

# **(Under)mining a just green transition:**

Contesting lithium mining at Thacker Pass, Nevada

Master's Thesis

Russel Kaizan Tada Baldwin  
Student Number: 694179  
E-Mail: 694179rt@student.eur.nl

Erasmus University Rotterdam  
Erasmus School of History, Culture and Communication  
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Thesis Supervisor: Dr. Enrike van Wingerden  
Second Reader: Dr. Sarah Bertrand

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## Chapter 1: Introduction

Climate policies have created an increasing demand for rare minerals in green technology, such as lithium for rechargeable batteries.<sup>1</sup> Yet the extraction process has not only an environmental impact, but also a human one, disrupting lives and livelihoods in mining areas, which are often inhabited by indigenous communities. In 2021 the United States' Bureau of Land Management green-lit a lithium mining project in Thacker Pass, Nevada. This was met with protests by Native Americans of the Shoshone-Paiute tribes, environmental groups, and local ranchers. Native American communities in Nevada have protested the development of the Thacker Pass Lithium Mine on grounds that it infringes upon lands of cultural and historical importance to their communities, going so far as to lodge an appeal to the UN.<sup>2</sup> There is a tension between economic possibilities in marginalised regions and environmental risk; a gap between state level climate goals and local realities. However, green policies are still formulated within an accepted and established school of thought on economic development, the options and tools chosen or promoted have to fit within a capitalist system that is extractive.<sup>3</sup> As a result, not only are the goals formulated to suit the interests of the Global North, but also to maintain (intentionally or accidentally) the power balance between developed and marginalised communities. In doing so, not only can we study the intersection of green policy, extraction and consumption, but also the unequal relationships between indigenous communities, business interests and government within the United States. Lithium mining has a considerable environmental impact; yet, it is also justified and encouraged through the use of narratives, in order provide the necessary materials for the production of green technology. However, this serves to preserve standards of living in specific geographic locations within the Global North. The benefits of mining are distributed away from communities that bear the cost of the mining. Hence, this leads to an uneven struggle within the Global North between the two experiences. Narratives are engaged in and deployed to articulate respective positions and advocate on behalf of specific agendas. By looking at the contestation and protests organised at Thacker Pass, we can study how

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<sup>1</sup> Bárbara Jerez, Ingrid Garcés, and Robinson Torres, "Lithium Extractivism and Water Injustices in the Salar de Atacama, Chile: The Colonial Shadow of Green Electromobility," *Political Geography* 87 (May 2021): 1-2. <https://doi.org/10.1016/j.polgeo.2021.102382>.

<sup>2</sup> "Submission by the Shoshone - Paiute Tribes of the Duck Valley to The UN Special Rapporteur on the right of the indigenous peoples."

<sup>3</sup> Raphael Deberdt and Philippe Le Billon, "Green Transition's Necropolitics: Inequalities, Climate Extractivism and Carbon Classes," *Antipode* 56, no. 4 (2024): 1265, <https://doi.org/10.1111/anti.13032>.

all these factors fit within a system that privileges certain and specific forms of life at the expense of others (often indigenous). Because of this hierarchy of interests and privilege, this thesis will apply the concept of necropolitics in order to understand the roles of key actors and the dynamics they perpetuate. Because of the use of necropolitics, focus will be applied on the impact of political and social power on life and death. According to this interpretation, life is not just understood as both physical and biological life, but also as social life, as in politically accepted life. Death on the other hand is the exclusion from the political preservation of life, and therefore includes a form of social death.<sup>4</sup> Political power separates bodies into categories of preservation and the acceptability of death, decay or injury; this can occur either through direct violence or slow violence. The case study will show how political power in the United States elevates predominantly white, settler lives and livelihoods, at the expense of not only indigenous lives and livelihoods, but also at the cost of the environmental lives of animals, plants and ecosystems.

## Research Question and Sub-questions

This thesis studies the intersection between indigenous land rights and lithium mining in the Thacker Pass of Nevada. This intersection sees how local voices expressing environmental, economic and social concerns, are silenced in the face of political and economic interests of mining and its relationship to green energy policies. Unequal power relationships between native communities, government and business are embedded in historical dynamics and are now defining the transition to green energy in the United States. Political responses to climate change are considered necessary to preserve human society. However, this thesis studies how one such response, the support for lithium mining for green technology, has local impacts which override indigenous cultural and environmental concerns, endangering the lives, culture and environment of indigenous communities. My research question stands as thus:

**How have struggles over lithium mining between government, corporations and native communities shaped control over life and death in the Thacker Pass region (2007-2024)?**

The research question will be answered by the following subquestions.

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<sup>4</sup> Achille Mbembe, *Necropolitics* (Duke University Press: 2019), 92.

1. **How has the US government's historical approach to land management shaped indigenous life in the region?**
2. **How have tensions between government, corporations and native communities influenced control over indigenous life, resources and livelihood?**
3. **How have narratives around indigenous rights, cultural preservation and environmental preservation confronted control over life and death in the region?**

## Historiography

The relationship between resource extraction and power imbalances between different global regions seems to have been a clear and consistent theme in the literature. This is no different when it comes to the green transition and the extraction process involved in fuelling this, although the literature does seem to be considered “young” given the more recent production of academic material. This is partly due to the recent acceleration in state interest and investment. However, the authors discussed have different, although potentially complimentary, approaches using two concepts in particular. The first being necropolitics and the second being (green) colonialism.

The article by Deberdt and Le Billon uses necropolitics to explain inequality in green energy transition.<sup>5</sup> They dispute the claim that the “climate crisis” is resolvable through technological means and argue that these reproduce social and economic inequalities and come with the added risk of environmental damage, often to indigenous territory. Essentially, the cost of the energy transition is pushed upon often racialised or otherwise vulnerable communities, who face exploitation and dispossession.<sup>6</sup> This dynamic makes the analytical use of necropolitics appropriate.<sup>7</sup> There are three main arguments to this paper. Firstly, the authors argue that energy transition policies in the US and EU are framed in terms of geopolitical security and economic growth. Thus, this is predicated on preserving both a power relationship with the Global South that provides the resources (and bares the environmental consequences) necessary for the production of green

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<sup>5</sup> Deberdt and Le Billon, “Green Transition’s Necropolitics,” 1275.

<sup>6</sup> Deberdt and Le Billon, “Green Transition’s Necropolitics,” 1265.

<sup>7</sup> Deberdt and Le Billon, “Green Transition’s Necropolitics,” 1266.

technology, that in turn allows the Global North to maintain its standards of living and consumption.<sup>8</sup> Secondly, they argue that production of green technology Global North facilitates further concentration of wealth in the Global North.<sup>9</sup> Thirdly, this creates profoundly unequal classes based on their respective relationship to green capital and industries.<sup>10</sup> The article by Zografos and Robbins adds a different conceptual framework to this discussion, using the term “sacrifice zones” from necropolitics. They argue that American and European transitions risk the creation of “green sacrifice zones,” or ecosystems and spaces that will bear the environmental and social cost of an energy transition that depends on the consumption of critical mineral resources, such as cobalt and lithium.<sup>11</sup> They break this down into two key arguments. The first is that of cost shifting, according to which companies can pass on the harmful environmental and social side effects of mining onto usually Third World Countries.<sup>12</sup> The authors provide key examples, such as cobalt mining in the Democratic Republic of Congo, which is done under precarious working conditions, utilises child labour and contributes to environmental pollution; another example provided is that of the Lithium Triangle in South America, where lithium mining operations deprive indigenous communities of scarce water resources.<sup>13</sup> The second argument is that of coloniality, which refers to a rationale that favours Western interests, in this case of lifestyle and consumption, at the expense of (post)colonial peoples.<sup>14</sup> Franz and McNelly’s article is complimentary to Deberdt and Le Billon, looking at energy transition through necropolitics, but with a special focus on the role capital and finance play in shaping both agenda and dynamics. They argue that financial interests seek to shape energy transition policies that will keep the “underlying structures of capital in place.”<sup>15</sup> Attempting to use financial instruments and actors of a economic system predicated on extraction challenges the viability of a sustainable green transition, that

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<sup>8</sup> Deberdt and Le Billon, “Green Transition’s Necropolitics,” 1267.

<sup>9</sup> Deberdt and Le Billon, “Green Transition’s Necropolitics,” 1273.

<sup>10</sup> Deberdt and Le Billon, “Green Transition’s Necropolitics,” 1275.

<sup>11</sup> Christos Zografos and Paul Robbins, “Green Sacrifice Zones, or Why a Green New Deal Cannot Ignore the Cost Shifts of Just Transitions,” *One Earth* 3, no. 5 (November 2020): 543. <https://doi.org/10.1016/j.oneear.2020.10.012>.

<sup>12</sup> Zografos and Robbins, “Green Sacrifice Zones,” 544.

<sup>13</sup> Zografos and Robbins, “Green Sacrifice Zones,” 544-545.

<sup>14</sup> Zografos and Robbins, “Green Sacrifice Zones,” 545.

