Arcticness

Power and Voice from the North

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Energy justice: A new framework for examining Arcticness in the context of energy infrastructure development

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We propose the application of an emerging research agenda in 'energy justice' to consider Arcticness in the context of energy exploration in the Arctic region. We define Arcticness as a *process* (rather than a state of being) of bringing voice to those affected by change in the Arctic. It is important not to objectify Arcticness as this will lead inevitably to exclusion. We should instead *subjectify* in the context of past, present and future changing trajectories – a changing process. We therefore need frameworks for exploring and indeed promoting this changing process of 'Arctic voice'. Energy justice is a framework that is able to contribute to this process.

The context of change in this chapter is not the climate, but rather energy exploration. Almost a third of the world's undiscovered gas and 13 per cent of the world's undiscovered oil may be found there, mostly offshore under less than 500 meters of water.[1] In an age of resource depletion, researchers need to pay greater attention to justice concerns in energy policy. In particular, energy exploration – and the resulting energy infrastructure that is built in the Arctic and across the world as a result of the energy resources being extracted – is a major concern for the world. This is even more important when considering the knowledge the global research community published in 2016 and highlighted: (1) temperatures in the Arctic are running at 20°C higher than normal at this time of year;[2] and (2) because of the high temperatures there will be

19 'tipping points' in the Arctic region that will suffer severe consequences and there will be direct effects felt by many countries around the globe.[3] Energy justice provides a framework for assessing the justice implications – or simply the injustices – of current policy decisions as well as making practical recommendations. In this chapter we identify some key injustices and recommendations with regards to uncovering Arcticness. We finish with a call for research into 'frames of injustice' beyond those currently promoted by existing energy justice scholarship.

The energy justice framework

A wide range of the modern-day justice conceptualisations that exist, including environmental, (anti-)global, climate and now energy justice are, to different extents, rooted in finding voice for the excluded. 'Environmental justice' aims to act '(where) people of colour and lower socio-economic status are disproportionately affected by pollution, the siting of toxic waste dumps, and other Locally Unwanted Land Uses (LULUs)'.[4] This has been more successfully utilised as a mobilisation tool for activists in the USA,[5] with some notable exceptions with regards to the protection of indigenous peoples across the Americas[6] or in Taiwan[7] or tribal groups facing environmental hazards in Africa.[8] Through initial explorations of distributive and subequently procedural justice concerns, environmental justice scholars have 'examined multiple reasons for the construction of *injustice*',[9] including race,[10] gender[11] or culture.[12]

'Global Justice',[13] and its more recent incarnation, 'climate justice',[14] emerged from 'anti-globalisation protests', aimed in the first instance at global trade imbalances and then at international climate negotiations. Global justice retains a distinctly economic focus in arguing for the redistribution of existing wealth and indeed new distributions of wealth. Its procedural dimension concentrates specifically on reforming international governance structures. Global and climate justice share, moreover, a common preoccupation with increased recognition of under-represented cultures.[15] Climate justice has, nonetheless, developed a more sophisticated research agenda through assessments of city and locally-based incarnations,[16] in addition to international-level action.

Energy justice (the focus here) carries the same Rawlsian liberalism approach, while incorporating Fraser's recognition of justice and cosmopolitan justice. Two critical distinctions are evident within this

research agenda. The concept is, first, rooted to energy systems. In this way, therefore, it aims to provide all individuals, across all areas, with safe, affordable and sustainable energy. We increasingly need a more nuanced understanding of social justice concerns within energy systems, from production to consumption. Energy justice offers, second, a unique opportunity to engage with established thought in science, policy and activism. We will now cover in more detail two core themes or tenets of energy justice that have emerged in the justice literature for energy policy: *recognition* and *procedural* justice.

The framework

Our energy justice framework is underpinned by the principles of cosmopolitan justice. Cosmopolitan philosophy is the belief in that we are all 'world citizens'.[17] With the advent of clear and visible effects of climate change, the approach to environmental protection is being seen more in the light of cosmopolitan philosophy. Cosmopolitanism has, of course, a distinct and long history in global justice thinking. From this perspective, we build on environmental and climate justice demands for a collective approach to resources. The focus here, however, is targeted on energy resources in the Arctic regions in an attempt to achieve a meaningful global change, specifically in terms of energy behaviours and attitudes.

