**People and Petroleum**

**Practice and Potential of Reconciliation in**

**Petroleum Governance**

**Dag Rune Sameien**



Master Thesis

Peace and Conflict Studies

UNIVERSITETET I OSLO

May 2012

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Abstract

This thesis discusses the use of reconciliation in natural resource management, focusing on petroleum governance. The main objective is to investigate if reconciliation is relevant in petroleum governance. Through an exploratory desk study design, this study show that petroleum conflicts, when framed through intractable conflict theory, actually are conducive for reconciliation even when resources and interest seem to be the most obvious conflict issues. Additionally, the study probes this link through the current practices of petroleum governance in three carefully selected peaceful petroleum-rich cases. Deploying a broad concept of social psychological reconciliation theory on the petroleum governance functions indicate that there are ways in which reconciliation is practiced through petroleum governance. The final stage of this exploratory research is discussing the conflict prevention potential of these practices. Recent statistical research indicates that current countermeasures are failing, and that there is a need for more comprehensive means of curbing conflicts and violence in petroleum-rich countries. This study suggests that there are plausible ways in which reconciliation can make intractable conflicts tractable, and thus prevent conflict. However, when identity frames are addressed, and institutions that sustain tractability are established, new conflicts may emerge. As such, engaging in reconciliation through petroleum governance can also stimulate new conflicts.

Acronyms

CH Chatham House

CSR Corporate Social Responsibility

GBI Global Peace Index

GIGA German Institute of Global and Area Studies

HIIK Heidelberg Institute of International Conflict Research

IA Impact Assessment

IBA Impact and Benefit Agreements

ICCPR International Covenant on Civil and Political Rights

ICESCR International Covenant on Economic, Social and Cultural Rights

ILO International Labor Organization

NOC National Oil Company

NRM Natural Resource Management

PI Peacebuilding Initiative

PRMS Petroleum Resource Management System

RA Reconciliation Australia

RAP Reconciliation Action Plan

RCAP Royal Commission on Aboriginal peoples

RCIADIC The Australian Royal Commission into Aboriginal Deaths in Custody

SIA Social Impact Assessment

UN United Nations

UNEP United Nations Environment Programme

UNIFTPA United Nations Integracy Framework Team for Prevention Action

WTO World Trade Organization

Forword

When first embarking on this academic journey, I had few clues as to where it would end. And I must admit, even now, after finishing and submitting the thesis, the word pair of petroleum and reconciliation seems both odd and peculiar. Still, it also continues to trigger the interest and curiosity even after hours of frustration along the way. Countless times, I’ve halted and questioned the purpose, the goal and the means of this investigation. Is there really any sense in this at all, investigating reconciliation through petroleum governance?

I said yes.

And within the scope of my master thesis, and within the scope of the plausibility I was embarked to investigate, I’m glad I did. It took some time though, to realize that this exploration never was about concluding on causal mechanisms. Rather, I slowly realized that it was all about concluding whether or not it is worth further exploration.

Again, I’d say yes.

Acknowledgments

My supervisor, professor Kjetil Hafstad at the Faculty of Theology for patience and good guidance despite an interdisciplinary study, family and friends for useful comments and discussions, NLM Development Office for flexible working hours, my brother Trond for endurance and fruitful comments, and Jorunn for patience, affection and encouragement.

Thank you.

Dag Rune Sameien

Oslo, May 2012

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**CHAPTER I**

***Introduction***

* 1. **A tendency of violence**

The words petroleum and conflict seem to figurate together in countless news articles, scholarly debates and historical narratives. Recent development on the oil-rich borders of Sudan and South Sudan, and the conflicting interests in the Canadian oil-sand projects exemplify this too well. Where there is petroleum, the likelihood of finding some kind of conflict, often violent, appears to be strong. Findings from the 2010 Heidelberg Institute for International Conflict Barometer (HIIK 2010) support this assumption. They conclude that in a global perspective, the tendency of petroleum and conflict appearing together, has proven resilient. And to make it even worse, UNEP’s Expert Advisory Group on Environmental, Conflict and Peacebuilding (UNEP 2009), suggests that the tendency is even continuously intensified. In fact, an increasing volume of literature of theoretical and empirical research on how natural resources, and in particular petroleum, is linked to conflict support these findings. No doubt, investigating conflict-ridden resource-rich countries and why this tendency is so hard to curb, is as important as ever. And as such, this was the initial starting point for this thesis as well.

However, as the preliminary research progressed, I chose a slightly different approach. Rather than focusing on the conflict-prone states, one general question about the peaceful petroleum-rich countries motivated me: Considering the strong link between petroleum and conflict, what is “wrong” with the peaceful countries? Or more appropriately, what are these petroleum-rich, yet peaceful countries doing right? How come they are able to navigate past the seemingly inevitable conflict-ditch, and manage to develop their industries and societies peacefully despite their vast petroleum endowments?

Having this almost naïve general question as a backdrop, this approach soon opened new lines of arguments into my research. For long, the literature on petroleum and conflict has devoted a lot of energy on the economic aspects of petroleum governance and conflict. Exploring the success of the peaceful countries on the contrary, adds different, unexpected concepts into the equation, concepts that move beyond the realms of financial issues and economy alone, beyond transparency, corruption, revenue sharing systems and contract agreements. I found the concept of reconciliation, commonly associated with the restoration of broken relationships between peoples.

* 1. **Drawing the map**
     1. *Research Question*

Despite the strong tendency linking petroleum to conflict, there are too many complex possible explanations for why some countries succeed in remaining peaceful despite an extensive petroleum industry. And as much as finding national reconciliation projects in peaceful petroleum-rich countries surprised me, I knew that the objective of this thesis had to be all about the investigation and exploration itself, rather than concluding on causal mechanisms. Not only because of the complexity of peace or how to reach it and keep it, maybe even more because there have been conducted too little research linking reconciliation and petroleum governance to reach any valid causal conclusions. The ambition could simply not be to discover any secret ingredient of peaceful petroleum governance. However, I consider this thesis to be a plausibility probe, a preliminary cross-case study on “relatively untested theories and hypotheses to determine whether more intensive and laborious testing is warranted” (George and Bennet 2005: 75). And as this approach is explorative, the argumentative discussion is therefore the goal, and ultimately my contribution in itself: to determine whether or not a question is legitimate to raise considering the plausible mechanisms it assumes. Within this scope, I argue that reaching a valid thesis statement in linking reconciliation and petroleum governance is in range.

My main objective, which also serve as my research question is therefore to investigate *whether reconciliation is relevant to petroleum governance*.

Subsequently, if I manage to confirm relevance of my main objective, I want to investigate (1) *if and how reconciliation is practiced and interpreted into petroleum governance in peaceful petroleum producing countries*. And considering the violent and conflictual nature of petroleum producing states in general, I want to discuss (2) *to what extent this mix of reconciliation and petroleum governance can serve as a conflict prevention tool.*

* + 1. ***Thesis disposition and statement***

In my approach, it is eminent that I draw my exploration on the interdisciplinary scholarly debate on how natural resources in general and in particular petroleum, are linked to conflict. It is from the baseline this research constitutes, that I can discuss plausible links and legitimize and validate my questions.

Research has found that petroleum and natural resources are not isolated topics in a conflict (cf. HIIK 2010), and that the management of natural resources such as petroleum is linked to the management of a wide range of interdependent variables. As Rothman and Olson (2001: 296) put it: “It is very possible for a conflict to involve resources, interests, and identity; they are not mutually exclusive. Thus a conflict engagement process can cycle through each framing”. Consequently, I argue that it is important to move beyond only discussing how petroleum resources and conflicting interests impact conflict onset and duration. It is important to discuss how the last frame, identity, translates to conflict, even in petroleum conflicts. Michael L. Ross (2008: 200), one of the most significant scholars on petroleum and conflict describes this accurately when addressing the importance of considering prior identity as a factor in petroleum conflicts: “Separatist movements may be encouraged by mineral wealth, but they do not seem to be created by mineral wealth”.

In my approach I will seek to grasp some of this complexity, by framing my exploration through the concept of intractable conflicts (Bar-Tal 2000; Kriesberg 2003; Coleman 2003). This analytic frame, seeing the interdependent variables as a whole, provides the useful link that makes reconciliation relevant to the resource-conflict nexus, thus the link between *people* and *petroleum*. In short, the rationale is that petroleum is not conflictual in itself. Intractable conflict theory considers addressing the identity frame as the key to conflict solution. Hence, the central unit of a conflict, even resource conflicts, becomes the people involved.

In chapter two and three I will conduct a discourse analysis, however not full-fledged, given the vast inter-disciplinary nature of the resource-conflict discourse, and considering my limited scope. This discursive approach, moving from resources to identity, from petroleum to people, is important as it aim to answer my main research question, enabling exploring my additional research questions. As reconciliation is not commonly associated with petroleum, it is even more important to deploy a discursive approach in my thesis. Moreover, it constitutes the tool I use to raise the relevancy of this explorative research, as it legitimizes introducing reconciliation, and ultimately the exploration in chapter four and five, where the practice and potential of reconciliation will be elaborated on. Even if I rely on evidence and data from three carefully selected peaceful petroleum-rich countries, this exploration will not be a comparative cross-case analysis framed by case. My main frame of exploration is rather analytic and variable oriented drawing on elements from different cases.

In exploring the practices, I suggest that it might be plausible to link the national petroleum governance practices in these peaceful petroleum-rich countries to their respective national reconciliation projects. In this thesis I have chosen to refer to these identity sensitive practices as holistic petroleum governance.[[1]](#footnote-1) However, more laborious research is needed to determine the real scope of this link.

Using these findings, and drawing on conflict prevention theory as well as a broad concept of reconciliation theory, I proceed to discuss the conflict preventive potential of holistic petroleum governance in intractable petroleum conflicts. The limited scope of a master thesis forced me to narrow down this discussion to only include how reconciliation and petroleum governance relate to the issue of self-determination and decolonization, topic commonly associated with both petroleum and peoples.

Some of my findings indicate that it is plausible to argue that holistic petroleum governance actually can prevent conflicts, but that it also can sustain a conflict by not adequately addressing the asymmetrical power relations embedded in some conflicts. However, despite these limitations, I give two simple reasons for why it is a relevant link for further testing and exploration: First, because this thesis indicates that it actually is plausible to link reconciliation to petroleum governance in some of the most peaceful petroleum producing countries. Second, because there is a plausible conflict preventive potential in these practices. A third reason could perhaps be the simple truth that there undoubtedly is a great potential for improvement in improving current conflict prevention measures in petroleum producing countries in general. The tendency is after all, already strong and continuously intensifying (cf. HIIK 2010; UNEP 2009). As Franke et al. (2007: 7) suggest in a study on governing the resource-conflict dynamic, maybe there is time to explore “creative conflict prevention measures”?

* 1. **Research Methodology**
     1. ***Research design***

From the very beginning, when designing this study, I have chosen a qualitative approach based on an extensive, explorative desk study. I have chosen this design because of the nature of my inquiry, which is a general interest in natural resource conflicts and peacebuilding. My background in Peace and Conflict studies enables me to approach this subject from an interdisciplinary perspective even though I don´t have any particular academic background when it comes to specific petroleum conflicts. Nevertheless, the comprehensive interdisciplinary dialogue I present in chapter two and three enabled me to investigate a complex phenomenon from many angles slowly narrowing down the scope.

I have chosen to place my research in the framework of a plausibility probe, which is a distinct category of case studies (Bercovitch et al. 2009: 74). These studies are often not simple and quick, but as George and Bennet (2005: 75) warns, the term should not be used too inaccurately, as the intention should not be “to lower the standards of evidence and inference”. After all, this approach is not designed to help researchers avoid seeking logical interpretations. There are however, no strict rules as to how such case studies should be designed. This relates to the very nature of this approach: it’s nomothetic, and hence, it does not seek to give complete descriptions (Bercovitch et al. 2009: 75). Thus the exploration itself and the conclusion as to whether or not the question is relevant to rise is the core achievement. Bercovitch et al. (ibid: 75) describe plausibility probe studies as a “vehicle in testing the theory”, and as such it has enabled me to refine and explore suitability of cases and theory in a complex interdisciplinary landscape during the exploration. As such, it is also the most suitable design considering my research question. This means that I, by choosing this research design, do not intend to produce conclusions on causal mechanisms. My exploration is my contribution.

* + 1. ***Sampling strategy and case selection***

I have chosen a sampling strategy within the reach of a desk-study design. Thus I have only selected secondary sources of information from documents and articles from academics and practitioners. I have also relied on official data, statistics and information from the internet. A more thorough research, gathering data from more different types of sources, as for instance primary sources, could have shed new light to my research. However, I will argue that this is not as necessary given the plausibility probe design of my research.

I have chosen a very simplistic and intuitive compilation of cases, based on three broad and basic categories. The criteria have been, first, that there is substantial production of petroleum. Here I have used statistical figures for oil and gas production from NationMaster.com.[[2]](#footnote-2) The second criterion was that there had to be substantial identity based greed or grievances linked to this petroleum production. To determine this, I simply had to briefly assess the potential cases individually reviewing available literature from the internet and library. The third criterion was that the cases must be peaceful, understood as peaceful according to what score they have on the 2010 Global Peace Index (GBI 2010).

In order to identify cases well matched to my three criteria, I first lined countries by their rank on the 2010 Global Peace Index. After all, my curiosity was now turned towards the peaceful countries. Then I chose to search among the 20 most peaceful countries of the world, for states with substantial oil and gas production. As there are several, and in order to limit the number of cases, I chose to operationalize *substantial production* as the top 30, largest oil and gas producing countries in the world. This was not based on the dependency of the production, but merely on the number the country obtain in the ranking from 1-30 in petroleum production. Deploying this strict strategy for case selection, I identified three relevant cases. The figures behind each country indicate; first, the positions on the 2010 Global Peace Index (ibid), followed by the ranking among world’s oil and gas producers: Canada (8/6/4), Norway (9/13/5) and Australia (18/29/18). [[3]](#footnote-3)

* + 1. ***Research strategy***

My research strategy largely follows the logic of Ragin and Amoroso’s (2011) notion that social research is characterized by a constant interplay between ideas and evidence. In the following, this *Interpretive Model* with its focus on framing and imagingwill be briefly described (ibid: 60).