<sup>15</sup> Tobias Franz and Angus McNelly, “The ‘Finance-extraction-transitions Nexus’: Geographies of the Green Transition in the 21st Century,” *Antipode* 56, no. 4 (May 5, 2024): 1290. <https://doi.org/10.1111/anti.13049>.

doesn't replicate inequalities and condemn certain populations.<sup>16</sup> Thus, the same dynamic studied by both articles come to different conclusions about the most important contributors. Deberdt and Le Billon seem to suggest it is about geopolitical security and therefore more state focused, while Franz and McNelly have a much more Marxist perspective and seem to attribute it to economic drivers and financial systems. In addition, there is an important caveat for both articles is that it is not only the West that is investing in green technology but China also; therefore, it is worth considering whether these issues and dynamics are still applicable to a non-Western country. Zografos and Robbins bridge the gap between the two prior authors, acknowledging both consumption demand as a driving force in the inequalities, while also taking into consideration the inherent rationale which justifies a hierarchy of interests.

By using necropolitics as a framework, there is an emphasis on systems of economic and political power distribution. Therefore, the focus is on these systems and the actors that operate within and shape this system. Green colonialism tends to look at relationships between groups, communities and state power, from a historical perspective. Lang, Manahan and Bregel's book provides a comprehensive study of Green Colonialism by exploring the problem of profitability in environmental politics, how policy is still dominated by neoliberal economics.<sup>17</sup> However, this approach merely perpetuates existing economic inequalities between Global North and Global South.<sup>18</sup> The authors argue that this occurs in four different manners. Firstly, through the excessive demand of raw materials to ensure "security;" secondly, by framing climate change measures in a way that allows the Global North to delay necessary structural changes; thirdly, by exposing the Global South to environmental hazards resulting from renewable energy sources; and fourthly, utilising the South as a market in which to sell green technology.<sup>19</sup> The first and third argument are particularly relevant to the Thacker Pass case. While the book focuses on global dynamics and relationships, these are just as visible in Nevada, where both US and global demand for lithium have already strained communities, fearing encroachment and environmental hazards. In addition, the authors also advise against "homogenising the

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<sup>16</sup> Franz and McNelly, "The Finance-extraction-transition Nexus," 1302.

<sup>17</sup> Miriam Lang, Mary Ann Manahan, and Breno Bringel, "Lucrative Transitions, Green Colonialism and Pathways to Transformative Eco-social Justice: an Introduction," in *The geopolitics of Green Colonialism: Global Justice and Ecosocial Transitions*, ed. M. Lang, M. A. Manahan and B. Bringel (Pluto Press, 2024), 9.

<sup>18</sup> Lang, Manahan and Bringel, " Lucrative Transitions," 3.

<sup>19</sup> Lang, Manahan and Bringel, " Lucrative Transitions," 5.

North,” acknowledging the dissenting voices.<sup>20</sup> However, Fossa Riglos’s review points out that the book has some slight weaknesses. The first is that it relies on using Global North/South categories without examining them sufficiently critically. By using this regionalization, it obscures their heterogeneous nature, while also lacking clarification regarding the role of non-state actors, such as transnational corporations.<sup>21</sup> In addition, the colonial legacy is in the background of the discussion, despite the title of the book. Jerez, Garcés and Torres’s article is particularly influential in regards to lithium extractivism and green colonialism. It delves in to the socio-environmental impact of lithium mining in Chile and the colonial legacy of this extractive power relationship between state and indigenous communities.<sup>22</sup> The authors argue that lithium mining reproduces colonial relationships of imposing imperial interest at the environmental and social costs of the periphery. There is an additional link with the Franz and McNelly, as this article attributes extractivist “green” capitalism to the continuing exploitation of historically marginalised territory and communities.<sup>23</sup> Therefore, they both invite reflection on the framework and tools for the green transition.

While the previous literature offers broad frameworks of how systems of exploitation work in the global green technology industries, the following articles offer a more specific analysis of the intersection of mineral extraction in the Global North. As a result, they manage to move the focus from the Global North/South dichotomy and look at internal dynamics and tensions. The article by Thea Riofrancos captures this by looking at the process of *onshoring* lithium production. She argues that the EU and the USA have invested in domestic production to ensure security over supply chains, in competition with China.<sup>24</sup> However, this means reproducing dynamics of environmental threat and indigenous rights violations that were previously conveniently offshored. This risks further exacerbations as companies involved prefer unenforced sustainability standards which are cheaper, as opposed to firm government regulations.<sup>25</sup> As a result, the Global North/South analytical unit seems to be inadequate, as transnational networks of protest would link the

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<sup>20</sup> Lang, Manahan and Bringel, “Lucrative Transitions,” 11.

<sup>21</sup> M. Florencia Fossa Riglos, “The Geopolitics of Green Colonialism, Global Justice and Ecosocial Transitions,” *The Journal of Peasant Studies* 51, no. 7 (September 4, 2024): 1695.

<sup>22</sup> Jerez, Garcés and Torres, “Lithium Extractivism,” 2.

<sup>23</sup> Jerez, Garcés and Torres, “Lithium Extractivism,” 3.

<sup>24</sup> Thea Riofrancos, “The Security–Sustainability Nexus: Lithium Onshoring in the Global North,” *Global Environmental Politics* 23, no. 1 (2023): 22. [https://doi.org/10.1162/glep\\_a\\_00668](https://doi.org/10.1162/glep_a_00668).

<sup>25</sup> Riofrancos, “The Security–Sustainability Nexus,” 22.

two, mirroring shared threats to environment and indigenous land.<sup>26</sup> *Rare Earth Frontiers*, by Julie Klinger, pairs nicely, as it explores a number of key issues. Firstly, she presents the history of rare earth mining and explains how contemporary extraction sites in China that produce the overwhelming majority of rare earth is the result of global political-economic processes of the twentieth century. Secondly, the author looks at the political processes that make rare earths rare, by pointing out that it is not so much in their scarcity, rather the human and environmental costs that make the locations of extraction few. Furthermore, she taps into this notion of created value of rarity, that justifies state mobilisation of political resources to expand geopolitical influence and securitisation of supply over peripheral territory, as it par to a longer history of domination and competition.<sup>27</sup> Thirdly, the key word, as appears in the title of the book, is *frontier*, which is important is evokes both a geographic location, as well as a narrative, one of distance from central social order, that occupies an emptiness in both land and the imaginary.<sup>28</sup> This frontier narrative is important as states use the emptiness narrative to justify the sacrifice of land and people according to utilitarian principles, so that hazards can be isolated from the metropole. Furthermore, the presence of these people and land at the margins of political imagination renders them less visible and therefore limits their political capital.<sup>29</sup> Amoah et al. provide us with examples in their case studies of a number of American mining projects on or adjacent to Native American land, including the Thacker Pass case. Their study includes the mineral being mined, the issues of contestation and the actors involved. However, perhaps most importantly, they attempt to discuss both efforts by companies to mitigate risk and how indigenous communities have managed to either coexist or be included, such as partnerships with native American companies.<sup>30</sup> However, it is worth examining these attempts more critically, as it could be a case of either cooption, or an attempt to “make the best” out of a position of weakness, given the political and economic disparities. These could fit within the concept of Green Colonialism as discussed by Lang, Manahan and Bringel.

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<sup>26</sup> Riofrancos, “The Security-Sustainability Nexus,” 35.

<sup>27</sup> Julie Klinger, *Rare Earth Frontiers*, (Cornell University Press, 2018), 162.

<sup>28</sup> Klinger, *Rare Earth Frontiers*, 15.

<sup>29</sup> Klinger, *Rare Earth Frontiers*, 11.

<sup>30</sup> Macdonald Amoah, Benjamin K. Sovacool, Dustin Mulvaney, Morgan D. Bazilian, Richard Luarkie, and Daniel Cardenas, “Critical Minerals Mining and Native American Sovereignty: Comparing Case Studies of Lithium, Copper, Antimony, Nickel and Graphite Mining in the United States,” *The Extractive Industries and Society* 20 (December 2024): 18. <https://doi.org/10.1016/j.exis.2024.101557>.

While there is recent attention given towards indigenous relationships with the “newer” industries of green technology and critical minerals, there is an older and deeper wealth of literature on contested indigenous relationships with settler interests, whether government or corporate. This places the more recent developments within a well established timeline, rather than observing it as a new phenomenon. Historically speaking, indigenous and settler/government relationships were established through violence and expropriation of land and resources. This has set the tone for subsequent indigenous-government interactions over land. These trends are identified by Hanes in his article. Indigenous and settler tensions over environmental degradation, settling, overhunting and mining, disrupted traditional livelihood and led to conflict; in the case of the Shoshone and Paiute tribes of Nevada, this would result in them losing much of their territory and being placed in reservations.<sup>31</sup> The government took over much of the remaining land, giving access to white ranching and mining interests.<sup>32</sup> Furthermore, even once on reservations, tribes would be accused of not “making use of the land,” and this was the justification in reducing their allotment further.<sup>33</sup> This highlights the multiple issues that this dynamic raises in the time the article was written; despite much of Nevada and neighbouring states being the traditional homeland of the Shoshone and Paiute tribes, and therefore of much cultural significance, private property and state ownership of land further reduces access.<sup>34</sup> D’Errico’s article looks at the socio-political relationship between government and indigenous communities. He gives a historical overview of the relationship and the political implications. Most importantly, he highlights how though they are recognised as “nations” they are not recognised as fully sovereign.<sup>35</sup> This started through a process of indirect rule through trusteeships and treaties formed on an ad hoc basis with individual tribes and chiefs, which had the longer effect of denying comprehensive rights and protections to indigenous peoples, and being prone to being exposed to exploitable loopholes. For example, in the case of the Western Shoshone in Nevada, treaties with the US government allowed for provisions regarding mining. This left their land vulnerable to intensive and polluting mining activity, with the added indignity of their territory hosting

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<sup>31</sup> Richard C. Hanes, “Cultural Persistence in Nevada: Current Native American Issues,” *Journal of California and Great Basin Anthropology* vol.4, no.2 (1982): 205-206. <https://www.jstor.org/stable/27825122>

<sup>32</sup> Hanes, “Cultural Persistence,” 209.