From this perspective we identify two frames of analysis for this chapter: procedure and recognition. An adoption of recognition justice could shed light on under-recognised sections of society. There is often not only a failure to recognise but also to misrecognise and therefore distort people's views, whcih can be demeaning or contemptible.[18] Thus recognition justice includes calls to recognise the divergent perspectives rooted in social, cultural, ethnic, racial and gender differences.[19] Second, energy justice requires the use of equitable procedures that engage all stakeholders in a non-discriminatory way.[20] It states that all stakeholders in the Arctic should be able to participate in decision making, and that their contributions should be taken seriously throughout. It also requires participation, impartiality and full information disclosure by government and industry,[21] and the use of appropriate and sympathetic engagement mechanisms.[22] In addition, due process is relevant to every level of energy decision making at local, provincial, national and global levels. We expand this principle below to consider also the role of the 'non-human'.

Energy infrastructure development in the Arctic

The energy context in the Arctic is dominated by oil and gas reserves and the increasing role of international companies. Extraction and production takes place on the basis of resource ownership. The Arctic states are Canada, Denmark (with Greenland, an autonomous Danish dependent territory, and the Faroe Islands), Finland, Iceland, Norway, Russia, Sweden and the United States. However, according to the 1982 United Nations' Convention on the Law of the Sea (UNCLOS), the right to explore natural resources in the ocean belongs to the coastal states within the distance of their Exclusive Economic Zones (EEZ), that is, 200 nautical miles. Therefore, only six of the Arctic states can legally exploit oil and gas within the Arctic circle, namely Canada, Denmark, Iceland, Norway, Russia and the USA.

Non-Arctic states such as China, Japan, India and Singapore as well as the European Union have expressed their interest in engaging in Arctic-related activities ranging from research programmes to direct extractive operations. Some non-Arctic-based companies take part in joint projects with companies from the Arctic states, for example the Italian company ENI currently has a joint exploration agreement with the Russian organisation Rosneft. This creates a unique operational environment where a few actors representing countries with diverse economic, political and cultural backgrounds are responsible for a vulnerable and complex environment and the intimately linked futures of 400,000 indigenous peoples. The activities of energy companies that are exploring oil and gas in the Arctic are likely to determine the Arctic's economic, social and environmental well-being in the years to come.

Yet, Arctic development is a risky and costly venture. The major drawbacks include the remoteness and harsh climate conditions, which require more advanced technologies, equipment and infrastructure, as well as competition from unconventional gas sources such as shale gas and liquefied natural gas. In addition, there is a long investment cycle and potential overlap of sovereignty claims. The development of Arctic reserves, however, may have serious implications not only for an oil and gas company's budget, but for the global climate in general. Interventions in the fragile Arctic environment may put the future of the region and the planet under a great threat. While the rising demand for resources pushes companies to play for high stakes, environmentalists warn that the consequences of their actions may be irreversible.

Justice and Arcticness in energy infrastructure development

The first tenet of the framework manifests as a call for equitable procedures that engage all Arctic stakeholders in a non-discriminatory way. Arcticness is therefore dependent on voices being heard. Indigenous and non-indigenous peoples are central, for example, to monitoring the increase in tourism in the high north, but equally the intentions of business to develop there. Cultural pluralism is a place for creative industry. Fishing- or reindeer-based livelihoods should be respected. But more attention should be paid to the knowledge creation this involves with its implications for siting and procedural-based decisions. Land use change is a key challenge for indigenous peoples – who moderates if and where land is used for other uses? Holistic management plans are needed which focus equally on the land and not just the sea.

Early intervention is paramount to an effective consultation process. More positive examples were raised also, where companies took a more proactive and constructive approach. As Kadenic concluded in an examination of large-scale Arctic mining projects, the degree of local involvement during the planning phase will directly affect future socioeconomic outcomes.[23] From siting decisions to projected habitat destruction, the Saami people, for example, can therefore help developers achieve common outcomes. Procedural justice is more than simply inclusion. It also involves the mobilisation of local knowledge.

A central theme in Arctic energy development is the identification of local communities. Projects in Canada involve multiple indigenous peoples in project development in an explicit attempt to profit from 'multiple views' on local knowledge and creativity. Almost all economic activity in Canada's Arctic is reviewed not just for its economic and environmental aspects but also social factors. However, the involvement of indigenous peoples has been limited. These differing views clearly indicate that a desirable level of economic activity, as well as the extent of being or feeling included in decision making is highly subjective and contextual.

