epistemic injustice, she argues that as far as rationality has been played out by the history of philosophy as what lends humanity its distinctive value, the

capacity to give knowledge to others is one side of that many-sided capacity of reason (2007c, 11). In this way, when preventing speakers from contributing knowledge, epistemic injustice is revealed as an unfreedom that prevents one from participating as equals in society, but which also excludes one from the authority of reason and thus the status as a human being. However, Fricker only concerns herself with the kind of epistemic injustice which are unintentional. In this part of this section, I present an account on what I call willful testimonial injustice, similar to that of Gaile Polhaus' account on willful hermeneutical ignorance. Both willful testimonial injustices portray an intentional act or a method of causing or facilitating the demise of a group as a distinct entity, and involve a refusal to see individuals as human beings.

3.3.1 The Harms of Epistemic Injustice

Fricker argues that the harms of testimonial injustice as well as hermeneutical injustice runs deep as well as wide in a person's psychology and practical life. First, the primary harm, which is an essential harm that is definitive of all epistemic injustice, includes not only wronging the speaker in their capacity as a knower, but the harm runs even deeper. Fricker writes, "When someone suffers from a testimonial injustice, they are degraded qua knower, and they are symbolically degraded qua human" (2007c, 12) Moreover, as far as rationality has been played out by the history of philosophy as what lends humanity its distinctive value, Fricker implies that the capacity to give knowledge to others is one side of that many-sided capacity of reason (2007c, 11). In this way, when preventing speakers from contributing knowledge, testimonial injustice is revealed as an unfreedom that prevents one from participating as equals in society, but which also excludes one from the authority of reason and thus the status as a human being. Second, the harm done by testimonial injustice may as well take place in a range of possible follow-on disadvantages caused by the primary injustice. As secondary harms, Fricker categorizes the different dimensions of such harm into practical and epistemic. The practical dimension of harm includes the practical consequences of being wrongfully mistrusted, such as losing the opportunity of a promotion, not getting the credit one deserves, and so on. (2007c, 13-14). The epidemic dimensions of harm, however, may include low self-esteem, loss of confidence in one's ability to give knowledge, and may also hinder educational or other intellectual development (2007c, 14). Hermeneutical injustice, on the other hand, she argues is a kind of structural discrimination. Concerning the primary harm, Fricker identifies situated hermeneutical inequality. She writes "the concrete situation is such that the subject is rendered unable to make communicatively intelligible

something which it is particularly in his or her interests to be able to render intelligible” (2007a, 14). In connection with the structural kind of testimonial injustice, hermeneutical injustice concerns exclusion from the polling of knowledge owing to structural identity prejudice in the collective resource. The wrongs involved in both epistemic injustices thus have a common epistemic significance running through them, namely prejudicial exclusion from participation in the spread of knowledge (ibid). Moreover, as the secondary harm includes those harms that render the collective hermeneutical impoverishment asymmetrically disadvantageous to the wronged party.

3.3.2 Willful Testimonial Injustice

To demonstrate the difference between prejudice in the general sense and negative identity prejudice, Fricker refers to Nomy Arpaly’s story about Solomon. Fricker writes,

Consider Solomon. He is ‘a boy who lives in a small isolated farming community in a poor country’ who ‘believes that women are not half as competent as men when it comes to abstract thinking, or at least are not inclined towards such thinking’. He has never met a woman (p.34) who went in for abstract thinking; his local library contains only such books by men, and he has met many men who were abstract thinkers and among these men there seemed to be a consensus that women are not really up to it. (2007b, 4)

However, as the example of Solomon is put so far, both Arpaly and Fricker agree that Solomon could not be accused of any marked irrationality nor culpable testimonial injustice if he were to make a credibility judgement. Since there is no available evidence to the opposite and because it would take a very exceptional epistemic character to overcome such prejudice in Solomon’s current situation, his prejudice against women’s intellectual abilities may in this way only be an honest mistake, not a testimonial injustice. Yet, then they ask us to “imagine that he goes to university, where he studies alongside able women students” (Ibid) such that he is presented with counterevidence to his belief. But Solomon does not change his belief. Due to Solomon’s resistance to the manifested counterevidence to his belief, both Arpaly and Fricker agree that Solomon’s identity prejudice would reveal him ethically flawed, and that “this ethical flaw consists in the ethically bad motivation behind the irrationality” (Ibid). Fricker writes, “Solomon’s prejudice against women’s intellectual abilities is, in my terms, an instance of negative identity prejudice” (Ibid).