<sup>33</sup> Hanes, “Cultural Persistence,” 208.

<sup>34</sup> Hanes, “Cultural Persistence,” 216.

<sup>35</sup> Peter d’Errico, “Native Americans in America: A Theoretical and Historical Overview,” *Wicazo Sa Review* 14, no. 1 (1999): 11. <https://doi.org/10.2307/1409513>.

radioactive waste disposal sites.<sup>36</sup> In addition, when the Roosevelt Administration “reorganized” Native American societies in 1934, they did so according to a corporate political structure of formalised “tribal councils.”<sup>37</sup> This established who had authority within a tribal council, while those outside of them were stripped of an indigenous recognition. This has had the longer term impact of raising the problematic issues of native “authenticity.” Davis’ article “Dead West - Ecocide in Marlboro Country” describes the consequences, human and environmental, of “national sacrifice zones” established by the nuclear powers of the United States, Soviet Union and China. Nuclear testing was carried out on the lands of the indigenous people, such as the Shoshone and Paiute in the US, and the Kazakh in the former USSR.<sup>38</sup> His writing highlight the imperial relationships in nuclear countries, where territories designated as disposable, nearly always the land of indigenous peoples, were used for nuclear testing, and for more modern bombing exercises that alter the landscape.<sup>39</sup> He points out to the illegality of this use, tying this point to d’Errico’s on loopholes and gray areas in legal treaties. However, most revealingly his focus on the people extends to everyone affected; nuclear testing was performed on native land, destroying landscapes and biospheres, but was the consequences were not limited to the land. Winds carried radiation beyond test sites, to sites such as the Mormon community of St. George, causing human birth defects, high rates of cancer and neurological disorders in neighbouring areas,; this also impacted local ranchers, who experienced birth defects in livestock.<sup>40</sup> This was was described as acceptable in an Atomic Energy Commission memo, which described the targeted communities as “a low-use segment of the population.”<sup>41</sup> This line drips with “necropolitics” and shows the indiscriminate strategic considerations of the government, which views people as disposable and organises them in hierarchies of worth and privilege. In his conclusion, he discusses an eerily similar dynamic of apparently benign policy, with menacing subtext. He points out that after the end of the Cold War, the deceptively positive campaign of “demilitarization” brought with it the environmental threat of nuclear disposal. Once again, indigenous lands of traditional significance, this time in Yucca Mountain, Nevada, became

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<sup>36</sup> d’Errico, “Native Americans,” 21.

<sup>37</sup> d’Errico, “Native Americans,” 20.

<sup>38</sup> Mike Davis, “The Dead West - Ecocide in Marlboro Country,” *New Left Review* 200, (07, 1993): 49, <https://www.proquest.com/scholarly-journals/dead-west-ecocide-marlboro-country/docview/38493662/se-2>

<sup>39</sup> Davis, “Dead West,” 53.

<sup>40</sup> Davis, “Dead West,” 64.

<sup>41</sup> Davis, “Dead West,” 64.

the unwilling host to nuclear waste.<sup>42</sup> These three articles look at different aspects of indigenous-government relationships, but are united in their approach. They look at how historically embedded these relationships and how they are defined by power and violence.

Both main strands of literature, whether focusing on necropolitics or on green colonialism, tease apart overlapping layers of power imbalance, historical relationships and exploitation. My thesis could expand upon this by placing the Global South in the Global North, where the dynamics discussed play out a lot closer to home and by capturing the contestation of political and economic forces. This has the potential to highlight aspects that may be not as studied in the discussed literature. Firstly, necropolitics of energy transition often looks at expropriation of land and environmental threats, such as pollution or competition over resources, and therefore the threat to bodily integrity and livelihood. However, while these are at the forefront of the Thacker Pass dispute, there is the additional critical issue of cultural legacy. The usage of culturally significant land for the Shoshone Paiute people of the region represents an additional threat of cultural erasure. While mining companies can bring benefits to economic and socially peripheral areas, and can attempt to mine responsibly, so long as their activities deprives or limits locals' use of land important for their shared history and identity, it is valid to add this to the framework of necropolitics. The Amoah et al. article hints at this cultural importance and looks at a number of cases of mining projects situated on or near ancestral lands and an in depth look at the Thacker Pass case could expand upon their work.<sup>43</sup> This is particularly relevant because as Riofrancos argues that the dynamics of extraction are fast changing in the Global North, a region neglected in terms of this study.<sup>44</sup> Secondly, I could use the concepts of Green Colonialism central in Lang, Manahan and Bregel, but by looking at this case in the United States, it could contribute to the problematization of North/South (implied) homogeneity and see how colonial relationships are ingrained and persist within a single political body.

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<sup>42</sup> Davis, "Dead West," 72.

<sup>43</sup> Amoah et al., "Critical minerals mining," 2.

<sup>44</sup> Riofrancos, "The security-sustainability nexus," 23.

## Theoretical and Conceptual Framework

Given the historically unequal and exploitative relationship between indigenous communities and the US government, I would like analyse the topic using the concepts of necropolitics, sacrifice zones, and green colonialism. While these concepts are related and embedded in each other, they each offer a specific and relevant analytical focus.

Necropolitics is a concept in which power relations between different groups of people establish practices and hierarchies of existence, according to which certain people live and certain people die.<sup>45</sup> In this framework, power dictates how and in what condition people live, preserving lives and livelihoods of certain classes, while condemning others to displacement, exploitation, and neglect.<sup>46</sup> We can see this power dynamic between US government and indigenous communities in the Thacker Pass case. Solutions to the “climate crisis” are conceived in terms of technological and market means that reproduce social and economic inequalities and are accompanied by the inevitable risk of environmental degradation, often to indigenous territory. This dynamic makes the analytical use of necropolitics appropriate.<sup>47</sup> Current energy transition policy is dependent on a power relationship between Global North and South; one that allows the North to maintain its consumption rates, while neglecting the human and environmental costs of this economic model.<sup>48</sup> There are clear hierarchies of power and privilege in regards to how policy is formed in order to preserve who benefits and who bears this cost. My thesis can build upon this by applying their analytical understanding of the issue to the case study of lithium mining in Nevada and its impact. There are salient points of contact between the paper and the case. For example, one of the disputes regards how permission was given to the mining company and was perceived to be both fast-tracked by government, while ignoring dissenting voices. We can see how business is given preference over local communities. Secondly, community concerns over social and environmental impact have been alleged to have not received sufficient attention, highlighting the different classes.

This brings us to the concept of “sacrifice zones.” While the concept of necropolitics focuses on people, sacrifice zones focuses on geography. De Souza. argues

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<sup>45</sup> Marcelo Lopes de Souza, ““Sacrifice Zone”: The Environment-Territory-Place of Disposable Lives,” *Community Development Journal* 56, no.2 (2020): 230, <https://doi.org/10.1093/cdj/bsaa042>.

<sup>46</sup> Deberdt and Le Billon, “Green Transition’s Necropolitics,” 1275.

<sup>47</sup> Deberdt and Le Billon, “Green Transition’s Necropolitics,” 1266.

<sup>48</sup> Deberdt and Le Billon, “Green Transition’s Necropolitics,” 1267.

how geographic areas becomes a “sacrifice zone,” a physical and social space characterised by environmental degradation and social issues. These are created by economic exploitation, either because they have possess natural resources or because they are inhabited by “disposable people,” but the resulting issues also create social stigmatisation.<sup>49</sup> Often, this is done in the name of economic development. These sacrifice zones are created by the layering of three different concepts: environment, territory and place. The author defines *environment* as both material spaces and social space. Territory is understood as the projection of “power into space.”<sup>50</sup> This refers to how actors transform space according to their interests. And finally, by *places* the author understands sacrifice zones as “spaces of identity,” where social relations provide identity, but the economic or environmental degradation can also produce attached stigma. Because of the interaction of these three concepts, sacrifice zones are both physically and socially produced. The authors’s conceptualization of the “environment-territory-place” of sacrifice zones could be a valid tool for understanding the layers of dynamics involved in the creation of both the sacrifice zones and those that inhabit it. The attention given to the creation of identity and stigma to related communities is particularly worthwhile in exploring, given the historical “invisibility” that indigenous communities have faced. Additionally, while the author is of the position that sacrifice zones are “not the products of cruelty, but rather of indifference,” this can be tested in the study of the Thacker Pass case, given the historical relationship between indigenous community and US government, characterised by neglect.<sup>51</sup> Necropolitics is an appropriate theoretical framework to apply to this case, given the unequal power relationships that not only prioritise western lives and lifestyles over indigenous lives and livelihoods, but also the case of lithium mining and accompanying environmental risks which makes the case for the concept of sacrifice zones applicable. However, this case study can also add to to the concept of necropolitics itself. While this framework tends to look at lives, bodies and environment (and often their integrity), the case of Thacker Pass reveals the relationship between native community and the land as an integral part of their identity. (Home)land is not merely a geographic region, but a spiritual biosphere, which includes people, plants, animals, and geographic features of spiritual significance and meaning. Thus, environmental risk posed to both landscape and living creatures still constitutes a threat to the cultural identity and integrity of the collective inhabitants. As a result, while humans may be spared, so long as their cultural

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<sup>49</sup> de Souza, “Sacrifice Zone,” 221.