On Russian oil development in the Arctic, there is trilateral policy making: businesses, local governments and indigenous peoples, all of whom need to get their 'fair share' from the activities agreed. Yet the latter group especially are often disadvantaged; for example, they frequently have to endure the low-level jobs which result from development projects. Large corporations come into local communities – where education levels tend to be low – with 500-page technical reports and

ask for comments, which is not a fair way to involve the indigenous population. The large size of the corporations involved means that decisions are taken at far away headquarters, while local representatives have to manage their implications for affected communities.

The second tenet of our framework, recognition justice, sheds light on instances of under- or mis-recognition of vulnerability. Local communities such as the indigenous Saami peoples are scattered across most of the northern parts of Norway, Sweden, Finland and Russia, living off fishing and reindeer herding. In addition, there is an under-recognised importance of the non-indigenous people in this area. In both cases, these populations are heavily dependent on local ecosystems. Hence, such communities are extremely vulnerable to energy development.

The richness of fossil fuel energy resources in the Arctic area can be considered in contrast to the provision of energy and electricity in many of those areas. A number of Arctic regions in Alaska are off the electricity grid and electricity has to be generated by diesel generators. This is highly problematic in many ways and contributes (next to health issues) to comparatively low living standards. Such lower standards of living in areas of fuel richness point to local communities having an insufficient level of participation and an inadequate stake in the wealth generated by exploitation activities. As Parlee notes, indigenous communities often have limited access to certain forms of capital and are therefore particularly susceptible to the resource curse phenomenon.[24]

Increasing living standards in the Arctic region is a central mechanism for reducing vulnerability, while simultaneously threatening the environment. The low population density within the Arctic hints at the vast natural space, precisely what makes the Arctic so unique. Tourism in the Arctic region will increase with a growing global upper middle class which is looking for more authentic and exotic holiday experiences. This comes with its own challenges: for example, little effort is put into preserving reindeer herding as one of the large traditional economic activities. Tourism, if exercised in certain ways and at certain scales, will itself contribute to environmental degradation and create issues of a different nature, depriving the Arctic of its unique vastness. Stewart and colleagues report that while the opportunity to educate visitors appears as a positive benefit reflected in the perspectives of residents about cruise tourism in Nunavut, there are emerging risks at the community level which highlight the need for appropriate policies to mitigate the vulnerability of those communities.[25] Therefore, greater involvement of local

populations and attention to their knowledge of the region is needed to direct touristic flows. This allows the generation of additional income by offering authentic experiences, while preserving local ecosystems and habitat.

In this context, it is important to consider how extractive industries and other activities potentially impact upon the means of action of local peoples. One dimension is improving general levels of human security. Revenue streams from commercial activities could potentially benefit the security aspect of freedom from want – the provision of an adequate standard of living. In fulfilling this approach, we need to fully appreciate that indigenous groups significantly differ in their histories, and thus in their present needs as well as their visions for the future. Therefore, it is important that different local groups are considered individually within their contexts rather than being seen as all coming from the Arctic region. Thus, the mere engagement of the Arctic community into planning and decision making as an attempt for procedural justice is insufficient. Regional differences across Arctic communities must be respected and taken into consideration.

Beyond indigenous peoples, academic scholars can equally be identified as under- or mis-recognised. A call for the recognition of northern scholars in the identification of research priorities in Arctic areas is also needed. The focus has to be redirected towards the co-production and co-communication of research results between science and stakeholders. Next to a better integration of natural and social science in the Arctic, advancing recognition-based justice would be achieved if research results were presented in a way which is easy for non-scientific audiences to understand. Part of recognition justice is the informed self-determination of future development pathways that communities choose for themselves, despite adherence to traditional social and economic activities.

Expanding justice in Arcticness – a new role for the non-human

One particular debate on Arcticness deserves particular attention in this study, namely whether the natural environment can be considered a separate voice. The energy justice framework continues to suffer from a uniquely anthropological outlook. Arctic-based ecosystems and habitats are at the forefront of energy developments in the region. If their full implications are to be considered, energy justice must be more than a

means to 'provid[ing] all individuals, across all areas, with safe, affordable and sustainable energy'.[26] Protection of the environment should have equal status. One avenue suggests that changing reporting procedures for companies, as the primary agent in a largely unregulated area, may provide some modest hope.

Procedural justice refers largely to human populations, with an overconcentration on impacts upon local communities. We of course agree with Marshall and Brown that 'the question of whether to report on the environment is no longer an issue'.[27] But rather than reporting to stakeholders on environmental impacts, we question here whether the environment itself should be considered to be a stakeholder. It is essential that we find new ways to bring the environment into this debate on justice and security in Arctic energy development.