The interdisciplinary literature review and discursive approach in chapter two and three present the theoretical *ideas* that may be used to interpret the phenomenon I examine. From all these ideas, the socio-psychological approach to reconciliation, in particular as presented by Bar-Tal (2000) and Kelman (2008) is the main theoretical foundation. After all, reconciliation is the core idea of this thesis. However I also have relied heavily on for instance conflict prevention theory by Lund (2008), intractable conflict theory (Bar-Tal 2000; Coleman 2003; Kriesberg 2003). Also the notion of “northern territories” as presented by Jull (2002) turned useful when assessing the petroleum governance in Canada, Norway and Australia. This frame enabled me to explore my cases based on the similarities they share. This notion also made indigenous peoples, the most valid collective identity group in my thesis.

Some scholars provide concrete frameworks, which Ragin and Amoroso (2011) refer to as analytic frames. Analytic frames are conceptual tools that are constructed through interaction of theory and evidence. Essentially, they are “ways of seeing the things they elaborate” (ibid: 60). These frames may be changed and revised during the research process, and as I didn’t know what any of my cases is “a case of” other than my three criteria, and as this exploration is my contribution in itself, my research have elements of what Ragin and Amoroso (2011: 78) call fluid frames, a type of “creative interaction among frames”. In this type of research, which fits the plausibility probe case study design I have chosen, different frames can, they continue, “be explored to see which help make the most sense of the evidence” (ibid: 78).

The evidence in my thesis constitutes the whole range of potential data on reconciliation processes and petroleum governance systems in my cases (Ragin and Amoroso 2011). Ideas and analytic frames, however, direct the attention of this exploration to specific types of evidence, narrowing down the scope. While chapter two and three is an exploration through ideas and fluid frames derived from a vast scholarly debate, in chapter three and four, I attempt to focus the collection of evidence on the most relevant analytic frames for practice and potential. To do this I found a report on good petroleum governance by Chatham House (Lahn et al. 2007) very useful. Whereas in the final discussion on conflict prevention potential, I largely relied on the analytic frame of “deep-colonization” as presented by Marchetti (2006). These frames where helpful in understanding the data by relating it back to the ideas. This process produces what Ragin and Amoroso refer to as images (ibid: 74). It is through the interaction between frames and images, that the picture or representation is produced. In reality, this process has been constant and overlapping, and not as step-wise as the theory Ragin and Amoroso (2011) suggest. My initial move from framing by conflict-prone countries to peaceful countries is one such move that shaped this research and the ultimate representations significantly.

* + 1. ***Enhancing validity***

This research, designed as a plausibility probe cross-case study, is not concerned with concluding on causal mechanisms, its main contribution is the exploration itself. This makes both the internal validity, the degree to which it is possible to argue that associations are causal, and the external validity, whether the findings can be generalizable, of less interest (Hoyle et al. 2002: 264). But despite this design, and the methodological shortcomings in establishing validity, I have strived to enhance the construct validity. Even though I don’t operate categorically with reconciliation as the independent variable, and peace as the dependent variable, this link is after all what I want to explore in my discussion.

Both petroleum governance and reconciliation, as I will present later, however, are multifaceted concepts with no clear definitions. My fluid frames underpin this. It is therefore difficult to achieve a high degree of construct validity as I can’t really be sure my approach successfully capture or measure all the relevant constructs in these cases (ibid: 264). However, by maintaining a logical chain of reasoning from research question to conclusion, and by conducting triangulation of different sources, even if they are all secondary sources, have helped to minimize my own biases. This has developed a rich construct that I think measures adequately considering the plausibility I seek to explore. Additionally, I have chosen to devote a lot of effort into the discursive exploration when conceptualizing *people* and *petroleum*. This provides an additional source to verify the content of the data, serving as a form of investigator or analyst triangulation (Patton 2002: 560). If this research conclude that more laborious testing is needed, more laborious standards of validity would also be necessary in the future.

* + 1. ***Limitations of the study***

In an ideal world with no constraints, I would obtain more quantitative data on the cases in my study, especially considering the quantitative character of petroleum governance. I would also like to sample more data from primary sources given the individual character of reconciliation. This would strengthen the plausibility I seek to determine and would also add to the credibility of the images and representations when discussing the potential of reconciliation. Some cases have less evidence than others in my study. In cases where I have had problems finding relevant information, this could have been expanded by conducting fieldwork and gathering primary data. This would provide a more accurate picture of some of the cases. However, as this is part of the challenge and limitation of my study and as there is a lack of research directly assessing the link I explore, my approach was to only discuss elements from the cases. After all, this is a plausibility probe within the reach of a desk-study.

**CHAPTER II**

***The Petroleum***

* 1. **Introduction**

In this chapter, I will provide a glimpse into the vast interdisciplinary discourse on how natural resources and conflict is linked. My focus is on petroleum and conflict, and I will provide definitions and conceptualizations as I explore the scholarly dialogue. This chapter is important as I can present theories and identify knowledge gaps, which in turn provide relevancy for further exploration. It is from this process of assessing the intractability and complexity of petroleum conflicts, it makes sense to extend the scope in chapter three to also include an identity frame.

* 1. **Petroleum and natural resources**

The first important distinction when studying natural resources relates to the core characteristics of the resources, whether it’s renewable or non-renewable. I rely on the World Trade Organization’s (WTO 2010) broad definition of natural resources.[[4]](#footnote-4) This makes petroleum, understood as oil and gas, a valuable, non-renewable resource, which only exists in a fixed amount[[5]](#footnote-5). However, I will rather use the term “natural resource factors” when referring to non-renewable resources in general (Kok et.al 2009: 12). When discussing renewable resources such as land and water, I will use the term “environmental factors” (ibid). It is useful to operate with this distinction as both environmental and natural resource factors play significant roles in explaining different types of conflicts. However, they don’t necessarily operate separately. For instance, conflicting interests for oil, land and fishing rights can occur in the same instance[[6]](#footnote-6). So what then is a petroleum conflict?

* 1. **Petroleum conflict**

When I use the term petroleum conflict, it is a broad term including both natural resource and environmental factors as long as the conflict, defined as “the experience of incompatible activities” (Coleman 2003: 6)[[7]](#footnote-7), is significantly related to the extraction and/or production of oil and gas, or the distribution of costs and benefits generated from this. Conflicts are a natural part of human reality, whether it’s related to resource management or not, and I would argue that incompatibility can be a driving force for development and creativity. Therefore, identifying levels of conflict intensity is crucial for my exploration. To this regard, Heidelberg Institute of International Conflict Research (HIIK 2010), provide a useful framework in their annual Conflict Barometer. They differentiate between five levels of intensity: Positional differences and the non-violent manifestation of these positions are the two lowest levels of conflict intensity. Crisis, severe crisis and war are violent conflicts and constitute the three highest levels of intensity. An ordinal scale is useful when comparing large numbers of conflicts, but falls short when looking into the complex dynamics of many petroleum conflicts.

Intractable conflict theorists describe some conflicts as particularly complex, resolution-resistant, and often based on conflicting positions of identity (Bar-Tal 2000; Kriesberg 2003; Coleman 2003). This analytic frame serves this thesis well because it doesn’t only refer to levels of intensity, but also the underlying dynamics of a conflict, which essentially depends on people’s perception and experience of the conflict, violent or not. This means that conflicts don´t necessarily manifest on an exact level of intensity to be intractable (cf. HIIK 2010). For instance, different positions between a state and its indigenous minorities don’t necessarily score high on an intensity scale, but they can be perceived as intractable, maybe especially by the indigenous peoples often endorsing a different way of life than its host country[[8]](#footnote-8).

The scholars suggest several interrelated explanations for why some conflicts become resolution resistant and intractable. For instance, Coleman (2003: 11) suggests the intractability to occur in conflicts that “emerge from a context with a history of domination and perceived injustice”. Further, disputes over high-stakes distributional issues such as land, and moral differences on irreconcilable issues like abortion, have also been suggested as variables causing intractability (ibid). Moreover, the intractable conflict discourse also provides a useful way to see these “interrelated and mutually influential variables”(Coleman 2003: 7), such as petroleum and other interconnected factors (cf. HIIK 2010) as a complex whole. Still, whatever complex set of causes, many scholars consider addressing the identity frame as a key for resolving the intractability (Rothman & Olson 2001; Kriesberg 2003; Coleman 2003). Consequently, intractable conflicts require a more integrated, almost holistic conflict engagement to address interests, resources and identity (Rothman & Olson 2001). This holistic engagement is at the core of this thesis as it makes discussing reconciliation in petroleum conflicts relevant.

* 1. **Greed vs. Grievances**

The scholarly debate on how natural resources translate to conflict, has to a large extent evolved around the civil war discourse and the “greed vs. grievances” dichotomy. This was very much sparked by the research of Paul Collier and Anke Hoeffler in the late 1990’s finding a statistical correlation between the capture of natural resources and civil war (Collier & Hoeffler 1998; 2004; Collier 2000). Collier and his fellow researchers at The World Bank found stronger empirical proof relating the onset and duration of civil war to the natural resource wealth and the economic incentives of *greed*, rather than to religiously, ethnically and ideologically *grievances* (Collier & Hoeffler 2002). This finding has both been elaborated on and met with criticism and nuances, even by Collier and Hoeffler themselves (Collier, Hoeffler and Rohner 2009). For instance, many prominent scholars have shown that there is little evidence for arguing that primary commodity exports, which was the measure of resource wealth Collier and Hoeffler used, actually cause civil wars (Fearon & Laitin 2003; Fearon 2005; Ross 2004). Rather it has been suggested that conflict is much more linked to the availability of mineral wealth such as petroleum (Fearon & Laitin 2003; Fearon 2005; de Soysa 2002; de Soysa and Neumayer 2007; Ross 2004).

The scholarly discourse suggests multiple and often divergent ways in which petroleum and other natural resources are linked to conflict. In a recent literature review by Mildner et. al. (2011), a comprehensive map of the vast literature on natural resources and conflict is presented. In their approach, they divide this literature into two broad categories: research on resource scarcity and conflict, and studies analyzing the relationship between resource abundance and conflict. In my exploration, I have chosen to deploy this categorization, as these are two broad categories that capture most relevant aspects of the “greed vs. grievances” discourse. Even more importantly, they provide a good background for discussing issues even “beyond” this dichotomy.

* + 1. ***The scarcity of resources***

Conceptually, resource scarcity is often associated with “grievances”. This is because grievances tend to address social inequalities and injustices, which often is a result of “demand-induced scarcity” (Mildner et al. 2011: 158). In petroleum conflicts it provides a useful framework for assessing how scarcity of environmental factors such as land, water, timber and fish relate to the conflict. Researchers suggesting a link between scarcity and conflict, propose that conflict and confrontation is the only option when people’s livelihoods are deprived or threatened by deprivation (Hauge and Ellingsen 1998; Urdal 2008). In short, the rationale is that population growth leads to competition over scarce resources, ultimately causing conflict. It becomes a matter of existence. In a petroleum conflict setting, this can explain minority grievances when their livelihoods are deprived by states and majorities’ engaged in resource extraction. Especially if there also are, both perceived and real inequalities in access to the revenues it generates (Kok et al. 2009: 12-13).

Mildner et al. (2009: 158) suggest that some developing countries are more conflict-prone because their institutions don’t adequately address grievances. This counts in particular when their institutions are week, ineffective or simply don’t exist at all (Giordano et al. 2005). Bennet et al. (2001) however, suggest that this is not entirely dependent on economy, but also occurs more often when institutions are not able to draw on other formal and informal institutions. This is an interesting aspect to bring into my later discussion on petroleum governance.

The scarcity paradigm has been met with a lot of criticism. Mildner et al. (2009: 161) comment on the findings from the resource scarcity discourse that “ethnic and economic inequalities are the central problems, not declining resource availability”. This is in line with Nafziger and Auvinen’s (2002) research which conclude that horizontal inequalities in access to, or control over scarce land, water or other environmental endowments can be worsened when inequalities are based on race, class, ethnicity and religion. Contemporary statistical research has also criticized the scarcity paradigm suggesting the connection between scarcity and conflict as simply too weak (Theisen 2008), particularly when compared to mineral wealth (de Soysa 2002). Le Billon (2001) stresses the fact that it is difficult to establish a direct link between population growth and scarcity-induced conflict because there are too many non-environmental factors coinciding. Rather, he proposes a different concept, “resource conflicts” (Le Billon 2008). This also involves non-renewable resources such as petroleum, for instance when the scarcity of oil or gas is linked to the issue of national or military resource security.

Theisen (2008) suggests that environmental factors may link to less violent conflicts, below the brink of civil war. This brings further relevancy to the concept of conflict intractability. Grievances are simply not only about the scarcity of resources, but also about power and group’s perceptions of injustice (Kok et al. 2009: 12). For instance, Gausset (2005) has found that this perceived gap between needs and resources is very imperative. Thus, even though resource scarcity is a contested variable, it may play a viable way of understanding some of the conflict dynamics when framed by the intractable conflict model.