<sup>50</sup> de Souza, “Sacrifice Zone,” 224.

<sup>51</sup> de Souza, “Sacrifice Zone,” 232.

identity as individuals and communities are vulnerable to hierarchies of power, necropolitics is a viable framework for understanding.

Finally, the concept of *green colonialism* places the global economic and political relationships of the green economy within a historical framework of colonial capitalism.<sup>52</sup> Lang, Manahan and Bregel's use to the term Green Colonialism to explore the perceived problems of contemporary environmental politics. The Global North replicates colonial dynamics through excessive demand for critical materials from the Global South and by offshoring the human and environmental cost of the extraction to those regions. This thesis could expand upon this by placing the Global South in the Global North, where the dynamics discussed play out a lot closer to home and by capturing the contestation of political and economic forces.

## Sources, Source Criticism and Methodology

The following is a set of primary sources to be analysed for this thesis.

The "Letter to the UN by the Shoshone Paiute Tribes of the Duck Valley" positions the Thacker Pass dispute in both a historical context of indigenous colonisation, as well as a global context, of endangerment by business and technological interests. They link their struggle to those of their fellow indigenous communities in the Lithium Triangle in South America. The "Letter of Support" was penned by Maxine Redstar, Chairwoman of the Fort McDermitt Paiute Shoshone Tribe gives insight into the mediation process between tribal concerns on cultural and environmental integrity, and Lithium America's mining interests. These two letters are of particular value, given that they are written by two different groups of indigenous people. This highlights the heterogeneity within the indigenous community, as well as their different approaches. This reflects a tension between economic opportunity and environmental and cultural endangerment. However, in both cases it is important to note that they are both representatives, and therefore do not necessarily reflect consensus within their respective communities. Furthermore, they can state intentions, but this may not translate into ongoing or consistent action: for example, in Maxine Redstar's case, consultation and accommodation may be a different means of contesting or resisting, rather than outright support for the project.

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<sup>52</sup> Lang, Manahan and Bringel, "Lucrative Transitions," 9.

The documents and press releases by the Bureau of Land Management (BLM) can reveal insight into the decision-making process of approval, as well as what the interests are, at state and federal level. However, given that they are available to the public, there is also a risk of positive “spin,” given the economic and political interests at stake.

*The Response to Comments Received During the Public Comment Period for the Lithium Nevada Corporation’s Thacker Pass Project* can be particularly valuable, as the responses were collected and assigned topics. These can enlighten us as to what the concerns of the populace are in regards to the project and which ones attract the most attention. However, the sheer volume may make analysis tricky. In addition, this may be stating the obvious, the this work can only contain the concerns of those that participated. Given that one of the grievances levied by indigenous communities is that they were left uninformed and not consulted during the deliberation of the project, this should be kept in mind when considering whether anyone was excluded, intentionally or otherwise, from commenting.

Two articles written by Gary McKinney, a member of the Shoshone Paiute Tribe of Duck Valley and a spokesperson for the People of Red Mountain committee which is contesting the mining project, not only reveals the immediate concerns of environmental risks due to mining, but taps into the greater historic impact of mining on the community. In addition, the article also highlights the difference in values and world view, between members of the indigenous community and how they relate to the land, as opposed to how companies and government view the land. However, given that these articles share the perspective of one person, it is difficult to ascertain how indicative of overall sentiment they represent; there is the potential for a case of vocal minority in contrast with quiet majority.

An interview with Daranda Hinkey, a member of the Shoshone-Paiute Tribe of Fort McDermitt and a fellow member of the People of Red Mountain, is similarly telling, both in regards to the importance of the community’s relationship with the land, but also the transformation and generative qualities of the activism. However, the same reservations expressed to the sources by Gary McKinney also apply in this case.

Fact sheets from Lithium Americas are analysed. Specifically, fact sheets detailing an overview of the project, as well as those detailing community engagement. These should disclose key information about the project, but perhaps more crucially, what the company wishes to convey about itself and the mining project. This is both an advantage

and disadvantage, given that the publisher has a vested interest in portraying itself positively, while both contents and outcomes should be scrutinised more intensely; after all, the contestation of the mining project is in part due to a perceived lack of inclusion of affected local communities, and due to skepticism as to the accuracy, intended or otherwise, of the technical information.

Resolution by the National Congress of American Indians, passed in June 2022, is indicative of both a broader issue at stake, that of extractive industries impact on native women, and of indigenous solidarity towards the Thacker Pass dispute, as the resolution is explicit in regards to addressing the case. The resolution itself is part of a policy mechanism used to declare the organisation's positions or concerns on key issues, and are then used to advocate in defence of the interests of native Americans, especially in regards to issues of tribal sovereignty, federal, state, local or tribal legislation. The resolution is important as it indicates the collective stance of the organisation and are conceived in order to serve the best interests of the indigenous community. In addition, they are often couched in historical references to highlight the long-standing issues. Furthermore, they have the added benefit of laying out some practical steps to account for the issue.

In order to answer the research question, this thesis draws upon a number of sources: government documents, press releases by the Bureau of Land Management, statements by local activists and tribes, statements by companies involved (Lithium America). In addition, corporate documents, such as press releases, fact sheets and company website provide additional information. The sources are selected to be able to provide the perspectives of the actors involved. I would like to use discourse analysis in the case of the statements, hearings and interviews. Because this approach focuses on language and on the power dynamics embedded in language, it should be an appropriate method for themes and assumptions implied in the communication. In the case of statements and press releases, this can be used to see how issues, such as land and resource management, are framed and communicated, who is included in the conversation and, potentially, who the audience is. This can highlight who is afforded more consideration and the resulting power dynamics between local actors, and federal and state institutions. This should be able to reveal what the broader political interest and how and whether local opinions are either engaged with or shaped. This methodology will be applied to the letter of support by Maxine Redstar and the letter by the Shoshone-Paiute Tribes of Duck Valley to the UN Special Rapporteur on the rights of the indigenous peoples. Given that the qualitative approach relies on examining and interpreting

documents, this can be used to see how the issues are understood and presented to the public. The selection of information and how it is presented can help reveal intended audience and intended messaging, suggesting both ideologies and values. By comparing the content of the document to the context, underlying interests and power dynamics can be inferred from the text. This method can be applied to the reports and news releases by the Bureau of Land management.

## Chapter 2: Historical precedents of necropolitics

In order to answer the **the first sub-question, “how has the US government’s historical approach to land management shaped indigenous life in the region,”** this chapter will look at the interaction between the US government and Native American communities. The interactions analysed will not necessarily be limited to the experiences of the Shoshone-Paiute tribe but will include other indigenous experiences, for the purposes of revealing underlying dynamics in the behaviours, embedded interests and biases, governing the relationships between government and Native Americans. Specifically, this chapter will look at historical precedents that demonstrate how indigenous communities have been subjected to federal policies that by design and by neglect prove to be detrimental to both individual and community health and existence. This will not only inform the context of the contemporary dispute over lithium mining in Nevada, but also demonstrate the continuity in subjugation and marginalisation of Native American communities, always justified in the name of an overarching national narrative or imperative. This will highlight how the case study fits into an analysis according to necropolitics, by emphasising how the issue of race was contrived to paint non-Europeans as “the Other” and inhuman in order to create what Mbembe calls “fictionalized enemies.”<sup>53</sup> This would justify practices of violent domination through what Foucault calls “the condition for the acceptability of putting to death.”<sup>54</sup>

This chapter will start with an overview of the Thacker Pass region, who has historically lived in it, their relationship with the land, and why it is culturally important for the Shoshone-Paiute community. In order to do so, the chapter will breakdown the interaction between the two groups into three sections. The purpose of this is to highlight the continuity in policy of subordinating Native interests, their lives, livelihoods, and, just as crucially, their environments, in the pursuit of “the greater good” of white settler economies and security. Firstly, how the United States government encouraged white settler migration into the region in the nineteenth century, especially through the facilitation of establishing mining operations. This process worked in tandem with the policy of removing Native Americans from desirable land and moving them into reservations, disrupting their lives and livelihoods.