Now in the example of Solomon, Solomon perceptions of women are shaped *inter alia* by prejudicial beliefs and is in this way doxastically mediated. However, Fricker do not wish to give more attention to the doxastically mediated prejudicial beliefs. Yet, I argue that by avoiding a further discussion and investigation into the instances of testimonial injustice where the prejudicial stereotypes determining their credibility judgements are in part doxastically mediated, the ways in which testimonial injustice are used as intentional strategies to support and contribute to situations of oppression stays unrelieved. Fricker's quite limited analysis of the example does not even investigate the reason to why Solomon is resistant to counterevidence in the first place.

In the example of Solomon, Fricker clearly states that Solomon's prejudices against women's intellectual abilities are an instance of negative identity prejudice which is resistant to counterevidence owing to an ethically bad affective investment (2007b, 4). However, Fricker does not articulate on what is meant by "an ethically bad affective investment." As one possible answer to why Solomon is resistant to counterevidence and thus why Fricker pays so little attention to him may then be because Solomon is just another victim of epistemic bad luck. Epistemic back luck, Fricker argues, is the epistemic counterpart to Nagel's notion of "circumstantial moral bad luck" (2007b, 3). Even though we may carry prejudices that are made or maintained without proper regard to the evidence, she suggests that there are indeed some rare expectations to the culpability in carrying such prejudices. Sometimes, she argues, the available evidence may be misleading us to believe that our prejudices are true, or we may be victims of circumstances where it would simply be too much to expect people to achieve awareness that a certain prejudice is wrongfully structuring one's credibility judgements (Ibid). As an example of the latter, Fricker argues that Herbert Greenleaf, in *The Talented Mr. Ripley*, is in fact not blameworthy for the testimonial injustice he inflicts Marge. Due to the historical circumstances, Greenleaf was unable to possess a reason to doubt his distrust. However, Herbert Greenleaf committed his testimonial injustice towards Marge in the fifties. As far as Solomon is an example from this time, I don't think we can regard Solomon as a victim of historical circumstances. Neither is the available evidence misleading. Fricker clearly states that Solomon is presented with counterevidence (2007b, 4). Not only is he presented with counterevidence, but Solomon is also motivated to irrationally resist changing his beliefs. Going back to the definition of a negative identity prejudice, there is no doubt that Solomon is indeed "*resistance to counter-evidence owing to an ethically bad affective investment*" (2007b, 5). Yet, Fricker's investigation ends there. Why Solomon has

this “ethically bad affective investment” or why he is resistant to counterevidence in the first place is not given any attention. However, unclear if it is Arpaly or Fricker herself, the discussion on Solomon ends with a modest suggestion to his motivation. Within brackets, Fricker writes, “where the motivation (presumably some contempt for women) is ethically noxious” (2007b, 4). Thus, if Solomon’s motivation to resist counterevidence to his identity prejudicial beliefs about women’s intellectual abilities is a contempt for women, then testimonial injustice runs way deeper than what is revealed in Fricker’s analysis of testimonial injustice.

In *Down Girl: The Logic of Misogyny*, Kate Manne discusses Fricker’s framework of testimonial injustice in the light of her account of misogyny. Manne identifies misogyny as a property of social environments where women encounter hostility, often but not exclusively, because they violate patriarchal norms and expectations (2019, 19). Its functions, she writes,

to enforce and police women’s subordination and to uphold male dominance, against the backdrop of other intersecting systems of oppression and vulnerability, dominance and disadvantage, as well as disparate material resources, enabling and constraining social structures, institutions, bureaucratic mechanisms, and so on. (Manne 2019, 19).