* + 1. ***The abundance of resources***

Over the years the grievance discourse has been in a constant dialogue with the “greed” paradigm. Greed is mostly associated with the way resource abundance, understood as high production per capita of the resource, and conflict is linked (Mildner et al. 2009). This is the most common frame for understanding how petroleum and conflict is linked (Le Billon 2008; Basedau & Lay 2009). In this frame, the abundance of resources represents an opportunity for getting a share of the revenues it generates, and “greed” approach thus provides a useful framework for assessing natural resource factors of high value such as petroleum and the economic incentives of the parties involved.

Most scholars differentiate between government actors and rebel organizations when assessing the resource abundance variable. Abundance of valuable resources can represent an opportunity of finance for rebellions and as enrichment for corrupt leaders (Collier and Hoeffler 1998, 2004). Le Billon (2008: 354) uses the term “conflict resources” to account for both dynamics. The state-centered mechanism is however, not solely a matter of abundance, but more importantly, dependence, defined as the proportion a resource constitute of a country’s total exports . This is because dependence is linked to the idea of the rentier state, and how rent-seeking can cause authoritarian regimes and weak institutions. Especially resource-rich developing countries, with poor political, administrative and financial capacity tend to develop weak institutions and governance problems (ibid: 347). Based on the findings of their literature review, Mildner et al. (2011: 164) suggest that the risk of conflict is increased through three mechanisms: more rent-seeking activities, less public goods, and limited capability to end violent disputes. Moreover, they identify researchers suggesting that higher governmental revenues actually reduce the risk of conflict, as governments can spend more on military expenditures to prevent rebellion or to facilitate public goods to conciliate opponents (ibid: 165). For instance, Basedau and Lay (2009) has found that countries dependent on oil are more peaceful when they also have abundance of oil. This enables them to use high revenues to achieve internal stability.

* + 1. ***Types of resources***

The literature shows that also the resource characteristics matter when assessing the link to conflict. According to Le Billon (2005: s-s), the “resource accessibility” is one such influential characteristic. For instance, rebellion is less probable when the resources, for instance petroleum, are concentrated, and in the hands of a few producers, what Le Billon refers to as point resources. If they are proximate resources, and found close to the power center they also usually are under governmental control. When the resources are diffuse and spread over a wide area, or only found in remote areas often near politically contested borders and lands, the chance of rebellion is higher. Further, Le Billon also suggests that the value of the commodities matter, he calls this frame the “resource profitability” which is defined by legality and value-to-weight ratio. Governments cannot participate as easily in illegal trade as rebels. However, legal resources such as oil and gas can be traded by governments, and usually produce more revenues.

Ross (2003) suggests that “resource lootability”, whether or not the resource extraction and transportation is easy, is an important factor. Le Billon (2005) stresses however, that whether the resource is found inside or outside a conflict area can matter more. Rebellion can for instance be more attractive and achievable in resource-rich regions, regardless of the resource’s lootability. This is relevant when assessing petroleum conflicts, as petroleum usually is considered resistant to lootability. In fact, a high proportion of petroleum conflicts are related to secessionist aspirations and insurgency (Ross 2010). Many researchers have suggested that lootable resources only influence conflict duration, not onset (Ross 2004, Welsch 2008; de Soysa 2002; Fearon and Laitin 2003). On the contrary, other researchers like Lujala (2010) have found that oil and mineral resources actually increases the risk of both conflict onset and duration. Soysa and Neumayer (2007) suggest that this link is more significant to less violent conflicts than civil wars. As pointed out by Milder et al (2011: 166), maybe non-lootable resources such as oil and gas affect both onset and duration of conflicts, because they are more lootable than first expected? All in all, these findings are inconsistent and inconclusive.

* 1. **Preventing petroleum conflicts**

The various findings of the past decade scholarly debate have been translated into a range of policy recommendations to operationalize management strategies to minimize petroleum-related risks. The research has underlined the complexity of the resource-conflict dynamic, and the goal has been, and still is, to essentially curb or prevent conflict escalation and resurgence. These countermeasures thus represent types of conflict prevention interventions.

* + 1. ***Conflict prevention***

Conflict prevention is a concept that over the years has been broken down into essentially two main areas. Operational prevention, or “light prevention”, refers to tactics and strategies that are started when violence seems to be imminent (Lund 2009: 292). Structural prevention or “deep prevention” on the other hand strives to address the root causes of a conflict (ibid). There is a wide range of tools, on either scope, that can work as conflict prevention. According to Lund (ibid: 292), it is not important whether or not the term conflict prevention is explicitly mentioned in a concept for it to serve as a conflict prevention tool. What is important, is that the tools encompass features “that perform prevention effectively”.

* + 1. ***Petroleum Governance***

Natural Resource Management (NRM), the governance of the resources, can be a conflict prevention tool (Lund 2007; UN-FP 2010). It therefore makes sense to assess if petroleum governance, a type of NRM regulating access to, use and management of petroleum, can prevent the triggering, escalation or resurgence of petroleum conflicts. In a Chatham House (CH) report, based on the input from relevant actors involved in petroleum governance in 23 developing and developed countries with significant oil- and gas-production, the researchers provide a very good standard of what good petroleum governance is (Lahn et al. 2007). The report concludes that there is a high degree of agreement to the functions and actors in petroleum governance. Policy-making, strategy-making, operational decision-making and monitoring and regulation, are the four key governance functions identified. The actors in the governance of the oil and gas sector are: the State/Government, people and society and operators and investors (ibid: 8).

They identify five commonly understood principles of good petroleum governance: first, petroleum governance should be characterized by “clarity of goals, roles and responsibilities”; second, it should have “sustainable development for future generations” as a central objective; third, it is eminent that the actors in the petroleum governance are “enabled to carry out the roles assigned”; fourth, that these actors must be “accountable of decision-making and performance”; and fifth, that “transparency and accuracy of information” as a principle is mainstreamed throughout the petroleum sector (ibid: 8).

As a framework, this report provides a good indication of what petroleum governance should be like. And as such, I will deploy it in my later exploration. Still, it offers little insight to how exactly petroleum governance can address the conflict risks. To elaborate on these dynamics, I will assess more contemporary studies.

* + 1. ***Countermeasures***

In a recent study, researchers at the German Institute of Global and Area Studies (GIGA) suggest countermeasures which petroleum governance should possess to function as conflict prevention (Mähler et al. 2011). They draw on the greed vs. grievances discourse, and distinguish between countermeasures that respond to motives (grievances), opportunities (greed) and indirect economic risk mechanisms and indirect political-institutional risks (ibid).

Initially, targeted sanctions were chosen as the main response to opportunism and armed rebellions (Mähler et al. 2011). However, Le Billon and Nicholls (2007) have found that it is important to contextualize responses, and that in an overall setting, revenue sharing and military intervention have a better record (ibid: 629). Research have also argued that to simply include increasing number of security forces to protect production sites (Ross 2001), military protection, or the maintaining of international military bases (Basedau & Lay 2009), can also prevent conflict escalation. Transforming the economy of the conflict zone by diversifying the economy can also curb the “greed” mechanism (Ballentine & Nitzschke 2005; Le Billon 2005).

From a grievances perspective, the motive mechanisms are the most relevant to address. Le Billon and Nicholls (2007) propose the creation of specific revenue-sharing regimes, especially if the conflict aligns with territorial incompatibilities. This is a type of decentralized development initiative meant to compensate for the negative effects of resource extraction (Mähler et al. 2011: 7). In order for revenue-sharing regimes to serve as conflict prevention, Bennett (2002: 2) emphasizes the importance of engaging all the right stakeholders, only use legitimate management instruments, and make sure it encompasses effective tools for settling disputes.

Transparency initiatives, both national and international, are also important countermeasures to prevent conflict onset and escalation (Bennet 2002; Ballentine & Nitzschke 2005; Le Billon 2005). This can be related to what Mähler et al. (2011) refer to as indirect economic and political-institutional risks. Stabilization funds to help making the economy less vulnerable to fluctuating prices, is suggested by some researchers (Bennet 2002). Also future-generation funds, like pension or saving funds, can serve as conflict prevention tools, just with a longer perspective (Mähler et al. 2011: 8). However, Le Billon (2005) has found that funds dominated by national stakeholders, risk being seized by politicians and subject to corruption. So in the long run, the only option for avoiding the economic risks linked with resource extraction is economic diversification (Collier and Hoeffler 2000).

As petroleum governance also includes the role and responsibilities of the extractable industries, conflict-sensitive businesses, and especially the normative concept of Corporate Social Responsibility (CSR), is relevant. Le Billon (2005) suggests that these measures go beyond transparency and allocation of revenues, and proposes that industries should actively engage with the other stakeholders, in particular through dialogue with local communities. Many companies also conduct Impact Assessments (IA) and Social Impact Assessments (SIA) to assess the possible effect an intervention can have on a society and environment before implementation. A risk analysis can also provide some insight and considerations about the most important risk factors and dynamics before intervention. Lahn et al. (2007: 29) emphasizes that CSR enable sustainable development when aligned with national development agendas.

Concluding on this broad web of dynamics, Franke et. al (2007: 9) suggest that “effective resource governance requires shaping policy sectors through a mix of opportunities and incentives aimed at transforming the curse into a blessing.” Concrete measures should include “democratic oversight, transparent revenue-sharing, effective corruption control, a stable investment environment, and the establishment and enforcement of international control regimes” (ibid: 9-10). In a recent report from the United Nations Interagency Framework Team for Preventive Action (UN-FT 2010), the institutional and legal framework this entails, can prevent conflict when amended and negotiated as part of a constitutional accord. This is particularly important in divided societies where “ethnic, linguistic, and/or religious differences align with real or perceived inequalities in the distribution of the resources and the impact associated with their development” (ibid: 34).

All in all, this literature suggests several mechanisms and governance measures that can prevent conflict. One very important question when assessing the empirical evidence after years of implemented countermeasures in petroleum governance remains unanswered though. Do they work?

* + 1. ***The perfect countermeasure?***

As presented in the introduction, the tendency of petroleum and conflict going hand in hand is already strong (cf. HIIK 2010). The fact is that despite of the acknowledged importance of governance and resource management, petroleum-producing states continue to constitute an ever increasing proportion of the world’s conflict-ridden countries (Ross 2008: 2). But why exactly isn’t the current resource management and petroleum governance effectively preventing conflict?

At the moment this question cannot be answered adequately, there have simply been conducted too few comparative empirical studies of the performance of petroleum governance-measures to fully answer it. Yet, in one of the most recent studies, the researchers found that even though there is a tendency that conflict-prone countries truly engage in natural resource-related countermeasures, such as transnational transparency initiatives and revenue sharing initiatives, they find no significant positive results (Mähler et al. 2011). The study relates these findings first and foremost to the implementation of the different measures being too poor (ibid: 24-25). However, the researchers also propose that “the perfect type of countermeasure does not exist” (ibid: 25), and that rather, “future resource management measures should be integrated into more comprehensive policies that address the underlying issues and divergent causes of the different conflict risks” (ibid: 25). This aligns with conclusions from other related research (UN-FB 2010), and indicates that the tendency Ross (2008) stressed has not curbed significantly over the years not only because of the performance of these countermeasures, but because the governance is not sufficiently addressing the complexity. These findings support my approach in this thesis, framing petroleum conflicts as intractable conflicts; there are simply too many “interrelated and mutually influential variables” (Coleman 2003: 7).

Jay Rothman and Marie L. Olson (2001) draws attention to one last frame of conflict management, important in intractable conflicts yet often left outside the equation in petroleum conflict analysis: identity. Maybe the complexity of petroleum conflicts should be understood as more a matter of resources and interests? Maybe all these interrelated variables indicate that the analytic frame of intractable conflict is more relevant than currently recognized? Rothman and Olson (2001: 296) put it:“When protracted and identity issues are at stake, the identity-conflict frame must be applied first”. Maybe the identity frame deserves more attention, even when resources and interests seem to be the obvious conflict subjects?

**CHAPTER III**

***The People***

* 1. **Introduction**

Whether “greed” or “grievance”, opportunity, motivation or indirect mechanisms, whether we focus on environmental or natural resource factors, how scarcity or abundance link to conflict, no matter how conflict is manifested, the central unit of any conflict will always be the people involved. While the previous chapter draws heavily on the resource and interest frames, it is relevant for my thesis to extend the scope to include the comprehensive academic discourse on how collective identities and conflict are linked. Maybe it is reasonable to suggest that the ways in which people identify themselves and others, affect even natural resource conflicts such as petroleum conflicts?

* 1. **Collective identities**

If the petroleum conflict or any other conflict involves different groups in a population, Kriesberg (2003) argues that people must have a sense of collective identity about their opponent and about themselves. Given that these collective identities are present, it is relevant to address the nature of collective identities and how exactly they translate into conflict. To answer this, two major academic positions approaching social identities will be relevant, modernism and perennialism. These positions affect the way in which we understand the nature, sources and shapers of identity, but as I will present, they also provide very useful links to the “greed vs. grievances” debate and the intractability of a conflict.

Perennialists stress the importance of long-lasting cultural practices in defining and distinguishing collective groups. Some scholars therefore argue that conflict is more likely simply because of the differences between these practices (Horowitz 1985; Huntington 1996). In contrast, modernist theories stress how these identities are socially constructed. Hence, the systematic politicization of these cultural differences is the central issue. According to Kaufmann (2009: 5), modernists analyzing ethnic conflicts, maintain that the elites use ethnicity instrumentally for their own advantage.

* 1. **How identity translate to conflict, and the other way around**

No matter if there are conflicts or not, collective identities are a natural part of society, and everyone seem to have multiple identities (Kriesberg 2003: 3). However, as Kriesberg points out, “their relative importance and compatibility differs in various times and circumstances”. What mostly affects the intractability of a conflict is therefore the content of the identities. Kriesberg (ibid: 3-4) suggests eight qualities or characteristics of identity that potentially influence intractability: identities that are persistent, primary, non-compromising, have negative views of the “other”, non-inclusive, nationalist, victimized and antagonistic.