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<sup>53</sup> Mbembe, “Necropolitics,” 71.

<sup>54</sup> Foucault quoted in Mbembe, “Necropolitics,” 71.

Secondly, Native American land found themselves as the object of intense interest following the oil shocks of the 1970s. The event triggered US government interest in reestablishing energy independence and looked towards the underdeveloped regions of Native American reservations for sources of coal and oil.

Thirdly, the twentieth century saw the use of Native American reservations to support the nuclear military-industrial complex. The Navajo reservations in Arizona were famously used for uranium mining and weapons development. However, Nevada did not escape unscathed, as found itself the host of the Nevada Test Site, a sacrifice zone used by the United States government for nuclear testing, on land traditionally belonging to the Shoshone-Paiute community. Each historical precedent will demonstrate the existence and implementation of a hierarchy of interests, corresponding to a hierarchy of power held and value assigned to different groups of people.

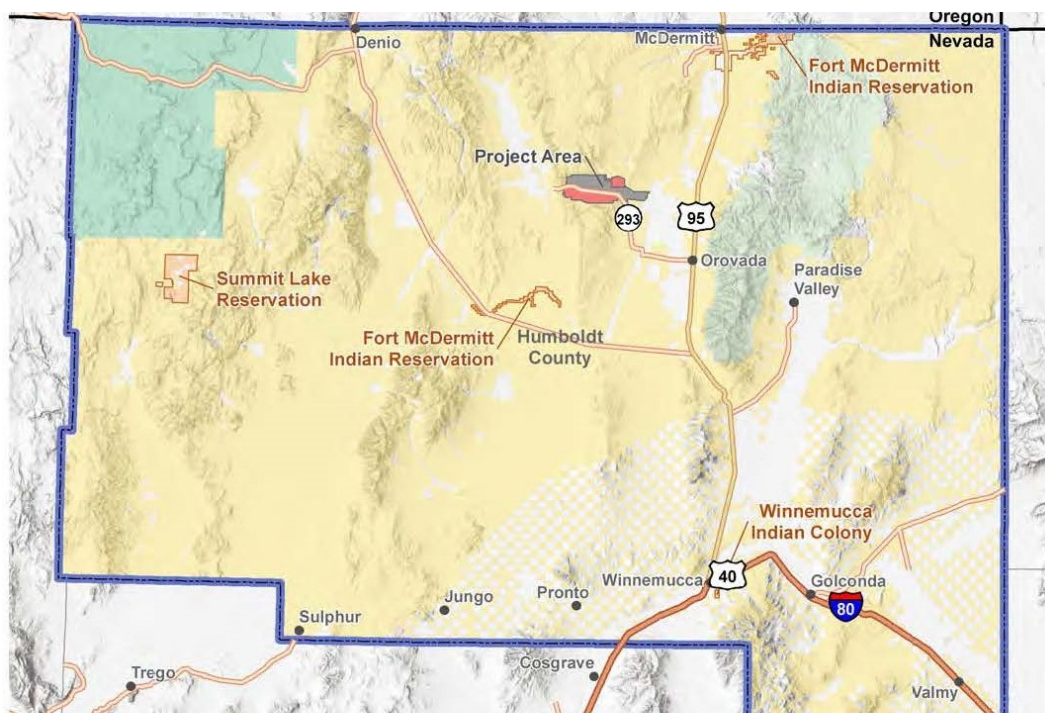


Figure 1. Site map of Thacker Pass.

Thacker Pass lies in the northern part of the State Nevada, in Humboldt County, and is situated between the two blocs of the Fort McDermitt Indian Reservations. As can be seen from the Figure 1., it does not lie within the confines of either reservation, and is instead considered federal land and is managed by the Bureau of Land Management.

However, the land itself is historically part of the region inhabited by the Shoshone and Paiute tribes, who refer to themselves as Newe (Shoshone) and Numu/Nuwu (Paiute)

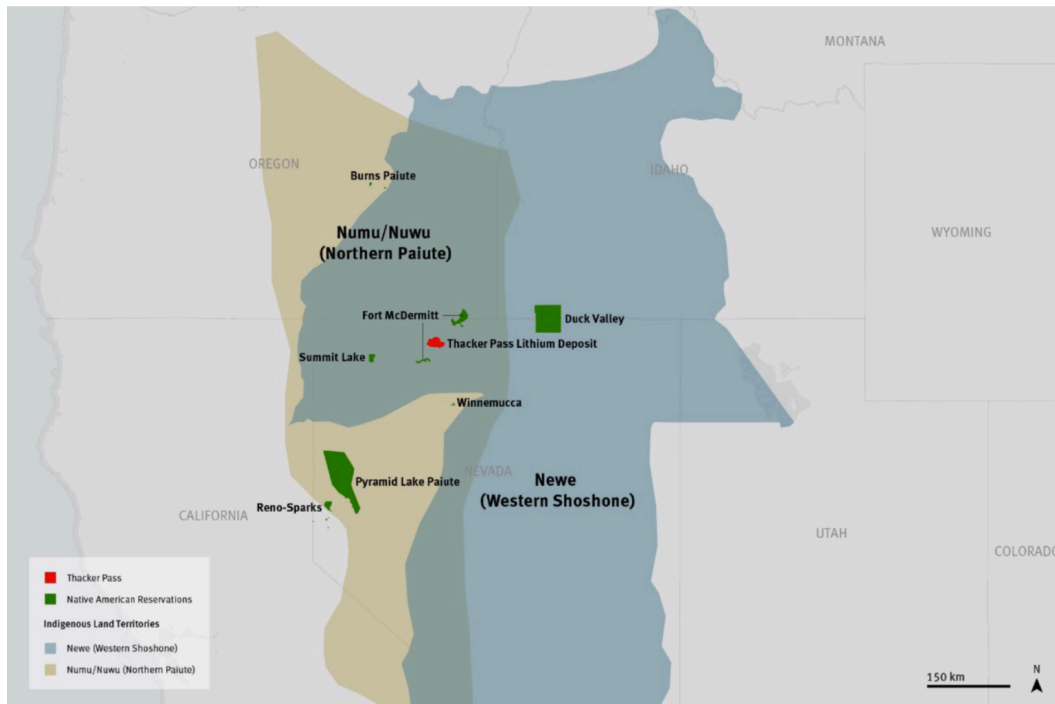


Figure 2. Map of Indigenous Ancestral Land Territories and Native American Reservations.

respectively, as can be seen in Figure 2. The area around Thacker Pass was traditionally used for hunting and gathering; it has retained this significance even in modern times, as plants for traditional medicine and religious rituals can be sourced from the area.<sup>55</sup> However, perhaps most importantly, Thacker Pass is an area of religious significance, as it was the site of a massacre in 1865; the Union Army killed a village of Shoshone and Paiute tribespeople. Thacker Pass is also called Peehee Mu’huh, which in Paiute means “rotten moon.” This is in reference to the fact that the area looks like a moon when viewed from the surrounding mountainside; according to oral tradition, the bodies of those massacred were left to rot and the smell was so strong it caused survivors to rename the place to “Rotten Moon.”<sup>56</sup> Members of the community still visit the area to conduct religious rites and it is an important component of their community identity. The massacre perpetrated

<sup>55</sup> Human Rights Watch and American Civil Liberties Union, ““The Land of Our People, Forever:” United States Human Rights Violations against the Numu/Nuwu and New in the Rush for Lithium,” Human Rights Watch, February, 2025. 33. [https://www.hrw.org/sites/default/files/media\\_2025/02/us\\_lithiummining0225%20web.pdf](https://www.hrw.org/sites/default/files/media_2025/02/us_lithiummining0225%20web.pdf)

<sup>56</sup> Daranda Hinkey, “Finding Ourselves at Peehee Mu’huh: An Interview with Daranda Hinkey.”

against them was part of a broader wave of violence conducted against Native Americans, as a result of tensions with white settlers, attracted by the Gold Rushes in California and Nevada.<sup>57</sup> This embeds present day issues with critical minerals within a historical context of destruction in the securing of mineral resources.

This places the more recent developments within a well established time line, rather than observing it as a new phenomenon.

