

Environmental Racism and Keystone XL: A Battle for Indigenous Sovereignty

Alp Ünal Ayhan

The Keystone XL pipeline was a proposed part of the Keystone Pipeline system that carries oil from western Canada to the US through the Dakotas to the Midwest and Texas. Three phases of the system had already been built, and the XL pipeline would be the fourth if it were constructed. The pipeline was presented as an extension to the rest of the Keystone system to increase capacity. The US portion of the pipeline was planned to pass through Montana, South Dakota, and Nebraska. First proposed in 2009, the XL pipeline would carry crude (untreated) oil from Canadian oil fields to refineries in the US.

XL attracted public attention in 2015 when the first three phases of the Keystone project were built. This was also around the time when the Dakota Access Pipeline was being built. The pipeline was an important issue in the 2014 midterm and 2016 presidential elections. Following the protests around the pipelines and Indigenous activism, Democratic presidential nominee Hillary Clinton opposed the pipeline's construction. The Obama administration also opposed the pipeline, going so far as to veto a bill passed by Congress that would allow the construction to go ahead. When Donald Trump took office in 2017, one of his first actions was to sign a presidential memorandum endorsing the pipeline's construction. Despite this, the pipeline was met with several legal, political, and economic obstacles and was never built. In January 2021, President Joe Biden signed an executive order revoking the permit to construct the pipeline on his first day in office.

Keystone XL was (and still is) a contentious issue, with oil companies on one side and Indigenous Americans on the other. Some people may be irked by such a characterization of the events, but the proposed pipeline was a textbook example of environmental racism. It is simply impossible to talk about XL (and DAPL) without talking about Indigenous Americans. A great deal of the opposition to these pipelines was rooted in treaties signed with Indigenous tribes and the American government. Many protesters taking action against DAPL cited treaty rights of the Sioux tribes as a reason for their protests. Indigenous people were also worried about the projects' environmental impacts as the pipeline's route was close to precious water sources that some Indigenous tribes consider holy. The Keystone pipeline's already-built portions have already spilled oil in 2016(1)¹, 2017(2)², and 2019(3)³; soiling earth and water nearby with oil. TransCanada, the pipeline operator, inaccurately reported the amount of oil spilled during the 2017 leak. The federal investigation revealed the actual amount was twice that of the company announcement(4)⁴.

¹ ["November spill from Keystone pipeline larger than first estimated"](#)

² ["The Keystone Pipeline oil spill was nearly twice as big as TransCanada said"](#)

³ ["Keystone pipeline shut after spilling 9,000 barrels of oil in N. Dakota"](#)

⁴ https://web.archive.org/web/20180706161936/https://primis.phmsa.dot.gov/comm/reports/operator/operatorIM_opid_32334.html?nocache=5134#_Incidents_tab_3

Activism performed by Natives, their customs, and the previous oil spills all point out that the US needs to turn to its Indigenous communities for guidance and consent on environmental matters as it prepares to dramatically curb carbon emissions by 2050. Environmental racism and corporate greed have wrecked many communities throughout the country. It is high time that the US incorporates Indigenous techniques, especially on animal herding and energy production, into its environmental policy and lifestyle choices. A refreshing development on this issue has been the Green New Deal, which advocates for the consent of Indigenous communities on environmental issues that affect them. While the Green New Deal's parts are being implemented piece by piece, we can expect more radical action from the Biden administration on the environment as voters demand more from the President, with young voters and voters of color spearheading the effort.