In Bar-Tal’s (2000) approach to conflict resolution in intractable conflicts, the focus is not only on how different qualities of collective identities influence intractability. His focus is the other way around, how the conflict itself forces people to adapt and form what he refers to as societal beliefs. These beliefs are defined as “society members’ shared cognition on topics and issues that are of special concern for society and contribute to their sense of uniqueness” (ibid: 353). Bar-Tal links these societal beliefs to both how groups perceive an intractable conflict, and how they are motivated to act on it. In order for groups in intractable conflicts to endure the suffering, groups develop special beliefs. According to Bar-Tal the three most common societal beliefs are positive self-perception, justification of their own goals, and need for national security and personal safety. Some also ignore internal disagreements and engage in patriotism to develop strong believes about their unity. Self-victimization, and delegitimization of the opponent, are also common beliefs developed during intractable conflicts. According to Bar-Tal (ibid: 354) most societies however also develop beliefs of peace as “the ultimate desire of the society”. As such, the collective identity doesn’t only hold traits that facilitate conflict, it also contains the potential for peace.

* + 1. ***Ethnicity and indigenous peoples***

Much of the discourse on collective identities and conflict, have been approached through the notion of ethnicity, or “ethnic conflict” (Harff & Gurr 2004). Whether ethnicity is socially constructed by an achieved status, or a phenomenon based on ascribed differences, depends on the stand scholars hold on how collective identities are made in general. For instance, Horowitz (1985) defines ethnic groups by their ascriptive variances. This means that ethnic groups consciously use traits to define membership at birth (ibid: 17-18). Achieved ethnic status on the other hand is determined by qualities such as shared beliefs, concerns and values, traits that are developed later (Kriesberg 2003:2). Even if it is easy to take a modernist stand in how collective identities are formed, as I do in my approach, it is challenged by the notion of indigenous peoples. As discussed later, this is an important distinction to make in petroleum governance.

By definition, indigenous groups are not the same as ethnic groups. The only definition of indigenous peoples that is legally binding to ratifying states is the one included in the Indigenous and Tribal Peoples Convention 169 that was adopted in 1989 by the International Labor Organization (ILO 1989). An essential condition for being regarded as an indigenous group is the “self-identification” as indigenous (Hodgson 2002: 1042). The 1989 Convention recognizes the “aspirations of (indigenous) peoples to exercise control over their own institutions, way of life and economic development and to maintain and develop their identities, languages, and religions, within the frameworks of the States in which they live” (ILO 1989: preamble). In addition to this recognition, the Articles that followed suggest a comprehensive set of governmental responsibilities and indigenous rights[[9]](#footnote-9).

The discourse and definition of indigenous has first and foremost been shaped by the experiences of the indigenous peoples of the Americas, Australia and Europe. African and Asian groups that define themselves as indigenous are still struggling for similar recognition. When the term is used in Africa, it is often referring to “distinct cultural minorities who have been historically repressed by majority populations in control of the state apparatus” (Hodgson 2002: 1042). The emphasis of this structural position towards the host country relates to the idea of “non-dominance” which is another important characteristic of indigenous peoples stressed by José Martinez Cobo, former Special Rapporteur to the Sub-commission on Prevention of Discrimination and Protection of Minorities. These African groups don’t claim to be “first people,” rather they emphasize the similarity of structural marginalization (Hodgson 2002: 1042).

This notion of “non-dominance” is especially significant in my thesis for two reasons. First, it brings relevance to the intractable conflict frame, and how such conflicts often emerge from a history of “pecking order”. Even more importantly, it provides a link to frame indigenous peoples as “peoples.”

There is no standard definition of “peoples”. However, it is a powerful term as the right to self-determination is internationally granted to peoples. For instance, both UN human rights treaties of 1966, the International Covenant on Economic, Social and Cultural Rights (ICESCR 1966) and the International Covenant on Civil and Political Rights (ICCPR 1966), recognize this right. The principle was in fact already recognized in the very first Article of the 1945 Charter of the United Nations, and hence it is one of the basic purposes of the UN (Haugen 2001). Despite its recognition, this right, as Hodgson (2002: 1043) points out, is of great concern for many countries with groups that frame their identity through the notion of “non-dominance”. This is because a state’s territorial integrity is conditional and that if any group is excluded from exercising their right to self-determination, the condition is not fulfilled (Radan 2007: 12). As such, there is a strong link between the definition of indigenous groups and the rights of peoples. But is this link also overlapping environmental agendas and natural resource interests?

* 1. **Collective identities and natural resources**

There are not many theorists approaching the link between social identities and natural resources. Ross (2008) asserts prior regional identities as one structural risk factor in resource conflicts, and suggests multistakeholder dialogues as a preventive tool. In an attempt to give a more comprehensive contribution Arthur Green (2010) in a recent article develops a framework for understanding the links between collective identities, natural resources and conflict. He proposes a set of policy recommendations for a natural resource management (NRM) that is more identity-sensitive. His point of departure is that the economic value of resource and the greed explanation in particular, cannot solely explain the role natural resources play in conflict.

Green both contributes and elaborates on existing “greed vs. grievances” discourse in stressing the importance of social identity in NRM. Natural resources, he claims, “may play potent symbolic roles in ethnonational discourses, be deeply embedded in local social relations, and be framed in identity-based claims that serve strategic political interests” (ibid: 2). As his focus is post-conflict NRM, a central challenge in his approach is “identifying if and how natural resources are linked to the dynamics of recent or historical conflict” (ibid: 1). He thus sees NRM not solely as ensuring equitable distribution of revenues, or the promotion of good governance. Green (ibid: 2) draws attention to what he calls “the under-theorized realms of how cultural and political values of natural resources must be managed in NRM”.

When seeking to understand how collective identities such as indigenous groups relates to natural resources, conflict and peacebuilding, the choice of analytic frame is eminent. Green (2010: 3) suggests that while perennialists see unavoidable conflicts, because they recon the link between identity and native territories are fixed, a modernist on the other hand would encourage the creation of new identity frames as conflict is preventable. Resource conflicts in the eyes of modernists, he continues, are then understood as the result of “strategic interests and political discourses framing territorial or resource claims as social identity claims” (ibid: 3). As the NRM discourse currently is lacking an analytical framework for understanding the links between collective identities and natural resources, he stresses that NRM, and in my case, petroleum-governance, can be “ignoring important criteria for successful peacebuilding and conflict prevention if it pays no attention to this link” (ibid: 1). Green (ibid: 2) underlines that there is a need for both a clear theoretical framework, and for future research that adapts and improves the practical use of this research.

There are however, several possible explanations as to why this approach is currently under-recognized in theory and practice. For instance, Ballentine and Nitzschke (2005) suggest that several policy makers, after the ethnic conflicts of the 1990s actually welcomed the very idea that rebel greed cause resource conflicts. Disputes over revenues where simply seen as less complex and intractable than conflicts over identity issues (ibid: 4). The policy-makers focus on greed shaped politics, and according to Ballentine and Nitzschke (ibid:4), this gave oppressive and corrupt leaders in conflict-ridden countries a convenient argument to hide their own repression, and put the blame for violence and lack of development on “greedy rebels”. As discussed in the previous chapter, the “greed” discourse has evolved over time. Still, some scholars believe this might have hindered the exploration and innovation of “creative conflict prevention measures” (Franke et al. 2007:7) in current petroleum governance.

* 1. **Introducing Reconciliation**

Reconciliation is commonly recognized as both a process and a goal. For instance, Louis Kriesberg (2004: 82), one of the most prominent scholars on this topic, provides a definition that captures this duality, arguing that reconciliation is “actions that sometimes help transform a destructive conflict or relationship, the processes by which that transformation occurs, or the outcome of such processes”.

The Peacebuilding Initiative (PI n.d.), a joint project between the United Nations and Harvard University, provide an extensive overview over the most central definitions and conceptualizations of reconciliation. This is a challenging task given that the term, which lacks a standard definition, is frequently used all over the world. However, they have identified some important common qualities of different analytic frames and theories of reconciliation. For instance, they have found that most scholars recognize that the reconciliation process is not linear, but depends heavily on the context. Hence, it is problematic to determine exactly when reconciliation is achieved. Part of this complexity is due to the fact that reconciliation operates on several levels. For instance, it is a process between both individuals and groups, but also how it is backward-looking and forward-looking at the same time. This makes reconciliation a long term task. As the process depends extensively on the context and its actors, scholars have suggested many different types of reconciliation processes often targeting specific groups. Nonetheless, whether reconciliation is a national bottom-up approach or a political top-down process, shared truths, justice, respect, and security are usually some of the main components in a reconciliation process.

* + 1. ***Resignation, consistency and relationship***

Mark D. Walters (2007: 2), in an essay on the jurisprudence of reconciliation, suggests that reconciliation is an aspect of legality. He categorizes reconciliation into three different types of dimensions, resignation, consistency and relationship. Even if they approach reconciliation differently, “they all involve finding within, or binging to, a situation of discordance a sense of harmony” (ibid: 3). These three dimensions serve the exploration of this thesis very well as they capture different characteristics of the intractability of petroleum conflicts, while keeping reconciliation the overall frame.

When the term reconciliation is used about acceptance of a certain undesirable, yet uncontrollable situation or circumstance, Walters refers to reconciliation as resignation. This is an unbalanced process heavily dependent on one of the parties involved. The morality in this frame thus depends upon the conditions. For instance, it can be regarded positive when someone face something undesirable yet inevitable with peaceful accordance. On the other hand it is regarded rather negative when it suggests a sense of giving up or apathy (ibid: 4). This process requires what Walter (ibid: 5) calls “the right reconciliatory attitude”. This means that one might force someone to put up with a situation, yet one cannot force someone to have this attitude of reconciliation.

As consistency, reconciliation is understood as the process of “rendering inconsistencies consistent” (ibid: 3). Despite its focus on regularity, this process can be either asymmetrical or symmetrical, and as with resignation, the morality thus depends heavily on the circumstances. For instance, it can be a merely “mechanical process of fitting disparate parts together (ibid: 4),” while it also could require integrity, what Walters (ibid: 4) understands as uniformity in political decision-making, “treating like cases alike”. This dimension usually implies reconciling interests, rights, facts and ideas rather than people, and can therefore, if not ideally, be a process independent of the attitudes of those affected (ibid: 4).

Reconciliation as relationship is unlike the two former dimensions, a balanced or two sided process with a degree of moral or value integrated. This is probably the most common dimension in reconciliation theory. As with the first dimension, it cannot be forced on the parties as it requires a certain attitude of reconciliation. Walters (ibid: 4) sees this process as a situation where parties resolve or set aside differences and re-establish peaceful relationships. Further, this dimension sometimes involves an apology for past wrongdoing and forgiveness or acceptance of compensations (ibid: 4). Hence, this is a morally rich sense of reconciliation. As Walters (ibid: 5) puts it, it is a sincere, liberating and emotional process of “facing past evil openly, acknowledging its hurtful legacies, and affirming the common humanity of everyone involved”. This framing of reconciliation is not only concerned with restoring relationships and to bring about peace between peoples in conflict, it is also about creating a sense of peace or dignity within those who have been in conflict (ibid: 4-5). When the aim is both social and personal, both social-psychological and psychological aspects are key elements.

* + 1. ***Social-psychological perspective***

Reconciliation as relationship is the most common understanding of reconciliation. And in intractable conflicts, Bar-Tal (2000: 357) considers reconciliation as particularly important as it can address and change the societal beliefs groups have developed during a conflict. As previously presented, Bar-Tal (ibid: 357) acknowledges that these beliefs help people cope with a situation, yet he also claims that they constitute “the fundamental obstacle to its resolution”. He considers in particular three societal beliefs that a reconciliation *process* should address and change in order to achieve reconciliation as a *goal*. First, reconciliation in his view should help groups change the justifications and rationale about their own goals. Acknowledgment of “the other’s” goals or common goals is a key to enable this change (ibid: 357). Second, reconciliation should address the positive self-perception and self-glorification groups have engaged in during an intractable conflict. This can facilitate objectivity, and help groups develop more nuanced beliefs about their own group (ibid: 358). The last societal belief that is critical to address involves the beliefs that delegitimize the opponent (ibid: 357). When reconciliation enables people to see the opponents as individuals, they are also perceived as human beings. Bar-Tal (ibid: 358) refers to this as personalization. Herbert C. Kelman (2008) and his social- psychological perspective on reconciliation, provide conditions and indicators for these processes.

The first condition is according to Kelman (ibid: 27), a “mutual acknowledgment of the other’s nationhood and humanity”. This implicates steps toward humanization of the other, and can be reached by showing concern for their well-being, valuing their dignity, lives and security. Recognizing and acknowledging the legitimacy and validity of the other’s claims, for instance to historical links to an area, and rights, such as the right to self-determination, are also important qualities of this mutual acknowledgment (ibid: 27).

The second condition of reconciliation is the “development of a common moral basis for peace” (ibid: 28). Many groups in conflict don’t share a moral basis, and Kelman (ibid: 28) stresses the need for “commitment to a principled peace”. However, this peace is not about consistency alone, it must be regarded as fair and just by both sides. Kelman (2008: 28) therefore stresses that this moral basis should move beyond purely pragmatic considerations. Therefore, exactly how justice is to be interpreted must be negotiated. Kelman identifies four types of justice that can be achieved through reconciliation. In most cases, there is however, a need to experiment with different types of justice. For instance, when only the basic needs of both sides are fulfilled, Kelman refers to it as simply substantive justice. While, when there are established institutions that both parties regard as just, future justice is achieved. Further, Kelman proposes that procedural justice can be reached by negotiating agreements fairly and equally. When this enables emotional justice, it is because the groups that are involved believe the negotiations have contributed to a just outcome (ibid: 28).