Historically speaking, indigenous and settler/government relationships

were established through violence and expropriation of land and resources. This has set the tone for subsequent indigenous-government interactions over land and is made explicit in the writings of Gary McKinney, member of the Shoshone Paiute Tribe of Duck Valley, who draws a direct line between violence towards native communities and federal priorities. He affirms that "the United States wanted the Indians off what is now "public land" to make space for white settlers."<sup>58</sup> Not only does this statement speak to the violence remembered in community tradition, but also highlights the process of dispossession that turned native homelands into "empty" and therefore "public" lands, to be made available for colonial economic practices of farming, ranching and mining. Indigenous and settler tensions over environmental degradation, settling, overhunting and

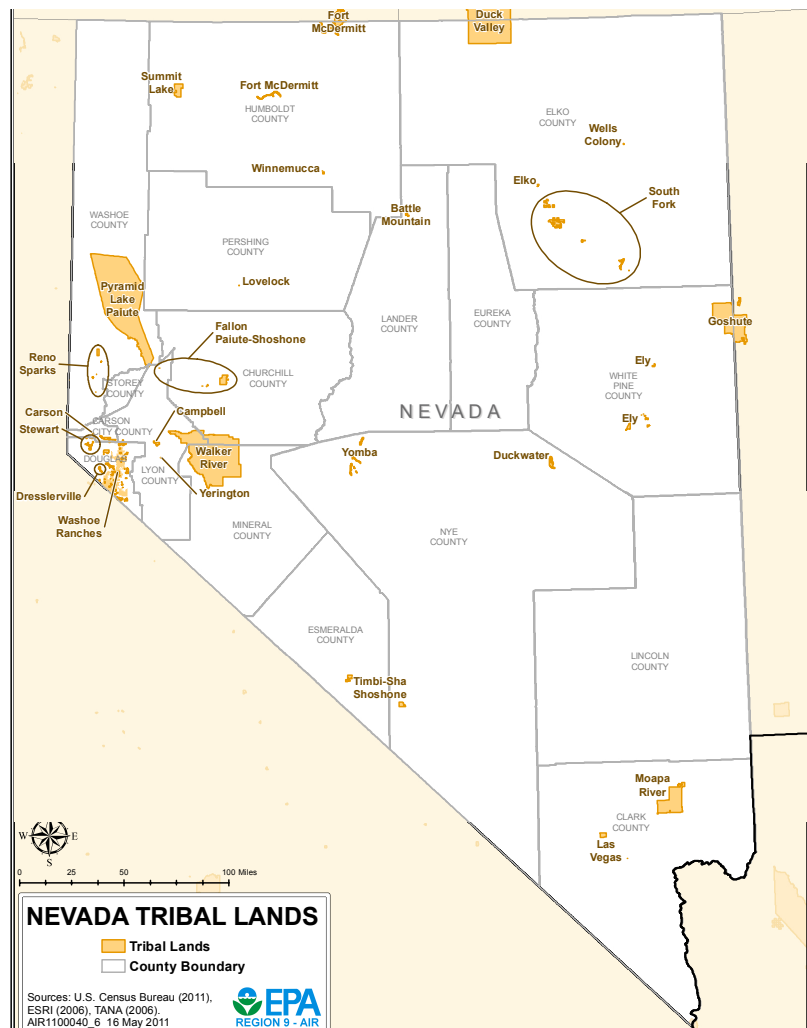


Figure 3. Nevada Tribal Lands

<sup>57</sup> Bengston, Ginny. "Northern Paiute and Western Shoshone Land Use in Northern Nevada: a Class I Ethno-graphic/Ethnohistoric Overview." *Cultural Resource Series* no.12 (December 2002). pp. 32. Report submitted by SWCA Environmental Consultants for Bureau of Land Management, Nevada State Office.

<sup>58</sup> Gary McKinney, "Life over Lithium."

mining, disrupted traditional livelihood and led to conflict; in the case of the Shoshone and Paiute tribes of Nevada, this would result in them losing much of their territory and being placed in reservations.<sup>59</sup> The government took over much of the remaining land, giving access to white ranching and mining interests.<sup>60</sup> This was incentivised by the 1872 Mining Law, still in force today, which allowed prospecting on federal land and facilitated mining activity. According to McKinney, this law was used to “entice these prospectors and “settle” the West.”<sup>61</sup>

It is important to point out that encouraging such activities was not just out of economic incentive, they were also tools for the US government to limit native access to land and reduce their populations, as part of a strategic effort to erase them, physically and culturally; by denying access to land, livelihood and cultural practices were severely limited, affecting both physical and mental health and community identity.<sup>62</sup> Furthermore, even once on reservations, tribes would be accused of not “making use of the land,” and this was the justification in reducing their allotment further.<sup>63</sup> As can be seen in Figure 3., the land allocated to tribal reservations is a fraction of what used to constitute ancestral native land. Despite much of Nevada and neighbouring states being the traditional homeland of the Shoshone and Paiute tribes, and therefore of much cultural significance, private property and state ownership of land further reduces access.<sup>64</sup>

Narratives such as Manifest Destiny not only fuelled the western migration of white settlers, but were also central to the drafting of laws, such as Homestead Act and Mining Law of 1872. Not only did these encourage white migration, but they also specifically supported practices of farming and mining. These actions restricted traditional indigenous lifestyles of movement throughout the lands according to seasons and animal migration. Furthermore, both farming and mining altered the environment, further disrupting practices of indigenous sustenance. As a result of these pressures, violent clashes between

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<sup>59</sup> Richard C. Hanes, “Cultural Persistence in Nevada: Current Native American Issues,” *Journal of California and Great Basin Anthropology* vol.4, no.2 (1982): 205-206. <https://www.jstor.org/stable/27825122>

<sup>60</sup> Hanes, “Cultural Persistence,” 209.

<sup>61</sup> Gary McKinney, “Life over Lithium.”

<sup>62</sup> Human Rights Watch and American Civil Liberties Union, “The Land of Our People, Forever,” 33.

<sup>63</sup> Hanes, “Cultural Persistence,” 208.

<sup>64</sup> Hanes, “Cultural Persistence,” 216.

indigenous peoples, settlers and military would ultimately see the establishment of reservation systems.

In addition, the socio-political relationship between government and indigenous communities was established in part through a series of treaties and agreements (seldom respected). Though tribes are often recognised as “nations” they are not recognised as fully sovereign.<sup>65</sup> This started through a process of indirect rule through trusteeships and treaties formed on an ad hoc basis with individual tribes and chiefs, which had the longer effect of denying comprehensive rights and protections to indigenous peoples, and being prone to being exposed to exploitable loopholes. For example, in the case of the Western Shoshone in Nevada, treaties with the US government allowed for provisions regarding mining. This left their land vulnerable to intensive and polluting mining activity, with the added indignity of their territory hosting radioactive waste disposal sites.<sup>66</sup> Moreover, when the Roosevelt Administration “reorganized” Native American societies in 1934, they did so according to a corporate political structure of formalised “tribal councils.”<sup>67</sup> This established who had authority within a tribal council, while those outside of them were stripped of an indigenous recognition. This has had the longer term impact of raising the problematic issues of native “authenticity.”

Furthermore, Native Americans also experienced policies of assimilation, in attempt to break down their culture and turn them into something else, in a process evocative of necropolitics as state and structural power exercised through policy shaped the creation of a different person. In the words of Mbembe, “the desire for an enemy, the desire for apartheid (for separation and enclaving), the fantasy for extermination,”<sup>68</sup> all animate policies towards Native Americans in this period, as can be seen through policies of first violence, then segregation into reservation, and finally of cultural destruction through assimilation. Yet this process would create another Other: on the one hand, natives had to be transformed into something or someone not native or indigenous, as the imagery of the native was constructed as one of enmity to justify colonial conquest;<sup>69</sup> however, they could not be white either, due to the racial colour lines. This ambiguous positioning deprives

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<sup>65</sup> Peter d’Errico, “Native Americans in America: A Theoretical and Historical Overview,” *Wicazo Sa Review* 14, no. 1 (1999): 11. <https://doi.org/10.2307/1409513>.

<sup>66</sup> d’Errico, “Native Americans,” 21.

<sup>67</sup> d’Errico, “Native Americans,” 20.

<sup>68</sup> Mbembe, “Necropolitics,” 43.

<sup>69</sup> Mbembe, “Necropolitics,” 19.

them of political status and thus subjects them to calculations of sacrificeability.<sup>70</sup> Invisibility inflicted by physical and political marginalisation would persist and ensure that imposed sacrifice would continue, even if the narratives would change. The laws established to encourage white settlement would continue to impact native communities in the 20th century. Furthermore, similar narratives of progress and development would continue to encourage the establishment of settler economies. The twentieth century would see a shift in the justification of resource extraction to narratives of economic development and energy independence.

In the 1970s, following the oil shocks, there was an effort to pursue American energy independence by the federal government. The resources underneath Native American land, oil, coal, uranium, were eyed with interest. This put Native communities in a dilemma. Whether to partner with white economic interests and participate in extractive industries, well aware of the environmental and social impact, yet benefitting from the political and economic boon this would provide; or to eschew such a partnership and in doing so, preserve both environmental integrity and traditional values and lifestyles.<sup>71</sup> Yet, this discussion also highlighted their marginality in the decision-making process, which allowed their lands and people to be considered as sacrifice zones in the first place. This dilemma is reflected in the contemporary debate on lithium mining as well.

While issues of environmental integrity and indigenous land rights are at the forefront of the concerns shaped by historical experience, there are other concerns such as social ones. Extractive industries tend to see concentrations of men in isolated areas. This has had a negative impact especially on indigenous women, who find themselves victims of disproportionate violence. This concern is shared across many tribes and as a result is raising awareness and accountability is a focus of tribal solidarity. For example, a resolution adopted by the National Congress of American Indians, the oldest national organisation of native tribal governments, opposes the building of man-camps, or temporary housing for workers, for the purposes of lithium extraction at Thacker Pass. The motivation behind this is the direct correlation between man camps and increases in violence, as demonstrated by a study carried out by the U.S Bureau of Justice Statistics. Their study, conducted in the oil extraction region of Bakken between Montana and

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<sup>70</sup> Mbembe, "Necropolitics," 71.