Moreover, without putting words in Fricker’s mouth, Manne takes testimonial injustice to partly sustain, and as sustained by hierarchy and ideology. Since Fricker herself does not elaborate on this point, Manne further argues that in many examples of testimonial injustice, someone’s word is being pitted against someone else’s. Specifically, she writes, “they all involve a historically *subordinate group member* trying to testify against a *dominant social actor*, in the relevant social context” (Manne 2019, 193). Or even a subordinate group member trying to assert themselves in a domain that have traditionally been controlled by the dominant social group. In the light of Manne’s account of misogyny, when trying to understand why Solomon irrationally resists counterevidence to his belief that women do not have intellectual abilities, his motive may so be to protect men from the downfall in the existing social hierarchy where men, and only men, were seen as intellectuals. Indeed, this understanding of Solomon’s situation does fit with Arpaly or Fricker’s suggestion that Solomon is motivated to resist the counterevidence due to a contempt for women. However, in the example of Solomon, Solomon is not committing any testimonial injustice. He is only possessing beliefs and motivations that would cause harm if he ever acted upon them and underpinned his identity prejudicial beliefs in the credibility economy. Yet, if Solomon is motivated to uphold his identity prejudicial beliefs due to his contempt for women, Solomon may not

only directly undermine women in their capacity as a giver of knowledge in his testimonial exchanges, but he may also strategically corrupt other hearer's judgements of speaker's credibility. In this way, both directly and indirectly, testimonial injustice can serve as a strategy to enforce a social group's subordination and to uphold another group' dominance.

3.3.2.1 Structural Willful Testimonial Injustice

As mentioned in the section on Ypi's domination account, testimonial injustice is by Fricker initially illustrating transactional injustice. However, as Manne shows with her discussion of misogyny in the light of testimonial injustice, the latter can be used as to enforce and police women's subordination and to uphold male dominance, enabling and constraining social structures (Manne 2019, 19). As many examples of testimonial injustice, they often involve a historically subordinate group member trying to testify against a dominant social actor, in the relevant social context (Manne 2019, 193), or even a subordinate group member trying to assert themselves in a domain that have traditionally been controlled by the dominant social group. The same can be said about testimonial injustice's connection to colonialism. Going back to Anderson's critique of Fricker's explanation of structural testimonial injustice, Anderson identifies three structural causes of group-based credibility deficits. On the first, concerning differential access to the markers of credibility, the hearers commit no transactional testimonial injustice if they take lack of education or poorly used grammar as markers of low credibility. In societies that systematically deprive disadvantaged social groups access to a decent education, the hearer generates additional structural inequalities in opportunities for exercising full epistemic agency (2012, 169). In the case of willful testimonial injustice, when hearers systematically and willfully undermine the speaker which lack of education as the speaker is demanding access to a decent education, such testimonial injustice is intentionally enforcing the deprivation of disadvantaged social groups access to decent education. Second, ethnocentrism becomes structural if the different groups engaged in inquiry are segregated along the lines of salient social identities that are also the basis of systematic unjust groups inequality (2012, 170). In its willful kind, the advantaged group willfully discount the testimony of disadvantage group in favor of the upholding advantage of the groups in which one belongs. Third, the shared reality bias will insulate members of the disadvantaged groups from perspectives of the systematically advantaged (2012, 170). In its willful kind, the systematically advantaged willfully insulate members of the disadvantaged groups from their perspectives, which also causes willful hermeneutical injustice. However, common to all the structural willful testimonial injustice, one group willfully or intentionally

put another group, and its members under systematic domination or subjugation by the means of undermining the speaker, or speakers in their testimonies.

3.3.3 Willful Hermeneutical Ignorance

A similar critique of Fricker's avoidance of the willful epistemic injustice is also found in "Relational Knowing and Epistemic Injustice: Toward a Theory of Willful Hermeneutical Ignorance" by Gaile Pohlhaus Jr, however, regarding hermeneutical injustice. Pohlhaus argues that Fricker's analysis of the trial of Tom Robinson keep hidden how dominantly situated knowers refuse to acknowledge epistemic tools developed from the experienced world of those situated marginally and thus allow dominantly situated knowers to misunderstand, misinterpret, and/or ignore whole parts of the world. She introduces the concept of willful hermeneutical ignorance, which "describes instance where marginally situated knowers actively resist epistemic domination through interaction with other resistant knowers, while dominantly situated knowers nonetheless continue to misunderstand and misinterpret the world" (2011, 716). Moreover, this willful hermeneutical ignorance can be more than an act of "not seeing" parts of the world. Pohlhaus suggests it can manifest in a systematic and coordinated misinterpretation of the world (2011, 731).