The third condition, or indicator, is confrontation with history. Kelman (ibid: 28) considers that coming to grip with truth by confronting history, is a crucial element of any reconciliation project. Still, he doesn’t think reaching one common understanding of the history is realistic, it might not even be necessary. In his view, reconciliation does not need the formulation of“a joint consensual history” (ibid: 29). But, “it does require admitting the other’s truth into one’s own narrative” (ibid: 29). Kelman takes this stand to elude the simplistic approach of giving equal legitimacy to the narratives of both parties. It is the recognition of the “experiences” that is the most important indicator, and this is reached through negotiations (ibid: 29).

The fourth condition is an “acknowledgment of responsibility”(ibid: 29). To bring restitution, Kelman asserts that the responsibility of guilt must be expressed both symbolically and morally, through apologies and through concrete and pragmatic steps to compensate for the wrongdoings. As with the other conditions, Kelman (ibid: 29) again doesn’t consider it viable to base the process of acknowledging responsibility exclusively on impartial norms or law. Again, it requires “a process of negotiation in which different types of responsibility are identified and agreed upon” (ibid: 29).

The final condition in Kelman’s (2008: 29) approach is the “establishment of patterns and institutional mechanisms of cooperation”.When groups that have been in conflict, engage in cooperative efforts, in for instance the economic domain, education or even resource management, efficient and functional relations can be facilitated. Kelman (ibid: 29) stresses that it cannot lead to reconciliation in itself, especially not if there is no political settlement. Rather, he suggests that groups can become more open for political solutions as these patterns can facilitate and encourage the establishment of “crosscutting ties, common interests, and personal relations” (ibid: 29). These activities are also making a peace more sustainable as it “create commitments, habits, and expectations conducive to reconciliation” (ibid: 29). He further points out the need for some important conditions for such activities to serve as reconciliation. For instance, they should be considered fair and impartial, and genuinely beneficial to all parties involved (ibid: 29). Moreover, he thinks that it is important that these activities don’t strengthen old asymmetrical patterns and power relations. An interesting point Kelman (2008: 30) makes is that institutional mechanisms of cooperation also can serve as conflict prevention, as they can focus on “conflict resolution through joint problem solving in order to deal constructively, on a continuing basis, with the conflicts that will inevitably arise in the relations between the two societies”.

Elaborating on Kelman’s final assumption, is it actually plausible to consider reconciliation not solely as peace building, but also as conflict prevention?

* + 1. ***Finding the right mix***

The discursive exploration so far suggests that petroleum conflicts are complex conflicts, framed by resources, interests and identities. Based on this complex structure, and the fact that it essentially depends on groups’ experience of the conflict, I suggest that petroleum conflicts can be perceived as intractable conflicts. Therefore I will argue that both *people* and *petroleum* matter. The identity frame is however, the key to solution.

This means, that in one way, I have already reached a valid statement considering the plausibility I seek to explore; as shown in the discourse and research findings, it is plausible to suggest that reconciliation is relevant in petroleum conflicts. The question is relevant to raise.

Considering that my inquiry is also motivated by the success of peaceful petroleum-rich countries, it is interesting to continue probing this plausibility when looking at the current practices. According to Lund (2009: 292) it is widely accepted that different conflict prevention interventions are needed at different moments, and that several kinds of instruments are needed. One of these interventions he proposes, is actually reconciliation (ibid: 292). However, the question, which he does not answer, is what kind of mix of different instruments is most effective at which stage of conflict and context (ibid: 298). Extended and applied in this thesis on petroleum conflicts, what mix of reconciliation and petroleum governance is most effective in preventing conflict? To assess this, I will first have to explore the current practices in Canada, Norway and Australia. Is it a plausible link between their petroleum governance and reconciliation?

**CHAPTER IV**

***The Practice***

* 1. **Introduction**

There are basically two steps in my attempt to probe a plausible link between reconciliation and the current petroleum governance practices of my cases. First, I will assess the intractability of my carefully selected cases. Does it make sense to frame peaceful countries like Canada, Australia and Norway through intractable conflict theory? Second, I will use analytic frames from reconciliation theory and the petroleum governance functions, tasks and principles, as provided by the Chatham House (CH) report (Lahn et al. 2007), to explore if and how reconciliation is linked to their petroleum governance. Are there any indicators or conditions of reconciliation embedded in how their petroleum governance is practiced? Is it plausible to suggest that this is a holistic approach to petroleum governance?

* 1. **The “northern territories”**

When assessing petroleum governance systems and practices, it is important to consider the national context. It is the context that defines how the petroleum governance principles can be applied (Lahn et al. 2007: 8). The CH report identifies several categories of national context, such as level of economic development and national prosperity (ibid: 8). In general, these are all categories that can be linked to the discourse on natural resources and conflict as previously presented. They are thus all relevant to a discussion of petroleum governance. However, in my approach, I will not provide a full-fledged assessment of the complex nexus of interrelated variables constituting each national context. An interesting point made by Peter Jull (2002; 2003) supports my choice to frame the cases differently: Through the notion of “northern territories” Jull (2002: 2) sees national contexts in its international context. He builds this notion on the tendency seen in several countries to engage in reconciliation projects with indigenous peoples in their respective northern territories, what he also refers to as “the hinterland peoples” (Jull 2003: 2). This notion constitutes an applicable frame for exploring the petroleum governance practices in Canada, Australia and Norway.[[10]](#footnote-10) Thus, the concept of indigenous peoples becomes the collective identity frame that I will deploy and elaborate on in my approach as well.

This exploration will not generate ideographic descriptions of each case. This is not within the scope of my research design (c.f. Bercovitch et al. 2009: 74). Rather, I will explore a general picture of the petroleum governance in these hinterlands, drawing on evidences from the experiences of the Inuit of Canada, the Sámi of Norway and the Aborigines and Torres Strait islanders of Australia. What I want to probe is the plausibility of these governance practices being linked to the national reconciliation projects of the northern territories.

* + 1. ***The “Empty Land”***

One of the national contexts affecting the peoples of these hinterlands the most, is probably the common history of injustices, dominance and structural oppression by the majorities in the south (Jull 2002; 2003). This is a context Coleman (2003: 11-12) commonly associate with intractable conflicts. It is a conflict embedded both in complex historical structures and the identity-based experiences of these structures. In my approach, I have chosen to limit my focus to the assimilation policies and the development of extractive industries to assess this intractability.

The legal concept of “terra nullius” or the “empty land” exemplifies how the hinterlands was first perceived by the British colonizers when settling Australia in late 18’th century: the land simply belonged to no one (Chartrand 2009: 1). In the context of the English colonial law, the concept thus meant that the people living there were of no relevance (ibid). Consequently, the Aborigines and Torres Strait Islanders were colonized and marginalized, and deprived of access to resources, opportunities and rights. Some colonists even hunted the Aborigines for entertainment (Miller 1998: 1190).

Even though the territories of the Inuit and the Sámi, as with Australia, were defined by laws and borders imposed by the non-indigenous state, these peoples were not initially as affected by contact and conflict with their respective governments as the indigenous peoples of Australia (Jull 2002; Hansen et.al. 2007). However, in the name of progress, and as a result of extensive assimilation projects from the mid-1800s and for a century onwards, the relationships between the southerners and the indigenous communities in the north were to change dramatically. Whereas the goal of these assimilation policies were to ensure and facilitate national sovereignty, unity and control over natural resources, the outcome was a gradually more conflictual, exclusive and destructive relationship between the states and the hinterland peoples (Chartrand 2009; Hansen et.al. 2007; Jull 2002; 2003; Miller 1998). In Norway, the policy of Norwegianization towards the Sámi is one such example of a policy that was aimed at “helping” the indigenous minority blend into the “greater” society (Hansen et al. 2007: 100).

In Canada, the government’s assimilation effort was however suffering from mixed motives. Determined to exploit the natural resources, it failed to improve the living conditions of the Inuit (Miller 1998: 1178-1179). The relationship between the Inuit and the state gradually polarized, and turned exclusive and destructive, leaving the repressed Inuit society in a collective trauma. Miller asserts that this process, given the high levels of alcoholism, unemployment and suicides that followed, was an “unmitigated disaster” (ibid: 1179).

In all cases, the policies of assimilation were, despite its well-intentions, extensive policies of cultural and structural dominance, indicators which according to Coleman (2003: 13), often characterize intractable conflicts. As he emphasizes in his metaframework for intractable conflicts, “well-intended social interventions” can initiate or cause conflicts (ibid: 13).

One of the major tools in assimilating the peoples of the northern territories was the education system, and active relocation of indigenous children to residential schools and foster homes (Corntassel & Holder 2008; Hansen et al. 2007; Jull 2003; Miller 1998). In both Australia and Canada, more than 100 000 indigenous children were taken from their families to live with the white communities (Corntassel & Holder 2008: 8; Miller 1998: 1190). The last residential school in Canada was not closed down before 1996 (Corntassel & Holder 2008: 8). Jull (2003: 5-6) comments on the Canadian experience, that the Canadian public basically had difficulties seeing past prejudices about the Inuit as “Stone Age peoples”. Consequently, a modern schooling simply had to be the best solution to educate the “empty man” residing from the “empty land”. In Norway, where Norwegian was the official language in school until late 1960s, Sámi languages were not allowed. This resulted in the Sámi minorities developing sentimentalities of inferiority (Hansen et al. 2007: 100). As Kriesberg (2003: 3-4) stresses, when victimhood is one of the qualities of a collective identity, it sustains the intractability of a conflict making it harder to resolve.

* + 1. ***The empty land was a wealthy land***

Kriesberg (2003: 4) also sees primary identities, when attached to land and the control of it, as contributing in turning a conflict even more resistant-proof. When reviewing the histories of the “northern territories”, it is eminent that this link between land and people has been a central topic. In Canada, for instance, the assimilation policy was intensified in the wake of the first oil and gas exploration in the Inuit territories in 1919 and throughout the 1920s (Manley-Casimir 2011: 29; Miller 1998: 1178). Soon the southerners started to perceive the empty land as wealthy in terms of its natural resource endowments. Confident that the extraction industry would bring jobs, the resource development and modern schooling thus went hand in hand (Jull 2003: 5).

The tendency of increased awareness and interest in the resources of the northern territories continued in the first years after the Second World War (Jull 2002: 5). The collective faith in modernity and material solutions was the driving force, and it was therefore considered important to incorporate the hinterlands into the national communication network and infrastructure by building roads and railways and by strengthening the administration offices (Jull 2002: 5). As the cold war took shape with its new security situation, in particular oil and gas, both onshore and offshore, were considered important for national energy security (Jull 2002: 5). The empty land of the north was gradually considered to play a key role in sustaining and securing the development of the wealthy land. This development, however, also enabled a different mechanism to occur as it provided more information about the southerners to the peoples in the north. When the indigenous peoples realized their poor living conditions compared to the majority in the south, they slowly started to mobilize politically (Jull 2002: 2). According to Jull (2003: 4), claiming their self-defined boundaries and identities were central to this process.

Particularly interesting to this thesis is exploring which motivation was the most imperative for the political mobilization in the northern territories. Was it to secure their boundaries, understood as land and resources, or was it to protect and sustain their collective identities? Put differently: was it *people* or *petroleum*?

In his analysis of this process, Jull (2002: 6) provides an answer. He comments that this political mobilization actually was not so much catalyzed by the resource exploitation, as for instance a greed paradigm would suggest. The comprehensive assimilation projects to better the living standard were the initial driving forces of the political mobilization among these peoples. This was according to Jull (2002: 6), “before land, sea, and resource rights in the narrow sense, or environmental protection, became central”. In other words, the first political mobilization was not so much driven by greedy demands for resource revenues as it was expressions of identity-based grievances in an effort to sustain their collective identity. In fact, Jull (2002: 6-7) points out that the resource link was not politicized before it became clear that the traditional resource management and livelihoods would be incompatible to the new non-indigenous approach to resource extraction. This means that even if the outcome was a complex set of demands and objectives, it was the identity-based quality of the conflict that was the trigger, not the resources. As such it again makes sense to perceive these processes as intractable conflicts, framed by identity. And as it involves both people and petroleum, there is reason to extend this exploration to see if the identity frame has been the key to solution, just as Rothman & Olson (2001: 296) suggest.

* + 1. ***The empty land is “Our Land”[[11]](#footnote-11)***

As the indigenous peoples of the northern territories were granted citizenship, and thus also a legitimate public voice, the political mobilization accelerated (Barkan 2000: 233). The Norwegian case can serve as an example. In Norway, the major acts of reconciliation happened in the wake of the Alta-Kautokeino River damming controversy in 1979-1981, a hydro-electric power project which was a direct threat to traditional herding lands of the Sámi (Jull 2002: 16). While the reconciliation discourse of the 60s and 70s had largely been framed as a process of consistency, granting citizens’ rights to ensure equal treatment of all, the developments of the 80s slowly extended the discourse to also include the dimension of relationship (cf. Walters 2007). Reconciliation thus entailed more than a merely “mechanical process of fitting disparate parts together” (Walters 2007: 4). It had turned into a process that could help groups revise their identity in order to ”accommodate to the identity of the other” (Kelman 2008: 27). A concrete example of this accommodation happened when the Norwegian Constitution recognized two ethnic nations in Norway in 1988. As Jull (2002: 16) comments, this was “no small act of reconciliation in an ancient kingdom”. By recognizing Norway as bi-ethnical, Norway also acknowledged that the assimilation project had failed and was destructive. There was no need of assimilation when the nation itself accommodated two ethnic groups.

While indigenous title to land was the focus during the 70s and 80s, Corntassel and Holder (2008: 11) point out that the discourse changed in the 1990s to rather speak of reconciliation. In fact, almost ten years after the Alta-controversy, several acts of repentance were shown in Norway, the most important being the apologies offered by the King in October 1996, followed by the Prime Minister Brundtland in February 1997, and the Church of Norway in October 1997 (*History and Policy,* Norway:n.d.).