<sup>71</sup> Ryan Juskus, "Sacrifice Zones," *Environmental Humanities* 15, no. 1 (March 1, 2023): 9, <https://doi.org/10.1215/22011919-10216129>.

Dakota, found a disproportionate 70% increase of violence in counties which housed extractive industries, as opposed to those counties without them.<sup>72</sup> Indigenous women are already a particularly vulnerable demographic, often doubly victimised by both perpetrators and indifferent justice systems. The issue of violence, especially gender based violence, is especially glaring given the historic connotations, as in the nineteenth century federal authorities and settlers perpetrated massacres and sexual assault as means of reducing native populations through intimidation, expulsion and extermination.<sup>73</sup> According to the report by Human Rights Watch and the American Civil Liberties Union, even today indigenous women and two-spirits<sup>74</sup> suffer higher rates of assault, abduction and murder, compared to the general population.<sup>75</sup> In addition, this does not take into account underreporting and the lack of investigation which both exacerbates the crisis and undermines the severity. This is a specific concern for the case in Thacker Pass as well, as evidenced by the article “Life over Lithium.”<sup>76</sup> This article links the 1872 Mining Act, which facilitated access to the land for mining purposes, to the subsequent violent impact on native women as a result, referred to as a generational trauma. Violence towards women has been one of the tools of Native genocide.

Indigenous thinkers identified a historical relationship between genocide and ecocide linked to the economic activities of white settler culture, based on unsustainable use of land, both in the nineteenth and twentieth centuries.<sup>77</sup> The disproportionate exposure to environmental risks and costs born by people of colour has been recognised as embedded in the larger fabric of social inequalities. What Bullard calls “environmental racism” can be understood as policy or practice that predominantly affects, intended or otherwise, categories of people determined by race or colour.<sup>78</sup> While his work focuses on the pollution of toxic industries, waste dumps, and poverty in predominantly urban areas, the mechanisms he identifies can be seen at work in the cases of both nuclear testing and

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<sup>72</sup> National Congress of American Indians. Resolution #ANC-22-007 “Title: Supporting Indigenous Safety through Opposing Man-Camps for Thacker Pass.” June 2022. <https://ncai.assetbank-server.com/assetbank-ncai/assetfile/1948.pdf>

<sup>73</sup> Human Rights Watch and American Civil Liberties Union. “The Land of Our People, Forever,” 35.

<sup>74</sup> Two-spirit: term used by some indigenous people to describe a third gender social role.

<sup>75</sup> Human Rights Watch and American Civil Liberties Union. “The Land of Our People, Forever,” 129.

<sup>76</sup> McKinney, “Life over Lithium.”

<sup>77</sup> Juskus, “Sacrifice Zones,” 9.

<sup>78</sup> Robert D. Bullard, “The Threat of Environmental Racism,” *Natural Resources & Environment* 7, no. 3 (Winter 1993): 23.

resource extraction on native lands in the 20th century. These mechanisms are the outcome of structural power determined by race and racism, according to which non-white are marginalised from political decision-making.<sup>79</sup> As a result, environmental burdens of pollution are born by those disenfranchised.

This dynamic of environmental costs imposed upon vulnerable communities is reflected in the instance of uranium mining in the United States. Since the 1970s in particular, uranium to power nuclear reactors has been mined in the United States. This was encouraged in order to secure domestic supplies of energy and counterbalance the threat of disruption from uranium sources abroad.<sup>80</sup> In words eerily familiar to the contemporary securitisation of lithium and other rare earths, the American Mining Congress depicted dependence on foreign sources of minerals as a national security vulnerability and to encourage domestic sourcing.<sup>81</sup> Furthermore, by framing this within the narrative of national security, federal governments could justify the relaxation of environmental, health and safety regulations. In addition, while Native Tribes own reservation resources, these resources are usually held in trust by the U.S. government, which manages them through the Bureau of Indian Affairs; this department in turn leases them to multinationals, who often avoid paying the tribes their share of the minerals, perpetrating internal colonialism in regards to the unjust extraction of resources.<sup>82</sup>

Northern Nevada did not host uranium mining sites. However, this story is relevant for two reasons. Firstly, lithium was discovered in the McDermitt Caldera during the 1970s in the midst of the search for uranium in the region.<sup>83</sup> Secondly, other mining operations were present in the area, which led to a negative impact from waste and pollution on both local people and land. Mine tailings from the abandoned Copper Mine of Rio Tinto, situated within the proximity of the Shoshone/Paiute Duck Valley Indian Reservation, contaminated the nearby Mill Creek, rendering it uninhabitable for local redband trout, a

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<sup>79</sup> Bullard, "Environmental Racism," 23.

<sup>80</sup> Al Gedicks, *The New Resource Wars* (South End Press, 1993), 41.

<sup>81</sup> Ibidem.

<sup>82</sup> Gedicks, *The New Resource Wars*, 42.

<sup>83</sup> "PorterGeo Database - Ore Deposit Description," n.d., <https://portergeo.com.au/database/mineinfo.asp?mineid=mn1807>.

culturally important source of food.<sup>84</sup> According to the People of Red Mountain, the McDermitt and Cordero mercury mines have not only polluted local aquifers but also contributed to deaths caused by cancer amongst the elderly tribe members who used to work the mines.<sup>85</sup>

Given that elders are more likely to carry and share cultural knowledge and historical memory, the combination of health hazards from the effects of mining and the difficult social and geographic access to health care services in rural areas means that the vulnerability of elders also constitutes a threat to cultural perseverance.<sup>87</sup> This is exacerbated by higher mortality risks facing Native Americans, as investigated by the Indian Health Service. This increase in mortality is attributed to health disparities owing to “inadequate education, disproportionate poverty, discrimination in the delivery of health service, and cultural differences.”<sup>88</sup> Whether through narratives of progress and civilisation, economic development, or energy independence, Native lands and bodies find themselves routinely treated as sacrifice zones.

Southern Nevada also constituted a nuclear sacrifice zone, hosting the Nevada Test Site, which was subjected to nuclear testing between 1951 to 1992. This was carried out on the ancestral lands of the indigenous people, such as the Shoshone and Paiute.<sup>89</sup> This highlights the imperial relationships in nuclear countries, where territories designated as disposable, nearly always the land of indigenous peoples, were used for nuclear testing, and for more modern bombing exercises that alter the landscape.<sup>90</sup> However, there is also a narrative aspect in play: there is a process called “wastelanding,” according to Tracy Voyles, in which specific land and bodies are characterised as desert wastelands and

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<sup>84</sup> Dina Gilio-Whitaker, *As Long as Grass Grows: The Indigenous Fight for Environmental Justice, from Colonization to Standing Rock* (Beacon Press, 2020), 65.

<sup>85</sup> Human Rights Watch and American Civil Liberties Union, “The Land of Our People, Forever,” 120.

<sup>86</sup> The People of Red Mountain, “People of Red Mountain Statement of Opposition to Lithium Nevada Corp’s Proposed Thacker Pass Open Pit Lithium Mine,” *Sierra Nevada Ally*, May 20, 2021. <https://sierranevadaally.org/2021/05/20/people-of-red-mountain-statement-of-opposition-to-lithium-nevada-corps-proposed-thacker-pass-open-pit-lithium-mine/>

<sup>87</sup> Gilio-Whitaker, *As Long as Grass Grows*, 72.

<sup>88</sup> Ibidem.

<sup>89</sup> Mike Davis, “The Dead West - Ecocide in Marlboro Country,” *New Left Review* 200, (07, 1993): 49, <https://www.proquest.com/scholarly-journals/dead-west-ecocide-marlboro-country/docview/38493662/se-2>

<sup>90</sup> Davis, “Dead West,” 53.

therefore considered sacrificeable.<sup>91</sup> In the case of Nevada, these were the Shoshone lands that were irradiated and Shoshone bodies that were subjected to health hazards by way of contamination. Having said this, it is also important to emphasise how this not only reflects the power imbalance that allows the federal government to impose its use of the land for nuclear testing, but concurrently it also imposes a western perspective of the desert as wasteland. Yet, to the original inhabitants, the land has proven to be difficult yet sufficiently hospitable, as demonstrated by the long history. A similar dynamic is in play at Thacker Pass in regards to lithium mining and the risk of environmental disruption. As BC Zahn-Nahtzu, Shoshone/Paiute member of the Reno-Sparks Indian Colony states in the documentary *Thacker Pass - Mining the Sacred*: “That was my whole thing with Thacker Pass: It’s like you go out there and you don’t see anything. Well, that’s because you don’t have the right eye.”<sup>92</sup> She draws further parallels between the exploitation of native land for resources and for nuclear testing: “...two-thirds of Nevada is Shoshone land which, of course, it’s not anymore. They’ve used it for nuclear testing and they always want to do toxic waste storage and open-pit mining now.”<sup>93</sup>

Davis, in his article “The Dead West - Ecocide in Marlboro Country” points out to the illegality of the use of Native American land for the purposes of nuclear testing; loopholes and grey areas in legal treaties with Native peoples were exploited to secure access and control over these sites. Not only was this designated sacrifice zone subjected to immense ecological damage, it also exposed, through calculated neglect, nearby “disposable” populations, consisting of Native American communities and white farmers and ranchers, to radioactive contamination. Nuclear testing was performed on native land, destroying landscapes and biospheres, but the consequences were not limited to the land. Winds carried radiation beyond test sites, to sites such as the Mormon community of St. George, causing human birth defects, high rates of cancer and neurological disorders in neighbouring areas; this also impacted local ranchers, who experienced birth defects in livestock.<sup>94</sup> This was described as acceptable in an Atomic Energy Commission memo, which described the targeted communities as “a low-use segment of the population.”<sup>95</sup>

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<sup>91</sup> Gilio-Whitaker, *As Long as Grass Grows*, 61.