Pohlhaus introduces two senses which the sociality of the knower is epistemically significant. First, the knower's situatedness refer to the situation which the knower finds oneself repeatedly over time, due to the social relations that positions the knower in the world (2011, 717). This situatedness of a knower lead to particular habits of expectation, attention, and concern which again contribute to what one is more of less likely to notice and pursue as an object of knowledge in the experienced world. Moreover, Pohlhaus argues that power operates around social positions. When one is marginally positioned, the epistemic resources sued by most knowers in one's society for knowing the world is often less suited to those marginally situated. Epistemic resources, such as language, concepts, etc., are often most influenced by the dominant social groups' experiences of the world. In addition to analyzing how social relations affect what we are likely to know, however, Pohlhaus suggests that also relations with others are necessary for providing and maintaining epistemic resources with which we know (2011, 717). Second, knowers are also interdependent insofar as the epistemic resources operate collectively, not individually (2011, 718). Even though epistemic resources are influenced by dominant social positions, they exist in use among agents. Indeed, Pohlhaus claims that situatedness and interdependence are distinct, yet, in a dialectic

relationship and it is thus this dialectic relationship which lead to willful hermeneutical ignorance (Ibid).

In order to know the world which one is stated, the knower needs to make sense of their experiences via interdependently held epistemic resources (2011, 719). On the other hand, the standards, or adequate concepts for making sense of the experienced world must fit to and make sense of the experienced world (ibid). In order to know well, we use epistemic resources to both make sense of the experienced world and using world to develop better epistemic resources. However, when there is a tension between the world of experience and the resources that we use to make sense of our experiences, such as language, concepts and methods, we recalibrate our epistemic resources and/or create new ones. This process can result in new possibilities of knowing and providing new tools for organizing and making sense of experience. Given this dialectical relationship between situatedness and interdependence, marginally situated knowers is thus more likely to find gaps in the predominantly held epistemic resources. As mentioned, dominant social positions are often also dominant in influencing our epistemic resources. In addition, being in a dominant position also means not having to know anything of a marginalized knower's concerns.

Going back to Fricker's account on epistemic injustice, she concerns the trial of Tom Robinson in Harper Lee's *To Kill a Mockingbird*. Robinson is a black man who has been wrongfully accused and is convicted of raping a white woman, Mayella Ewell, in Alabama in 1934. The novel, moreover, is told from the point of view of Scout, the father of Atticus Finch which is the lawyer who defends Robinson. Fricker's interpretation of the trial in which Robinson is convicted for the rape concerns the all-white jury failing to believe Robinson due to identity prejudice. Despite the airtight evidence that Robinson did not do it, the jury members do not believe Robinson. Fricker argues that if Robinson would have been white, the jury would have believed him (2007c). However, as Pohlhaus agrees with Fricker's reading and example of testimonial injustice, she argues that the example is more complicated than just including testimonial injustice (2011, 725).

In the example of the trial of Robinson, Pohlhaus suggests that the example is more complicated than just not believing someone due to identity prejudice (2011, 725). First, she argues, the jury refuses to believe not only Robinson's word, but also his white defense attorney. Second, when Robinson gives his testimony, not only is he taken as trustworthy, but the jury also consistently misinterpret his words. In the latter, the economy of hermeneutical

resources preempts Robinson from transferring the knowledge to the jury, not because the jury won't believe him, but because the members of the jury are using epistemic resources that do not allow for the intelligibility of Robinson's testimony. Moreover, since the jury is not forced to use faulty epistemic resources but lack such resources due to a prejudice against taking seriously the experienced world outside of white men and refuse to enter into truly cooperative interdependence with knowers situated outside of their dominant social position, Pohlhaus claim that the jurors are culpable (ibid). She writes,