The main controversy in relation to the environment is connected with its non-human nature. Indeed, the environment cannot physically *engage in dialogue* with developers or articulate its interests and concerns. However, there is no denying that the environment is affected by organisational activities, and the organisation likewise can be affected by the environment. This is particularly relevant to Arctic oil and gas companies as resource extraction can cause extreme environmental damage, for example oil spills from an operational accident, and can easily be disrupted by the extreme weather conditions which are typical of this region.

The definition of a stakeholder, namely '*any* group or individual who can affect or is affected by the achievement of the organisation's objectives',[28] does not explicitly specify whether stakeholding is only applicable to people. Technically, there is no reason not to consider the natural environment as a stakeholder just because it cannot speak. Starik compares the non-human environment to the groups that were historically discriminated against and hence deprived of a political voice: slaves, indigenous minorities, the homeless and political prisoners.[29] He argues that, despite not having such a voice, these groups would still be considered as stakeholders, so why should the environment not also receive stakeholder status? The question remains as to what the practical implications of such recognition could be.

The environment can also be viewed as a stakeholder due to its importance to the interests of future generations with regards to *both* human and non-humans. This argument is of particular relevance to the Arcticness debate as oil and gas extraction in this region is likely to increase the speed of the already melting Arctic ice, which will affect the ecological balance by accelerating the process of global

warming. Social scientists need to engage with natural scientists in order to theorise how energy developments can be just to both human and non-human.

Implications: energy justice and 'frames' of Arcticness

Injustice – rather than justice – should be the focal point for energy justice research through a more explicit assessment of master frames of 'injustice' in the pursuit of understanding Arcticness. Master frames are collective action frames of Arctic stakeholders that have expanded in scope and influence. Put simply, a master frame encompasses the contextual boundaries, interaction and normative claims of more than one organisation, one movement or one voice. Such frames can indeed vary dramatically in terms of restrictiveness or exclusion. Gerhard and Rucht found that two distinct master frames (with different protagonists, antagonists, organisations, etc.) worked together to encourage social mobilisation in Germany.[30] They can, therefore, often serve as a 'kind of master algorithm that colours and constrains the orientations and activities of other movements'.[31] Scholarship in energy justice research remains theoretically, conceptually and contextually bound. This section concludes with a reflection not only on unbinding energy justice research from pre-set notions of justice, but also its conceptualisation of 'environment'.

Theoretical accounts of energy justice threaten, first, to bind researchers into pre-determined logics of justice.[32] For Caney, justice research has hitherto focused on exposing and proposing archetypal normative frameworks.[33] In support of Agyeman and colleagues,[34] Reed and George comment, 'researchers are cautioned that the long-observed disconnect between theory and practice in the field of environmental justice may be exacerbated should academics become more concerned with theoretical refinement over progressive, practical, and possible change'.[35] The theorisation of justice seeks to expose ideal end points (and more recently processes) from various philosophical traditions. For example, Okereke finds that any notions or principles of justice originate from five distinct incarnations: utilitarianism, communitarianism, liberal equality, justice as meeting needs and libertarianism[36] – later refined to include 'market justice'.[37] In a similar vein, Schlosberg argues that justice theorists need to be pluralist in accepting a range of understandings of 'good'.[38] It is argued here that we need instead to explore the plurality of injustice.

The first step in this direction is indeed the acknowledgement that the study of justice is pluralist. Martin et al. acknowledge, 'that justice poses considerable conceptual challenges, not least because of the practical (if not intellectual) impossibility of reaching consensus'.[39] This is borne out by a valiant theoretical sortie through the myriad of approaches to conclude that justice is both plural and multi-dimensional. Their conclusion bears a self-reflective unease; 'we clearly have much to learn about the limitations of our own framing and methods, including our inevitable starting point in logics of justice'.[40] The second move involves an acknowledgement that justice is contextualist, whereby some principles may apply in certain situations. Walker comments, 'as we move from concern to concern and from context to context, we can expect shifts in both the spatial relations that are seen to be significant and in the nature of justice claims being made'.[41]