In the Canadian context, the Canadian Supreme Court was at the forefront in the national reconciliation project (Manley-Casimir 2011). In their conceptualization of reconciliation, the creation of a *new* relationship was central (ibid: 38). By acknowledging the political mobilization of the Inuit, and through engaging in a process of confronting the history and offering apologies, the Canadian authorities acknowledged the responsibility of the failed assimilation policy (Corntassel & Holder 2008: 9). This enabled a process for developing a common moral basis, with the goal of bringing about restitution to the indigenous communities (Chartrand 2009: 3-4). The passage of the Nunavut Act in June 1993, creating the new territory of Nunavut, was a concrete step in preserving the traditions and livelihoods of the Inuit and facilitate Inuit participation in development and governance in the north (Miller 1998: 1182-1183).

Over the last forty years, Canada, Norway and Australia have all been involved in different reconciliation efforts to address the intractability caused by the structural discrimination towards their indigenous peoples. One condition that Kelman (2009) emphasizes in his socio-psychological approach to reconciliation is the need forinstitutional mechanisms that should be “genuinely useful to both parties in meeting societal needs and achieving societal goal” (ibid: 29). This is an important step in building and sustaining a new relationship. Even though the education system could be an interesting case given its role in the assimilation practices, petroleum governance is what I will focus on in this study. This is where I will probe my assumption.

* 1. **Reconciliation and petroleum governance in the “northern territories”**

In his notion of the northern territories, Jull (2002; 2003) also provide a useful definition of reconciliation relevant to this specific context. This is particularly appropriate when exploring the practical applicability of reconciliation measures in petroleum governance functions, tasks and principles (cf. Lahn et al. 2007). Jull (2002: 15) states that:

*Reconciliation in practice may be expressed as the process of mutual recognition, acceptance, and accommodation of indigenous and non-indigenous peoples within the nation-state by governing institutions and public, accompanied by a genuine and persistent attack on indigenous social disadvantages and grievance*.

Extended to my thesis, I will look reconciliation processes within both institutions and public actors who shape the petroleum governance functions as described by the Chatham House (CH) report (Lahn et al. 2007). If reconciliation as a goal, and/or process is relevant in petroleum governance, then I can expect to identify some conditions or indicators of reconciliation within the governance functions of policy making and strategy making.

Before I do so, it is however important to conceptualize some essential terms. Most relevant in my exploration will be the term *objectives*. I will draw on the CH report, and refer to objectives as ”the goals that are designed to drive and guide companies active in the petroleum sector” (Lahn et al. 2007: 18). The report suggests that not all objectives are binding, and that consequently, it is an important task for the authorities to make clear which objectives outweighs the others. *Targets*, such as production volumes, are “specific, operational goals for the oil and gas business” (ibid: 18). Labor laws and regulations on health, security and environment (HSE regulations) are defined as *regulations,* which are obligatory laws set by the authorities. As pointed out in the CH report, “companies can, in some instances, set their own targets, whereas setting objectives and determining regulations is a political responsibility” (ibid: 18).

The petroleum sector is necessarily most concerned with objectives and policies specific to the petroleum industry. However, petroleum governance is not operating in a vacuum. So far I have shown that reconciliation is of national interest in all three cases. And when reconciliation is on the “national policy agenda” (Lahn et al.: 15), it potentially affects the petroleum governance by dictating some national “priorities and direction”. In the CH report, they refer to this as the “broader public policy” which usually encompasses “a set of objectives, laws, plans, political actions and standards of behavior that aim to achieve goals in the national interest” (ibid: 15). This provides a link between public policy and petroleum, “as petroleum is a national resource, its exploitation requires policy to ensure maximum benefit to the country and its society” (ibid: 15).

* + 1. ***Setting the objectives***

An important task in the petroleum governance as identified by the CH report, is “defining authority and responsibility for setting and meeting objectives” (Lahn et al. 2007: 17). For this task to serve as good governance practice there should be clarity of roles and responsibilities. In my approach it is therefore interesting to explore who set these objectives, especially if the policy of governing the *petroleum* has overlapped the policy making for governing the *peoples*. In order to avoid conflicting agendas when national objectives are chosen and prioritized, what the CH report refers to as a “policy paralysis” (ibid: 9), there is need for a clear interpretation of the regulatory function. Who choose the objectives?

Even though all three cases share the national objective of a reconciled relationship between State and its indigenous peoples, they have chosen slightly different approaches to operationalize this objective through their petroleum governance. For instance, in Norway, the law clearly defines the oil and gas resources on the Norwegian territory, on land as well as under water, as the properties of the State alone (*Lov om utvinning av petroleum under land*, OED 1973). It is regarded a common good belonging to all Norwegians, no matter ethnicity. This has made the national objective of reconciliation less relevant to the policy making in the Norwegian petroleum sector. The issue was however extensively debated in the public in the first years after the turn of the millennium. In this period, plans were made to develop the first gas fields of the coast of Finnmark, a county with a large Sámi community. Steinar Pedersen, a Norwegian Labour Party representative at The Sámi Parliament, sparked it off, stating that Statoil, which was in charge of this development, should start an education program for Sámi youth (NRK 27.11.2001 No author). This initiated a chain of reactions from national and regional politicians, both Sámi and Norwegian discussing whether or not this claim was legitimate. Five months after Pedersen’s inquiry, Sverre Kjoedal at Statoil announced that they would leave it up to the authorities whether or not the Sámi were entitled to any benefits or compensations from the Snøhvit development (NRK 05.12.2001 No author). Encouraged by this, the Samí Parliament declared that they would support the Snøhvit development, but required to get a share of the revenues or some kind of compensation from the state (NRK 22.02.2002 No author).

The Sámi Parliament’s claim was never supported by the government. The petroleum was still a national resource, belonging to all Norwegians. Nevertheless, in the wake of this process, the adaptation and implementation of the Finnmark Act of 2005, implementing indigenous legislation into the Norwegian law, was given a wider ambition (Ween & Lien 2012: 102). In terms of natural resource management, *petroleum* was still outside the mandate. But in terms of *peoples*, it was developed with the aspiration of contributing to the national reconciliation process (Ween & Lien 2012). To do this, the solution was to partly dissolve the indigeneity frame, and replace it with a “long-term regional inhabitance” attribution (ibid: 102). This was not a solution to deprive the Sámi of their internationally recognized rights as indigenous peoples. Within the new frame, it was simply extended to include all citizens of the county, a unique solution in a global perspective (ibid). Gustavsen (2011) however, predicts that Sámi rights will continue to be on the agenda in petroleum governance issues in the future. As the development of petroleum fields in the North expands, the experiences and practices from Canada and Australia, suggesting different governance strategies can gain relevancy in a future Norwegian discourse. As Jull (2003: 12) comments on the “northern territories”, each country’s experience, are “potentially useful as guide or warning for others”.

The CH report has found that the governance responsibility of setting objectives is commonly shared (Lahn et al. 2007: 22). However, this is particularly challenging when there are ethical and political aspects of projects (ibid: 22-23). According to the same report, success and clear policy making in such instances depends on “the capacity and authority of the regulator and the willingness of other actors to defer to its authority” (ibid: 10). When reconciliation and resource development coincide, the judicial conceptualizations can be determinant in clarifying how objectives should be understood and related to each other. The Canadian experience can provide some insights to how this is practiced. There the jurisprudence has given the petroleum sector an additional guiding principle to follow in its policy making: the principle of reconciliation (Manley-Casimir 2011: 33).

According to Manley-Casimir (2011: 33), reconciliation as a guiding principle in the Canadian context, should serve as a “bridging concept” valuing both indigenous and non-indigenous norms, cultures and societies. Moreover, this principle should also be elaborated upon to resolve disputes over resources in the contexts of indigenous people’s rights (ibid). This suggests that the policy making in the Canadian petroleum governance should set objectives that enable this bridging by actively protecting and respecting the interests of indigenous peoples (ibid: 38). However, reconciliation, as conceptualized by the Supreme Court, also requires both perspectives of the Canadian State and of the indigenous community to be considered equally (ibid: 33). As such, it is possible to consider that the principle approaches reconciliation as consistency, making justice and equality the main dimension of reconciliation (Walter 2007). Still, this is just part of the picture. As Manley-Casimir (2011: 38) comments, the Supreme Court has also made “the creation of a new relationship” an important aspect of reconciliation. As such, there are two different dimensions of reconciliation in the Canadian conceptualization. How then to avoid policy paralysis? Should the principle facilitate a new relationship, or should it strive to treat cases and groups alike? Is it possible to combine these objectives? Can petroleum governance both secure national development interests and create new relationships? Further research is needed to explore this paradox. Still, the strategy making function of petroleum governance suggests some clues to how this is practiced.

* + 1. **Strategies to accommodate reconciliation**

The strategy function of petroleum governance concerns “how the oil and gas sector will deliver national policy objectives” (Lahn et al. 2007:15). However, as the CH report stresses, the difference between policy and strategy functions is often vague (ibid: 15). The CH report therefore suggests a guiding principle in strategy making; that it should focus on enabling the actors in the sector to carry out the assigned roles (ibid: 11). The report suggests two questions that I will elaborate on in this discussion: first, what do the actors in the petroleum sector need to accomplish? And second, what can they do to help enable other actors? Let me start exploring the former.

One type of strategy making is developing targeted action plans. This can help actors in the petroleum sector identify concrete means of actions to meet the objectives. To carry out the role as facilitators of reconciliation, action plans that integrate this principle is a concrete way of strategy making. In Australia, this is called Reconciliation Action Plans (RAP), which according to Reconciliation Australia (*Reconciliation Action Plans*, Reconciliation Australia n.d.), is “a business plan that uses a holistic approach to create meaningful relationships and sustainable opportunities for Aboriginal and Torres Strait Islander Australians”. Already, it is more and more common among relevant companies and institutions, also in the petroleum sector, to engage in this holistic approach. As the most RAP´s in the petroleum sector are quite new, there are no data on the impact they have on a national reconciliation project. Still, developing an RAP is in itself, a concrete means of holistic petroleum governance.

Even if the potential impact of RAP’s are yet to be evaluated, RAP’s are essentially developed as instruments for reconciliation. In most RAP´s, there are three common issues constituting this reconciliatory approach; relationships, respect and opportunities (BP RAP 2011; Shell RAP 2011). In BP Australia’s RAP for 2011-2013 (BP RAP 2011: 1), for instance, a special focus to enable reconciliation is placed on consultation and engagement. These are the two means of conceptualizing reconciliation. By May 2012, BP has only had the time to implement some of the RAP measures, for instance to establish a RAP Advisory Group. This group includes representation from BP’s senior leaders, personnel and Aboriginal and Torres Strait Islanders (ibid: 7). But from June 2012, they also hope to have recruited an Indigenous Employment Manager.

A central point in their approach to build *relationships* is to work for “mutual advantage” (ibid: 6). In areas where BP has business interests, they engage in dialogue with the indigenous communities, to seek to promote understanding of the needs and interests of the indigenous communities (BP RAP 2011). But this relationship-building is also seen in a greater picture, as described in Shell’s vision for their RAP: to “contribute to Australia’s reconciliation journey” (Shell RAP 2011: 4). This suggests that they see reconciliation as a long term commitment, and that reconciliation is both the process, and the goal of this engagement. This engagement is supported by their vision of the national reconciliation project, that “true and lasting reconciliation improves prosperity for all Australians” (ibid: 4).

BP also emphasizes that they will *respect* and acknowledge the significance, even symbolically, of the land and traditions of the indigenous peoples (BP RAP 2011: 8). This is an important part of the “mutual advantage” aspect of the RAP. As the revenues generated from oil and gas don´t necessarily constitute the same incentive to the Aborigines and Torres Strait Islanders, as land, sea and traditions do, the right to this respect is an important part of the “advantage”. This is also a concrete way of acknowledging the humanity and dignity of the indigenous peoples, what Kelman (2008: 27) refers to as “humanization”. Shell (Shell RAP 2011: 6) even relates this to a confrontation and understanding of the history of the indigenous peoples. This is important as it provides legitimacy to the experiences of the indigenous peoples, acknowledging the intractability of the past. Even if this confrontation with history don´t necessarily aim for one, objective narrative, it is essential for a reconciliation process (Kelman 2008: 29).

The last common issue in the RAP approach, *opportunities*, is linked to what Kelman (2008: 29) stresses as a condition for reconciliation: establishing crosscutting ties and personal relations. While Statoil did not want to support the Sámi with education programs voluntarily, Shell and BP state that they will collaborate with indigenous organizations and communities to facilitate education opportunities and new jobs (Shell RAP 2011; BP RAP 2011). Essentially, what they seek to do is to provide opportunities for economic independence for indigenous peoples. Over time, this is the type of interaction that can create new commitments and habits, and facilitate reconciliation between indigenous and non-indigenous peoples (Kelman 2008: 29).

The conceptualization of reconciliation is a key when exploring what actors in the petroleum sector can do to enable other actors to carry out the role of facilitating reconciliation. In Canadian petroleum governance, the principle of reconciliation is translated into two legal and constitutional duties that are relevant to explore: the duty to consult and accommodate, and the duty to negotiate (Manley-Casimir 2011: 34). The first duty is important when decisions have the potential to affect the interests of indigenous peoples. But as Manley-Casimir (2011: 35) comments, “the form and content of that duty, remain relatively undefined”. This is, she continues, because “the sufficiency of consultation and accommodation is assessed on a case-by-case basis”. When the understanding of this duty depends this heavily on the context, the judicial interpretation of the duty becomes central. For instance, the Yukon Territorial Court of Appeal has found that this duty mean that the authorities must consult and accommodate the interests of the indigenous communities whether their claims are already proven or not-yet proven (ibid: 34). This is important when the governments, local or federal, consider development that is potentially unfavorable for the indigenous communities. In particular if the state is aware of real or potential existence of indigenous rights or title to that land. The authorities should address the concerns of the indigenous communities through a strategy that requires what the Supreme Court comments as “balancing and compromise, and good faith effort” (ibid: 34).