The individual jurors' past and continuing failure to enter into cooperative epistemic interdependence with marginally situated knowers results in a current structural problem with regard to the transfer of knowledge, thereby revealing willful hermeneutical ignorance to be simultaneously an agential and structural injustice (2011, 725)

Moreover, in the case of Robinson, the resources which the jury requires to know what Robinson knows were available for the white man to acquire as they did exist, yet the jury had chosen not to acquire these proper epistemic resources for understanding Robinson (2011, 727). In this way, when a group with material power is vested in ignoring certain parts of the world, they can also maintain this ignorance by refusing to recognize and actively undermine any epistemic resources that attends to those parts of the world that they are vested in ignoring (2011, 728).

3.3.4 Conclusion

Taking the harms of epistemic injustice, such injustice excludes one or a group from the authority of reason and thus undermines the speaker, or speaker, as having status as a human being. Culpable epistemic injustice then includes a refusal to see an individual or a group of individuals as human beings. In some cases, also as undifferentiated members of an inferior group. Moreover, as I have argued in the prior sections, epistemic injustice can continue to put groups of people under systematic threats of domination and subjugation. This systematic threat can cause or facilitate the demise of a group as a distinct entity. In the introduction, I put forward the Supreme Court judgement concerning the building of the wind parks on Fosen. The Supreme Court ruled that the wind power development on Fosen did violate Article 27 ICCPR, which proved that the installment of turbines in these areas will have devastating effects on local reindeer herding practices and thus Sami culture (Fjellheim and Carl 2020; Normann 2020; Kårtveit 2021; Norges Høyesterett 2021). However, according to the CPPCG, the acts must be committed with an intention in order to be one of genocide. In

this part of this section, I presented an account on what I call willful testimonial injustice along with Pohlhaus' account on willful hermeneutical ignorance. On the first, hearer willfully undermine the speaker in their testimonial exchange. In its structural kind, dominant social actors willfully undermine historically subordinate group members in order to maintain the current unequal structures. Willful hermeneutical ignorance, on the other hand, is always structural, and includes a group ignoring certain parts of the world by refusing to recognize and by actively undermine epistemic resources that attend to those parts of the world that they willfully ignore. In this way, taking the harms and impacts of epistemic injustice seriously, willful epistemic injustice can make a situation or structure one of genocide.

3.4 Is Green Colonialism Greenwashed Relations of Genocide?

The connection between the Scandinavian colonialism to genocide is not completely foreign. Kysosti Julku, a Finnish history professor, spoke of the history of Sami as genocide already in 1968 (Julku 1968; Lethola 2015, 24). Following Wolfe's assessment of settler colonial logic of elimination, the agriculture enables a population to expand by continuing immigration at the expense of indigenous lands and livelihood along with a continuation of a range of commentary strategies whose common intention was the destruction of group hood (2006, 395). Moreover, Greaves points out how the Swedes established permanent settlements in Sapmi, including areas used by Sami reindeer herding activities (2018, 103). Despite Sami objections, their efforts to convince the Swedish Crown that their reindeer herding livelihood would be endangered were unsuccessful and increasing amounts of land were granted Swedish farmers under the *Lapland Regulations* of 1749 (Ibid). Wunder (2007) points out that the Scandinavian states still "asserted power over the lands that they had taken by expansion, usurping Saami sovereignty. Their ultimate purpose was to displace and deny independence to the Saami people" (32). Furthermore, as already mentioned, both Sweden and Norway adopted assimilation policies with the intention of forcing the Sami into an ethically and culturally uniform Scandinavian population. In Norway, the Norwegianization of the Sami resulted in the near elimination of Sami language use in Norway (Greaves 2018, 113). In this part of this section, I argue that green colonialism does go hand in hand with the account on political economy of capitalism by Crook and Short. However, as for a situation to be genocide, there must include an intention, a refusal to see individuals as human beings, but merely as undifferentiated members of an inferior group and to act in ways that cause or

facilitate the demise of that group as a distinct entity (Heyward 2014, 13). I consider green colonialism in the light of willful epistemic injustice. I argue that we do not have enough information about all the instances of green colonialism to determine if these instances are cases of genocide or if genocide is a necessary component of green colonialism. On the other hand, concerning the wind park on Fosen, I argue that this particular incidence of green colonialism may be genocidal.