Ideal justice theorists seek to effectively eliminate the potential for conflict. Schlosberg comments, however, 'such theorists are mistaken … (c)onflicts of justice arise … problem solving entails the negotiation of different conceptions of (in)justice in and across participants, from community or stakeholder groups to corporations or states'.[42] Schlosberg claims that the idea of environmental justice has 'examined multiple reasons for the construction of injustice'.[43] This chapter calls, however, for an exploration of the construction of multiple injustices. An expansion in the theorisation of environmental justice as a concept must be answered with a similar response in our understanding of environmental activism. As Barnett comments in support of Sen:[44]

> Rather than thinking of philosophy as a place to visit in order to find idealised models of justice or radically new ontologies, we would do well to notice that there is an identifiable shift among moral and political philosophers towards starting from more worldly, intuitive understandings of injustice, indignation, and harm, and building up from there.[45]

Second, the recent development of normative concepts of justice looms in a similar manner. There is a sense (to some extent correct) that such concepts are worldly, emerging from situated conflict. They are, however, more often emerging from philosophical debate. A set of normative testable assumptions materialise based upon achieving equity and fairness in the distributional, post-distributional – referred to as 'recognition' largely attributed to Nancy Fraser[46] and developed by Schlosberg[47] – and procedural burdens of environmental risk. We of course explore procedural and recognition forms in this chapter.

However, the analytical objective identification of injustice can be blind to the experiential perception of spatial constructs. The more recent attempt to uncover a third form of energy justice tenets as the 'post-distributive justice of recognition' threatens, for example, to unintentionally disrobe those who are unrecognised of any meaningful agency.[48] Even though Fraser firmly identifies social movements as key agents of change,[49] the emphasis is on the call for 'authorities' and 'policy-makers' to recognise under-represented groups – such as in Walker and Day.[50] Framing research emphasises, in contrast, the need to explore such processes among those who are 'under-recognised' in order to gain insight into the success or not in mobilising against injustices. They are often referred to not as 'victims', but rather as 'non-activists', and as posing a new challenge for justice research.

Third, our approach to energy justice remains contextually bound. In this vein, the energy justice 'master' frame is derived from specific empirical contexts – in this case the Arctic. The origins of energy justice research are accepted to be race- and poverty-based campaigns involving multiple organisations and individuals across the USA merging into a veritable energy justice movement – often cited as beginning in Warren County, North Carolina.[51] And thus, the energy justice master frame in the USA is formed around race, class, gender and the environment. Taylor talks explicitly about the 'environmental justice paradigm' as a master frame which links together 'environment, race, class, gender and social justice' issues.[52] In the UK (especially among non-governmental organisations or NGOs), the master frame has been termed as 'just sustainability'[53] despite the earlier observation that there exist 'at least three different constructions of environmental justice'.[54] This refers to a frame that links together issues of sustainability, social inclusion and procedural equity.

Dawson demonstrates, however, the potential fluidity of the energy justice master frame in linking it explicitly to eco-nationalism.[55] She identifies sub-group identity, social justice and environmentalism as the core tenets of the US energy justice frame. The US environmental movement is, in her view, built on the foundation of sub-group identity and the desire for social justice. As a result, groups defined by religion, gender, national identity or class could offer a basis for energy justice movements and their master frame. In this way, the energy justice frame covers, for example, the protection of indigenous peoples across the Americas[56] or Taiwan[57] or tribal groups facing environmental hazards in Africa.[58]

In such a conception, the energy justice frame can actually be ultimately divisive and exacerbate violent conflict. Dawson traces the

environmentalist roots of nationalist movements in the former USSR which lead directly to social tensions and fragmentation. She observes, 'the intertwining of environmental causes and sub-group identities can be seen to both enhance environmental mobilisation among previously unmobilised groups and deepen a pre-existing sentiment of "us" versus "them" within the population'.[59]

Empirical conceptions of justice are, therefore, as problematic as theoretical and conceptual incarnations. Pellow and Brulle argue, indeed, that '(s)cholars cannot understand … environmental injustices through a singularly focused framework that emphasises one form of inequality to the exclusion of others'.[60] Our attention should be drawn to where and when injustice is felt and experienced. Hobson argues that energy justice research must diversify its understanding of where injustice can be found. In her assessment of an environmental organisation in Singapore, she demonstrates how environmental injustice is felt in everyday practices of individuals and organisations, even where expressions of public concern on the environment are infrequent or at least highly managed.[61] More recently, substantial research has focused our attention on injustices within climate activism.[62] The fluidity of master frames on energy justice offers one potential solution to unbinding how we approach justice and injustice. We should turn our attention to unlocking further how we can explore master frames of injustice through a better understanding of Arcticness framing.