But this duty is however, not only relevant in a pre-development process such as strategy making usually implies. For instance, the jurisprudence holds that the duty to consult continues to exist even if the authorities already have fulfilled its duty to consult through a land claim agreement (ibid: 34). Thus, Manley-Casimir (2011: 37) suggests that the principle of reconciliation is more than a purely bureaucratic and procedural process: it can also be used to “create ongoing, dynamic processes to foster collaboration and respect between Indigenous communities, the Canadian government and industry”. Continuous consultation and accommodation practices therefore constitute good means of ensuring “decision-makers can be held to account for compliance and performance” (Lahn et al. 2007: 17). As such, these are practices that have qualities similar to the important petroleum governance task of ensuring that objectives are being met, the operational-decision making (ibid: 17). Thus, the principle of reconciliation is extended even into governance beyond policy and strategy making.

The duty to negotiate is often operationalized as Impact and Benefit Agreements (IBAs) between development companies and indigenous communities. This is especially relevant when a project or development will take place close to or within traditional indigenous lands (Manley-Casimir 2011: 36). For such negotiations to truly promote a reconciliation process, time is a key issue. Indigenous leaders need time to consult with their communities, or technical expertise and advisors, before they can close a deal. Manley-Casimir (2011: 37) stresses that “the imperative of moral justice cannot be rushed” as reconciliation is a process. Such negotiations should therefore be given a lot of time so that parties can accommodate to the interests of the other. This is part of what Kelman (2008: 27) refers to as “mutual acknowledgement”; that an important condition for reconciliation to happen, is the sincere act of showing concern for the other parties well-being and acknowledging the legitimacy of the others claims. As reconciliation is a process, the duty therefore also involves “creating ongoing collaborative processes in which negotiations can continue to take place throughout development” (Manley Casimir 20011: 37). To redefine relationships, reconciliation as a principle in petroleum governance, should therefore help both indigenous and non-indigenous reach the difficult point of “revising their identity to accommodate to the identity of the other”(Kelman 2008: 27).

* 1. **Holistic petroleum governance?**

In this thesis I asked if and how reconciliation is linked to the petroleum governance in peaceful petroleum producing countries. Based on the previous exploration, I feel confident to conclude that reconciliation is of a national interest in Norway, Canada and Australia. Still, as far as I have been able to assess, reconciliation is only directly linked to the petroleum governance functions in the latter two cases. Although petroleum is defined as state property by law in Norway, it is reason to assume that reconciliation affects the petroleum governance in Norway indirectly through impact assessments and participatory consultations with the Sámi minorities. Nevertheless, the Norwegian petroleum sector is not given any particular role and responsibility in achieving reconciliation. This differs from the situation in Canada and Australia. However, the CH report suggests that National Oil Companies (NOC) in particular, should align their governance with national objectives in order to contribute to sustainable development (Lahn et al. 2007: 29-30). Extending this point to the Norwegian case, it would imply that Statoil, as a NOC, should strive to reflect reconciliation in order to fully serve as a development agent for its bi-ethnic owners. However, extending the Finnmark Act to cover petroleum would expand the Norwegian reconciliation discourse to include difficult topics like self-determination and sovereignty.

**CHAPTER V**

***The Potential***

* 1. **Introduction**

The discursive probe in chapter two and three supported the plausibility of a link between reconciliation and petroleum governance. This assumption was further probed as a plausible link in current petroleum governance in some carefully selected countries. I argue that it is plausible to suggest ways in which the principle of reconciliation can be, and actually is already incorporated in petroleum governance. The plausible link between this holistic petroleum governance and conflict prevention is what drives the continued exploration. Considering the poor performance of many conflict prevention measures in the petroleum sectors around the world (cf. Mähler et al. 2011), it is interesting to assess whether it is plausible that reconciliation provides some added value in improving the conflict prevention function of petroleum governance. Mähler et al. (2011: 25) recommend that future risk management measures in the resource management should be integrated into “comprehensive policies that address the underlying issues and divergent causes of the different risks”. Can holistic petroleum governance encompass some qualities useful to this “future” resource management? And what are the limitations and challenges of this approach? Is reconciliation even always desirable?

* 1. **Conflict prevention and holistic petroleum governance**

In one way, it seems contradictory to talk of reconciliation as a conflict prevention tool considering the post-conflict nature of most reconciliation processes. Still, there are scholars suggesting that reconciliation has the potential to serve as a “proactive part of peace building” (Lerche 2000: 6). In my approach, I will argue that three factors support probing the conflict preventative potential of reconciliation. First, as Chartrand (2009: 2) points out, reconciliation in the context of northern territories has been used in the sense of conciliation, rather than to re-establish former good relations. In for instance Canada and Australia, it is difficult to claim that there has ever been a good relationship between the indigenous peoples and the non-indigenous. Hence, reconciliation is not a joint process to find the way back to a pre-conflict relationship, from a post-conflict point of departure. It can in some instances simply be the process of building good relationships. I will argue that this is a proactive conceptualization of reconciliation, as reconciliation hence is more than re-building, it is peace building.

The second factor that supports this approach is that conflicts can exist on a low level of intensity, as latent conflicts (c.f. HIIK 2006). In fact, I will argue, that it can be hard to distinguish a latent or even occurring conflict from a post-conflict situation when the intensity is low, as for instance in Australia. This is part of the nature of intractable conflicts, that it is hard to identify the different conflict stages. However, when identity claims constitute an important part of the root causes in a latent conflict, reconciliation as structural prevention can address these identity claims and help change the societal beliefs groups in conflict have developed (c.f. Bar-Tal 2000). When reconciliation confronts destructive societal beliefs before they turn a conflict intense and violent, I will argue that it is a type of conflict escalation prevention.

The third factor is linked to the institutions that facilitate reconciliation. As Lund (2009: 292) points out, conflict prevention tools are not defined by their names, but by the way they encompass features “that perform prevention effectively”. He identifies both petroleum governance[[12]](#footnote-12) and reconciliation as such conflict prevention tools. But he doesn´t give any further details for how exactly these two concepts prevent conflict. Rather, as Lund (ibid: 298) points out, and which ultimately drives this explorative discussion, is the importance of identifying the right mix that preforms prevention most successfully. When this mix is institutionalized, like holistic petroleum governance, it facilitates institutional mechanisms of cooperation, which can “deal constructively, on a continuing basis, with the conflicts that will inevitably arise in the relations between the two societies” (Kelman 2008: 30). When both parties regard this mix as genuinely beneficial, a “future justice” is established (c.f. Kelman 2008: 28). Thus, this is a justice where future disagreements can be addressed.

The practices, as explored in the previous chapter, suggest some types of a “mix” that combines petroleum governance and reconciliation in its policy and strategy making. But to what extent is this mix capable of preventing conflict? And can it be extended to different stages and contexts even outside the “northern territories” (c.f. Jull 2002)? In this thesis, I will not be able to fully explore the scope of these additional questions. Instead, I have chosen to concentrate on two central issues: self-determination and decolonization. These are topics that provide some insight to the potentials, and challenges of holistic petroleum governance as they relate to the two characteristics of intractable conflicts: the complex structure of interests, resources and identity, the multidimensionality (Coleman 2003), and the perceived experiences of this structure.

* 1. **Legitimate greed?**

In the natural resource-conflict discourse, “greed” is not among the notions with the most positive connotations. This is naturally because it is often associated with violent separatist movements or greedy government officials. But is there in some cases of natural resource management possible to characterize some types of greed as legitimate? Drawing on the previous chapter, are groups such as the Aboriginals, Sámi and Intuits, entitled to a privileged access to natural resources such as petroleum?

* + 1. ***Self-determination vs. state sovereignty***

The right of self-determination is granted to “all peoples” in Article 1 of both of the two UN human rights treaties of 1966 (ICCPR 1966; ICCPR 1966). This right is however, not only limited to free determination of political status and social, economic and cultural development. Article 1 also emphasizes that all peoples “may, for their own ends, freely dispose of their natural wealth and resources” and that “in no case may a people be deprived of its own means of subsistence” (ICCPR 1966; ICESCR 1966). Self-determination is thus concerned with both people and petroleum.

Scholars suggest different explanations as to how the link between reconciliation and self-determination should be interpreted. For instance, Elazar Barkan (2000: 318) has found that the emphasis of indigenous peoples’ restitution demands actually is on “economic damages”. According to Barkan (ibid: 318) they seldom address “the loss of political freedom, cultural identity, or human rights” directly. Thus, in his approach to the issue of self-determination, restitution and natural resources, he holds a view close to Walters´(2007) notion of consistency. It can even look similar to how current petroleum policy is in Norway. Barkan (ibid) focuses on legality and equal rights. As such, he considers that linking permanent sovereignty of petroleum to restitution claims should be avoided in a national reconciliation project agenda.

On the contrary, John Torpey (2003) did a contesting finding in his review of worldwide restitution claims. He has found that the main aspect of these demands actually is “the economic viability of Aboriginal communities and their right to control their own resources” (ibid: 15). As Corntassel and Holder (2008) elaborate from Torpey’s findings, restitution is therefore very important as it “establishes a foundation for long-term and lasting self-determination strategies for Indigenous nations” (ibid: 8). So in order for a reconciliation process to truly help people change their identity to “accommodate to the identity of the other” (Kelman 2008: 27), the issue of self-determination over both identity and resources, must be included from the very beginning as these are both vital parts of sustaining the minorities identity. To put it with the words of Corntassel and Holder (2008: 7): “The return of homeland and permanent sovereignty over natural resources are critical to any discussion of indigenous restitution, and by extension, reconciliation.” But how then is reconciliation in petroleum governance plausibly preventing conflict?

* + 1. ***Shared sovereignty as conflict prevention***

In an analysis of how to reconcile indigenous peoples sovereignty and state sovereignty, Chartrand (2009) discuss the concept of “shared sovereignties” as proposed by the Royal Commission on Aboriginal peoples (RCAP 1996) in Canada. The notion of shared sovereignties entails the inclusion of Aboriginal authority within the exercise of Canadian domestic sovereignty (Chartrand 2009: 17). It is therefore a very clear contrast to the notion of “terra nullius” as it clearly recognizes “the existence and presence of indigenous peoples on their lands” (ibid: 22).

According to Chartrand (ibid: 22) reconciliation requires respecting the right of self-determination of both the indigenous peoples and the inhabitants of the host state equally. The concept of “shared sovereignties” in his view, therefore “attaches itself to a reconciliation between the exercise of political power and authority by each side” (ibid: 22). The policy making of the Canadian petroleum governance operationalizes this perspective when deploying reconciliation as a guiding principle. Through the duties to consult, accommodate and negotiate, the indigenous peoples are given a voice when decisions are made that possibly influence them. As different cultural, financial and political claims are discussed through these duties, this holistic petroleum governance addresses the interdependence between interests, resources and identity in a way that plausibly prevent conflict. The “shared sovereignty” these practices constitute, is a plausible structural prevention measure for the future. As Chartrand (ibid: 22) puts it, “The concept of “shared sovereignty” stands for the idea that legitimate political participation today can cure an unconscionable beginning”. Consequently, institutions that enable and sustain “shared sovereignty” can prevent conflict because they acknowledge a common humanity and focus on a shared future. Chartrand (ibid: 22) refers to a well-known native Canadian which expresses this new societal belief of a shared destiny: “We can’t say «oh, the leak is in their end of the boat»”.

Chartrand (ibid: 23) also emphasizes that the notion of shared sovereignty entails the attitude that “an idea is more likely to win acceptance if it is based on commonly held ideas and values rather than on the ideas or values of one side”. This is important in changing the dynamics of intractable conflicts, as Bar-Tal (2000) and Kelman (2008) assert. Reconciliation processes that enable groups to acknowledge the other’s goals and identifying common goals can change their societal beliefs about their own group and create a common moral basis (Bar-Tal 2000: 357; Kelman 2008: 28).

* + 1. ***The challenges and limitations***

There is however reason to probe the challenges and limitations of a shared sovereignty approach. For instance: can self-determination when leading to increased autonomous status in an area like Nunavut in Canada, stimulate secessionist aspirations? Cornell (2002: 251) suggests that “autonomous regions, by their very nature, are conducive to secessionism”. He refers to two mechanisms identified by ethnopolitical scholars that explain why. First, a promotion of separate identity of one particular group increases the groups’ unity and willingness to act. Second, when political institutions are established, the capacity to act is also increased (ibid: 251). Even though I will not be able to fully discuss this challenge, it is relevant to include an interesting point from Anthony Speca’s (2012) recent analysis of the latest development of Nunavut devolution claims.

Devolution in a Canadian context means that decisions on development and use of lands and resources, will be the responsibility of a territory’s own elected representatives (ibid: 1). Moreover, devolution also provides the territories with a greater share of the revenues generated from those resources (ibid: 1). According to Speca (ibid: 2), the politicians of Nunavut are currently looking at experiences from other “northern territories” to set a new course for their future. They look to their “arctic neighbor and cultural cousin”, Greenland. In 2009, Greenland reached an extensive devolution agreement with Denmark that breach the way for Greenland to potentially become an independent state. Danish grants currently constitute half of Greenland’s annual budget. But as revenues from petroleum increases Greenland’s financial capacity, and when these revenues replace the Danish grants, Denmark and Greenland can “gently go their separate ways” (ibid: 6-8).