3.4.1 The Political Economy of Capitalism

As for many indigenous peoples, Sami identity and well-being are intimately wrapped up in the integrity of ecosystems in which they live. In regard to the wind power developments on Sami reindeer herding land, members of Sami communities, along with Keskitalo, have argued that disrupting the Sami relationship to reindeer herding will kill the Sami culture. A young Sami reflects on the particularities of wind power as she says, “Without herding, who are we then? We will disappear. And that is exactly what it is about, that thought of genocide” (Normann 2020, 86). Moreover, in the Supreme Court judgement concerning the wind power plants on Fosen, the Court argued that due to fact that the South-Sami culture is particularly vulnerable and is carried by traditional reindeer husbandry, the wind power development will have a substantive negative effect on their possibility to enjoy this culture (141). Even though when knowing of South-Sami culture particularly vulnerability of going distinct, the Norwegian Water Resources and Energy Directorate argued that the overall benefits from the windfarms must overrule the injuries and consequences of those that will be affected (NVE 2010, 5). As the overall benefits, the wind power plants were a part of a “green transition” to a “green economy” (Randen, 2021).

Driven by capitalism, the continues land-grabs from Sami reindeer herding lands are justified by the needs for energy and for “green energy”. In a similar way, Ossbo explores in “Hydropower company sites: a study of Swedish settler colonialism,” the relation between settler colonialism and the dynamics of Swedish policy and practice toward the Sami people to shed light on historical as well as ongoing consequences of industrial expansion. She argues that the uneven distribution of social and public services within the part of Sweden called Norrland, as well as an extractive mining policy and mining failures resulting in both ecological and economic disaster have invoked claims for the disengagement of Norrland from the rest of Sweden (Ossbo 2022, 3). Yet, the question of colonial acquisition of Sami land is barely mentioned as Norrland in itself is a colonial construction, created to supersede

and exploit Sami land. A construction labored to make invisible and ignore Sami rights to continue to exist. Furthermore, indigenous Sami perspectives are often not considered in the surrounding society's and majority population's pursuit of resource extraction from Sami traditional lands, which "risks resulting in 'elimination of the native'" (Ossbo 2022, 3). Nevertheless, common to both the hydropower developments in Sweden and the wind power developments in Norway, the continues destruction of Sami's relations to their environments, such as their reindeers and mountains, will have a substantive negative effect on the existence of their culture.

3.4.2 Willful Epistemic Injustice

As I have argued throughout the thesis, epistemic injustice can continue to put groups of people under systematic threats of domination and subjugation. This systematic threat can cause or facilitate the demise of a group as a distinct entity. In the introduction, I put forward the Supreme Court judgement concerning the building of the wind parks on Fosen. The Supreme Court ruled that the wind power development on Fosen did violate Article 27 ICCPR, which proved that the installment of turbines in these areas will have devastating effects on local reindeer herding practices and thus Sami culture (Fjellheim and Carl 2020; Normann 2020; Kårtveit 2021; Norges Høyesterett 2021). However, according to the CPPCG, the acts must be committed with an intention in order to be one of genocide. Considering the Sami narratives concerning the process prior to and during the building of the wind parks on their herding land, the Sami were both victims of testimonial as well as hermeneutical injustice. In the general case of green colonialism, we do not have enough information to distinguishing all cases of green colonialism as including willful epistemic injustice or other ways of causing genocide. On the other hand, in this thesis, all the narratives presented in Normann's "Green Colonialism in the Nordic context: Exploring Southern Saami representations of wind energy development" is concerning the building of the wind park on Fosen. Similarly, the Supreme Court judgement referred to in this thesis follows from the building of the wind parks on Fosen. With the knowledge we do have about the particular case of green colonialism concerning the wind park on Fosen, I argue that such case may be a situation of genocide.