The people of Nunavut have been granted shared sovereignty through a national reconciliation process acknowledging their nationhood and recognizing their right to self-determination within the borders of Canada. Yet, maybe Speca’s (ibid) analysis show that self-determination stimulates stronger sentiments than shared sovereignty mechanisms do? If so, holistic petroleum governance, when holding reconciliation as a guiding principle, might in fact make ground for increased self-determination claims. The acknowledgment of the nationhood of a particular group, and the capacity building of institutions that sustain this acknowledgment, increase the risk for further devolution. Interestingly, and important to keep in mind, is that even though devolution can entail conflict, the example of Greenland shows that the solution can be genuinely peaceful. As such, maybe it is plausible that reconciliation, in the way it first addresses the identity frame, makes ground to turn intractable conflicts more tractable. And when the identity frame is addressed adequately, conflicts over resources and interests can be turned tractable as well, even if they sometimes manifest as devolution claims. After all, the internationally recognized right to self-determination has made such claims; expressions of legitimate greed.

* 1. **Legitimate grievances?**

A common national context of the “northern territories” is that they all share a colonial and neo-colonial history (Jull 2002; Jull 2003). Coleman (2003) associates these contexts with intractable conflicts. In cases where people groups have been living in an asymmetrical power relation, Corntassel and Holder (2008: 5) stress that reconciliation should not only entail offering forgiveness for the past injustices, but actively and collectively form strategies to “decolonize existing relationships”. This emphasis is on the symmetrical relationship dimension of reconciliation, and hence it is a process within both parties involved.

Bar-Tal (2000: 357) suggests that oppressed groups develop several societal beliefs during intractable conflicts, like for instance “justness of one’s own goals, delegitimizing the opponent and positive self-image”. In his model, a reconciliation process should therefore address these beliefs and change them to reach reconciliation as a goal. If there is a plausible chance that holistic petroleum governance serves as conflict prevention, it is perhaps because it is able to contribute to these changes in groups that have been marginalized. If so, this is contributing to a decolonization of the relationship from the perspective of the victim.

Paulette Regan (2006: 205) uses the term “unsettling the settler within” to describe the process where groups, which have been in power positions, decolonize the relationship from their perspective. It is possible to assume that this is important for any reconciliation if it is to serve as conflict prevention. Because as Kriesberg (2003: 4-5) asserts, negative views of “the Other” and antagonism are qualities in collective identities that “contribute significantly to the intractability of conflicts”. If holistic petroleum governance contributes to the “unsettling”, then it decolonizes the relationship from the perspective of the “settlers”.

But how then can reconciliation, when mainstreamed through petroleum governance, decolonize a relationship? Or perhaps of no less importance, is this institution on the contrary sustaining old power relations from the colonial past through its conflict prevention?

* + 1. ***Decolonization or “Deep Colonization”?***

In her article on the practices of The Australian Royal Commission into Aboriginal Deaths in Custody (RCIADIC), Elena Marchetti (2006) elaborates on Deborah Bird Rose’ concept of “deep colonizing”. This concept is related to decolonizing institutions that end up reinforcing the colonizing practice despite being well-intended (ibid: 461). I will not assess RCIADIC in my approach, but Marchetti (ibid: 461) suggests that this concept can be used to “explore and describe the way institutions that aim to adopt decolonizing practices typically relate to marginalized others; they are ultimately only capable of hearing or seeing what fits within the dominant hegemony”. In this thesis, this is interesting when probing the plausible conflict prevention potential of holistic petroleum governance.

Institutions can end up “deep colonizing”, because they often conceal and naturalize practices that are in fact decisive for the colonized other (ibid: 461). Therefore it is important as Marchetti (2006: 461-462) warns, that “Without analytically separating the features of a decolonizing institution, its colonizing practices will continue unchecked and will in fact be perceived as responding to, and promoting, Indigenous claims and rights”. I will briefly probe the Reconciliation Action Plans (RAP) as recently introduced in Australia to discuss if these practices make holistic petroleum governance decolonization or “deep colonization”.

* + 1. ***Mates help mates out***

Marchetti (2006: 462) claims that it is questionable whether or not any institution could eventually adopt a decolonizing approach. There is as such, no guarantee that companies engaging in reconciliation through RAP’s contribute to decolonize the relationship between the state and the indigenous peoples, even if they intend to do so. After all, this is a voluntary Corporate Social Responsibility (CSR) instrument that ultimately is developed to enhance a company’s investments and public image (Lahn et al. 2007: 29-30). However, BP (BP RAP 2011: 2) uses their RAP to align this intervention with the national reconciliation project, by referring to the Australian expression of reconciliation, “mates help mates out”.

The strategy function of petroleum governance is concerned with how the petroleum sector can contribute to and deliver national policy objectives (Lahn et al. 2007: 15). RAP’s are as such, concrete tools that can make the practices adhere to this national mission. Even though it is the responsibility of the state to decide and define the scope, content and hierarchy of these national objectives, the Chatham House (CH) report suggests that it is a benchmark for sustainable development, when CSR policies such as RAP’s, align with the national development agenda (ibid: 29). This might suggest a key to how holistic petroleum governance can avoid turning “deep colonization”. Let me elaborate.

According to Reconciliation Australia (*Reconciliation Action Plans*, Reconciliation Australia n.d.), the holistic approach in RAP´s is aimed at creating a “meaningful relationship”. If a relationship is to be perceived as meaningful by both parties, each party should essentially perceive it as an added asset. This might be an essential point to make when probing the plausible prevention potential of petroleum governance. Because, what does it take for a relationship to be meaningful? Corntassel and Holder (2008: 8) suggest that to counter deep colonization, or what they refer to as the politics of distraction, reconciliation practices should focus on “recovery of indigenous homelands and regeneration of cultures and community.” The focus is hence moved back to the resource frame. This makes it plausible to suggest that it might be the way holistic petroleum governance addresses both people and petroleum sufficiently, that the relationship can be regarded “meaningful” for both, and thus decolonized.

Marchetti (2006: 473) stresses the importance of avoiding deep colonization as such practices result in harms, which can be “devastating for the colonized other”. This sustains the former relationship from the time of colonization. Petroleum governance institutions engaged in a national reconciliation project, for instance through RAPs can hence become institutions, that despite keeping a conflict at a low intensity, actually rather sustains it by enabling a new form of suppression. For an extractive business in the petroleum sector it can perhaps be difficult to understand that these grievances hence are legitimate even if the indigenous group is given increased self-determination or offered apologies.

This is also linked to the very notion of development and how it is interpreted. I would argue that development arise from an acceptance of the current status, and an acknowledgment of a desirable future. The combination of these two processes direct the development, and development is hence based on groups and individuals perceptions more than objective ideas. This distinguishes *development* from *change*, it cannot be forced on someone. It is the sum of acceptance and acknowledgment. When this frame is deployed on decolonizing practices, prevention of conflicting positions might not be a goal after all. The goal is to enable means for dealing constructively with these divergent and conflicting perceptions of development and direction. It takes two to tango, but if some “peoples” wish to dance a different dance than its host state, their right to self-determination ensures that they can choose to do so. The fact that two groups are reconciled does not mean that they want to dance the same dance.

But if petroleum governance should take the ambitious aim at contributing to a joint position, then I will argue that it is eminent that petroleum governance, in order to serve as conflict prevention, constantly strives to mainstream their interests into the practices. Only when they identify their own “dialect” in these practices, petroleum governance can contribute to close the gap between positions. For development to be sustainable for both parties, both must identify the development as “their” development.

**CHAPTER VI**

Concluding remarks

* 1. **Back to the start**

The initial motivation of this thesis was to examine the success of peaceful petroleum-rich countries. Considering the strong link between petroleum and conflict, I wanted to explore possible explanations for why some countries succeed to remain peaceful despite their natural resource wealth. It was only after framing the petroleum-conflict link through this perspective, that I first identified that reconciliation actually could be relevant. It is from this perspective, that I realized that I wanted my thesis to probe the plausible link between reconciliation and petroleum governance. Thus, the initial, almost naïve question, proved useful to guide me in an interesting direction.

My case selection was however strictly chosen, based on statistics of high petroleum production, high Global Peace Index rank and presence of grievances among collective groups. Only after these conditions were met, I could extend my plausibility probe to include practices in the selected cases. The limitations of my research design however, could only provide plausibility, and no proof of causality.

* 1. **Probing the discourse**

In this thesis I have explored the plausible link between reconciliation and petroleum governance through four different scopes: petroleum, people, practice and potential. Given the vast discursive “universe” these dimensions constitute, I have found the intractable conflict theory to be an important frame to guide my exploration and enabling me to see the things I elaborate (c.f. Ragin and Amoroso 2011: 60). An intractable conflict frame is concerned about the multiple dimensions that affect the intractability of a conflict, the multidimensionality (Coleman et al. 2009).

Intractable conflict theorists emphasize the importance of addressing the identity frame to bring about a solution (Bar-Tal 2000; Coleman 2009; Kriesberg 2003). In this thesis, I chose to deploy this as the most important idea; that also resource conflicts such as petroleum conflicts, can be intractable and framed by identity. This essentially links reconciliation to petroleum conflicts. As there were many different analytic frames and concepts relevant to my research question, I chose to conceptualize important concepts as the different dimensions were elaborated on. This made each chapter follow a logical chain of inference, shedding more and more light to whether or not there is a plausible link between reconciliation and petroleum governance. After thorough exploration and analysis, I can conclude that reconciliation is relevant to petroleum governance.

* 1. **Statement and Implications**

There are in particular two reasons why I conclude that this is a relevant link. First, the current conflict prevention and countermeasures in the discourse and practice of petroleum governance is not performing adequately (c.f. Mähler et al. 2011). Even though there is an increased attention to the collective identities involved in petroleum conflicts, it seems far too often that this engagement is framed through the greed paradigm. This thesis suggests that there is a need for a broader approach to engage with petroleum conflicts and the management of petroleum. I have shown that it is relevant to analyze petroleum conflicts through the frame of intractable conflict theory.

Second, the case study of the “northern territories” has shown that reconciliation actually is a viable component when governing petroleum in peaceful countries. But the fact that there are different approaches to this, for instance in Norway and Canada, should be elaborated in a more comparative perspective than what I have done in this thesis. More work on a broader concept of petroleum governance should also be elaborated. Further research could for instance assess different types of governance models, like putting more emphasis on the role of National Oil Companies´ role in achieving national reconciliation.

Nevertheless, there is also a need for further research into the limitations of reconciliation in management of people and petroleum, as illustrated by the notion of “deep colonization” and the risk of how shared sovereignty can motivate further devolution. Currently, this discourse is to a large extent linked to cases involving indigenous peoples. To fully elaborate on the potential of reconciliation in petroleum governance, it is necessary to extend the research to include other marginalized minorities.

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1. Holistic is a term commonly used when referring to practices or theories that emphasize “the importance of the whole and the interdependence of its parts (The Free Dictionary, <http://www.thefreedictionary.com/holistic>.)” In this thesis this is useful when referring to petroleum governance that aims at managing not only the petroleum, but also the people affected by the petroleum exploitation. [↑](#footnote-ref-1)
2. For rank by production of oil see: NationMaster.com: <http://www.nationmaster.com/graph/ene_oil_pro-energy-oil-production>. And for rank by production of gas see: <http://www.nationmaster.com/graph/ene_nat_gas_pro-energy-natural-gas-production> [↑](#footnote-ref-2)
3. Malaysia (19/29/16) was for long considered, but have no strong collective identity based greed or grievances linked to the petroleum production. Instead, it is regarded a good example of good petroleum governance practices (Ross 2008). As such, it could have served as an example of how to avoid reaching situations where people have reason to express grievances. Part of the reason of this success is probably because of its recent history, and that the country itself was formed as a union of groups joining voluntarily. [↑](#footnote-ref-3)
4. Natural resources are, according to WTO, “stocks of materials that exist in the natural environment that are both scarce and economically useful in production or consumption, either in their raw state or after a minimal amount of processing “ (WTO 2010). They include depletable resources (minerals, metals, oil and diamonds etc.) and renewable resources (water, land, forest, fish etc.). [↑](#footnote-ref-4)
5. For a more detailed definition, petroleum can be understood as “naturally occurring mixture consisting of hydrocarbons in the gaseous, liquid or slid phase” (PRMS: 2). [↑](#footnote-ref-5)
6. In the article, *Reconciliation, Indigenous Rights and Offshore Oil and Gas Development in the Canadian Arctic,* Kirsten Manley-Casimir (2011) discusses the potential impact of offshore oil and gas development on Indigenous communities relying on the marine environment. [↑](#footnote-ref-6)
7. According to Coleman (2003), these incompatible activities include: “goals, claims, beliefs, values, wishes, actions, feelings etc.” (ibid: 6). [↑](#footnote-ref-7)
8. I use the term ”host country” when referring to the country where indigenous minorities are found as this is the most commonly used term. [↑](#footnote-ref-8)
9. The indigenous peoples rights include: a preference for customary legal solutions; recognition of the rights of indigenous peoples to ownership, possession, and access to their traditional lands and resources on their lands; prevention of discrimination in the terms, practices, and benefits of employment; government provision of

   dequate, appropriate health services and educational programs in cooperation and consultation with the people concerned; and support for indigenous language instruction for children (ILO 1989). [↑](#footnote-ref-9)
10. Other examples Jull (2003) mentions include New Zealand, Siberia, Alaska, Scandinavia, and even Denmark and Greenland in the North Atlantic (ibid: 2). [↑](#footnote-ref-10)
11. The Canadian province of Nunavut means “Our Land” in the Inuit language (Jull 2003: 9). [↑](#footnote-ref-11)
12. Lund (2009) actually uses the term ”Natural Resource Management,” but Petroleum Governance, which I am concerned with, is just one type of such NRM activities. [↑](#footnote-ref-12)