Going back to the Sami narratives, during the three lawsuits Normann observed, the Sami researchers' and herders' knowledge became disqualified in the environmental impact assessments preceding NVE's licensing of the wind park due to their chance that their

knowledge might defend a “hidden agenda” favoring reindeer herding (2020, 87). On the other hand, the consultations which were to do the impact assessment were chosen by the wind power companies and partially financed by one of the state companies with interests in the construction of the wind parks. Moreover, Normann reflected on how a proper language to describe the deep, and even spiritual connection that many Sami maintain with animals and mountains was absent when the Sami witnessed in the Court concerning the lawsuits against wind power development on Sami reindeer herding land. In addition, Normann quotes a Sami as expressing frustration that the Sami are made invisible in media stories discussing the Fosen case. However, common to all these narratives and experiences from the lawsuits concerning the wind park of Fosen, they all involved historically *subordinate group members* trying to testify against *a dominant social actor*. In the instance of the environmental impact assessment, people in a dominant social position may have willfully disqualified Sami knowledge by the same reason their consultants are at fault. Further, the resources which the judges and lawyers required to know what the Sami knows are available for the Norwegians to acquire as they do exist, yet the judges and lawyers had not acquired these proper epistemic resources for understanding the Sami witnesses.

As of writing this, a year has passed since the Supreme Court Judgement ruled the wind park to violate Article 27, which involves a denial of the human right to enjoy our culture. In the Supreme Court Judgement, the court found that the South Sami culture is particularly vulnerable and is carried out by the reindeer herding on Fosen. The wind park is then contributing to the death of the South Sami culture. Regardless of this information and knowledge, the wind park is still standing without any signs it will be taken down. On July the 22nd, 2022, the Norwegian government sent the Sami parliament in Norway a letter explaining that they are working towards a solution of remaining the wind park on Fosen (Rønning 2022). The oil- and energy department of Norway argues that since the Supreme Court judgement did not rule any requirements for the wind park to be taken down, having it remain is the most plausible option (Ibid). In this case, it is obvious that the dominant social groups, even the common institution, willfully stay ignorant to the experiences of the Sami, including the refusal to see Sami as human beings, but merely as undifferentiated members of an inferior group and to intentionally act in ways that cause or facilitate the demise of South Sami as a distinct entity (Heyward 2014, 13).

3.5 Conclusion

The continues land-grabs from Sami reindeer herding lands are often justified by the needs for energy, namely “green energy.” Ossbo points out that in Sweden, indigenous Sami perspectives are often not considered in the surrounding society’s and majority population’s pursuit of resource extraction from Sami traditional lands, which “risks resulting in ‘elimination of the native’” (Ossbo 2022, 3). As I have shown throughout this thesis, the same rings true for the wind power developments on Sami reindeer herding lands in Norway.

Common to both the hydropower developments in Sweden and the wind power developments in Norway, the continues destruction of Sami’s relations to their environments will have a substantive negative effect on the existence of their culture. Moreover, as argued throughout this thesis, epistemic injustice can continue to put groups of people under systematic threats of domination and subjugation, and even cause or facilitate the demise of a group as a distinct entity. In this part of this section, I argued that in the general case of green colonialism, we do not have enough information to distinguishing all cases of green colonialism as including willful epistemic injustice or other ways of causing genocide. On the other hand, with the knowledge we do have about the particular case of green colonialism concerning the wind park on Fosen, I argue that such case is a situation of genocide. Following the accounts on willful epistemic injustice, common to all the narratives and experiences from the lawsuits concerning the wind park of Fosen, involved historically *subordinate group members* trying to testify against *a dominant social actor*. In the environmental impact assessment preceding NVE’s licensing of the wind park of Fosen, people in a dominant social position may have willfully disqualified Sami knowledge by the same reason their consultants are at fault.

Further, the resources which the judges and lawyers required to know what the Sami knows are available for the Norwegians to acquire as they do exist, yet the judges and lawyers had not acquired these proper epistemic resources for understanding the Sami witnesses. Not to mention, the Supreme Court Judgement concerning the wind park on Fosen ruled the wind park to violate Article 27, which involves a denial of the human right to enjoy our culture. In the Supreme Court Judgement, the court found that the South Sami culture is particularly vulnerable and is carried out by the reindeer herding on Fosen. Regardless of this information and knowledge, the wind park is still standing without any signs it will be taken down. On July the 22nd, 2022, the Norwegian government sent the Sami parliament in Norway a letter explaining that they are working towards a solution of remaining the wind park on Fosen (Rønning 2022). In this case, it is obvious that the dominant social groups, even the common institution, willfully stay ignorant to the experiences of the Sami, including the refusal to see

Sami as human beings, but merely as undifferentiated members of an inferior group and to intentionally act in ways that cause or facilitate the demise of South Sami as a distinct entity (Heyward 2014, 13).

Conclusion

In this thesis, I have conducted a philosophical investigation of the emerging concept of “green colonialism.” As mentioned, the concept serves as a political narrative among the Sami to describe the contemporary implementation of wind power plants on Sami reindeer herding land in Norway. By considering Sami narratives and lived experiences and processes of meaning making among the Sami reindeer herders affected by the implementation of green energy in Norway through the lens of the debate on what is wrong with colonialism, I argue that green colonialism is colonialism.

In the debate concerning the wrong of colonialism, I defended Ypi’s account on the distinctive, procedurally wrong of colonialism. Ypi argued that what matters normatively in the wrong of colonialism is the domination by one group over the other by creating and upholding a common political association that denies one of the political collectives, equality, and reciprocity in cooperation. I claimed that such wrongful political association is upheld through social-structural processes. As one example of such process, epistemic injustice such as not recognizing indigenous ethnogeography as equal within the legal frameworks protecting land rights, neglecting indigenous views of land in courts, excluding indigenous peoples from cocreating the institutions they are subject to and thus works to uphold a political association which do not allow people to relate to each other as equals, guaranteeing that all voices are being heard and taken equally into account in decision-making. In addition, I argued from my consideration of Moore’s territorial account, that settlement is not a distinctive wrong but is another method of domination such as to uphold a wrongful political association. Last, concerning the debate on the wrong of colonialism, I suggested that genocide is another dominating method of colonialism. Concerning the debate on genocide, I claimed that, first, a safe cultural identity is essential for individual well-being and thus cultural genocide ought to be included in the definition of genocide. Second, taking indigenous relations to the environment seriously, ecocide can be a method of genocide. However, for a situation or structure to be one of genocide, the corresponding conditions must be met: 1) the refusal to see individuals as human beings, and 2) intentionally act in ways that cause or facilitate the demise of that a group as a distinct entity. Third, willful epistemic injustice satisfies these conditions. Both because of the harms of epistemic injustice includes being degraded qua human beings, and when willfully committing epistemic injustice, such as includes refusal to see certain peoples or groups of peoples as human beings, one intentionally acts in a way that cause or facilitate the demise of the targeted social group as a distinct entity.

Altogether, green colonialism is upholding a common political association which denies the Sami equal and reciprocal terms of cooperation. When considering Sami narratives and lived experiences from both prior to and during the building of wind power parks on their herding land, they express that their voices are not being heard and they are not taken equally into account in the decision-making concerning the building of the wind parks on the land which are essential to their reindeer husbandry. Second, the increasing flux of implementation of green energy on Sami reindeer herding areas, as well as the climatic change, intensifies the domination of the Sami by the means of fortifying a misrecognition of the different conceptions of land, and third, the Sami culture will be eradicated. However, I argued that I did not have enough knowledge about each and every instance of green colonialism in such that genocide is a necessary component of green colonialism. Yet, considering what we know about the processes prior to, during, and after the building of the wind park on Fosen, such particular incidence may be one of genocide. Considering the knowledge available for all, including all social positions, concerning the case on Fosen, if the wind park will be standing, it can be considered as both a refusal to see Sami as human beings, and as intentionally act in a way that will cause the demise of the South Sami as a distinct entity.

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