<sup>92</sup> BC Zahn-Nahtzu quoted in Brandi Morin and Georgie Day, “Thacker Pass - Mining the Sacred,” September 12, 2023, documentary transcript, <https://therealnews.com/mining-the-sacred-thacker-pass-indigenous-nations-lithium-mine-documentary>

<sup>93</sup> Ibidem.

<sup>94</sup> Davis, “Dead West,” 64.

<sup>95</sup> Davis, “Dead West,” 64.

This line drips with “necropolitics” and shows the indiscriminate strategic considerations of the government, which views people as disposable and organises them in hierarchies of worth and privilege. (White) American security was predicated on the sacrifice of rural communities, white and indigenous.

The end of the Cold War did not put an end to this ecocide as an eerily similar dynamic of apparently benign policy, with menacing subtext, was carried out: the deceptively positive campaign of “demilitarization” brought with it the environmental threat of nuclear disposal. Once again, indigenous lands of traditional significance, this time in Yucca Mountain, Nevada, became the unwilling host to nuclear waste.<sup>96</sup> This reinforces denial of access to ancestral lands, limits religious and cultural traditions, harms local ecology on which traditions and beliefs depend on. Whether by mining pollution or nuclear contamination, the issue of environmental harm perpetrated by both government and corporations have human rights implications. According to Gilio-Whitaker, there is a relationship between ecocide and genocide, when environmental damage “interferes with a culture’s ability to perpetuate itself.”<sup>97</sup> This can be interpreted both in terms of depriving communities of traditional sources of sustenance, but also through the privation of cultural practices in relation to the environment, such as hunting, fishing, providing treatment through traditional medicine and the sourcing of key items for ceremonies.

The findings of this chapter reveal that the historical precedents analysed have embedded power relationships between government, settler interests, and indigenous communities. This forms the underlying basis in the unfolding of the dispute over Thacker Pass. Each example is interconnected, as their ingrained dynamics stack upon one another. This is evident to the communities contesting the project. In the “*Submission by the Shoshone Paiute Tribes of the Duck Valley Reservation to the UN Special Rapporteur on the Rights of Indigenous Peoples for his Report to the UN Human Rights Council on: Green financing, a just transition to protect Indigenous Peoples’ rights*,” the authors identify continuity between mining policy and the burden of consequences left to the natives.<sup>98</sup> This continuity is traced back to the collaboration of state and mining interests. The US government claimed any unclaimed land in 1864, disregarding Native history and

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<sup>96</sup> Davis, “Dead West,” 72.

<sup>97</sup> Gilio-Whitaker, *As Long as Grass Grows*, 65.

<sup>98</sup> “Submission by the Shoshone - Paiute Tribes of the Duck Valley to The UN Special Rapporteur on the right of the indigenous peoples.” pp. 1. Accessed November 28, 2024. <https://www.ohchr.org/sites/default/files/documents/issues/indigenouspeoples/sr/cfis/greenfinancing/subm-green-financing-just-ngos-indi-peop-hoshone-paiute-tribes.pdf>.

rights, ensuring that even in 2018, 80.1% of land in Nevada is owned by the Federal government.<sup>99</sup> The Mining Law of 1872 allows both individuals and companies to prospect and stake claims to mineral rights on federal land, while once again disregarding and prior indigenous rights.<sup>100</sup>

In the primary sources similar themes emerge, expressed by indigenous communities while confronting different challenges. Themes such as environmental integrity, sacrality of land, stewardship over landscapes, continuity with ancestors who presided the territory.

This chapter demonstrates how the management of land by the US government throughout the nineteenth and twentieth century demonstrate consistent imposition of sacrifice on native lands and bodies. This dynamic has then shaped the political interactions regarding resource extraction, which continues to be relevant in the contemporary case of lithium mining. In each example presented, the structure and process of necropolitics is made visible. The colonisation period in the 19th century, saw the overwhelming use of violence perpetrated not just against the native community, but also against the landscape itself.<sup>101</sup> Through practices of racism and segregation into reservations, native communities were also marginalised from the centres of political decision-making, as well as banished to the periphery of the national body, both geographically and within the national imagination. In fact, Julie Klinger's book, *Rare Earths Frontier* highlights a key concept in this historic dynamic, the of the frontier or hinterland. The frontier occupies both a geographic space, that of the borderlands, but also critically a political-imaginary space.<sup>102</sup> Being at the margins means that they are far away from the centres of decision-making, while the environmental hazards of resource extraction that occur on their lands are isolated from the majority, who can then consume the resources. The historical precedents demonstrate this process of alienation and marginalization. Both indigenous land at the margins of the political body were turned into sacrifice zones in the name of multiple narratives: civilisation and settlement, economic development and energy independence, geopolitical security. At the same time, the shift in

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<sup>99</sup> "Submission by the Shoshone - Paiute Tribes of the Duck Valley," 4.

<sup>100</sup> "Submission by the Shoshone - Paiute Tribes of the Duck Valley," 5.

<sup>101</sup> Human Rights Watch and American Civil Liberties Union. "The Land of Our People, Forever," 35.

<sup>102</sup> Klinger, *Rare Earth Frontiers*, 11-12.

violence is also noticeable. The nineteenth century saw the predominant use of overt violence. The twentieth century saw the use of slow violence, initiated by the political dynamics instituted in the nineteenth century through race and violence. Acceptability of loss of indigenous life, established along the racial lines of disposability, informed the process of slow violence, carried out through exposure to pollution, health hazards, socio-economic marginalisation.

### Chapter 3: The tension between the actors

In order to answer the the second sub-question **“How have tension between government, corporations and native communities influenced control over indigenous life, resources and livelihood?”** this chapter will study the interactions between the government, corporate interests and indigenous communities. This chapter will start with an overview of the issues presented by lithium mining globally, especially in regards to how it encroaches on indigenous lives, rights, land, and tradition. This connection between the international and local is also acknowledged in the identification and analysis of the issues by both residents and tribal members, as is reflected in the primary sources. This will help reveal the constant that is the collaboration between political power and capital, at the expense of indigenous lives, interests and environments, at both a local and global level. Subsequently, how these intersecting relationships play out in the case of Thacker Pass will be laid out and analysed. Firstly, this chapter will go over the global international relationships which characterise lithium mining and trading, and how this ties into the geopolitical strategic considerations of actors like the United States. Secondly, this chapter will go over the key actors and their interests: US government and respective departments, the company of Lithium Americas and related industries, and finally, the local community, formed by ranchers and tribal communities, as well as flora and fauna, on whose behalf environmentalist groups are advocating. Finally, this chapter will look at how life and death is impacted in the region by analysing the mechanisms through which power is expressed; such as through marginalisation, obfuscating through the complexity of the legal system, implicit hierarchies of interest. This will reveal the implicit and explicit power dynamics between the actors. Power dynamics are understood as to how power is expressed to shape desired outcomes by the actors, and can be carried out through the influence over political processes and legal infrastructure, as well as financial means.

The lithium deposits present at Thacker Pass provide an opportunity to advance US government interest. The securitisation of critical minerals is deemed critical for national security, given their importance to American industries. Rare earth minerals are made rare not by their scarcity, rather by their costs measured in environmental damage and human health and lives. Because of this, the twentieth century saw an offshoring of their production to regions such as South America and China, more willing to bear this cost.<sup>103</sup>

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<sup>103</sup> Julie Klinger, *Rare Earth Frontiers*, (Cornell University Press, 2018), 5.

However, the centring of production in a few areas revealed itself to be a risk in an era of geopolitical tension. In addition, President Biden's Inflation Reduction Act had provisions for investments in green technology, hence investments in domestic lithium mining.

How does the global relate to the local? In the case of lithium Mining at Thacker Pass, there are three blocs of actors: government, mining interests, and local communities, indigenous, non-indigenous, and non-human. What is at stake for whom at Thacker Pass? The US government has an interest in securing domestic supplies of critical rare earth minerals. This involves a process of securitisation under both the Trump and Biden administration. In this manner, they support industrial and economic interests tied to lithium.

Lithium Americas, also known through their subsidiary of Lithium Nevada, is the mining company seeking to extract lithium from the McDermitt Caldera, which hosts considerable deposits of lithium. Furthermore, it could fulfil the government's aim of on-shoring lithium mining and satisfy a secure supply. In order to facilitate this, it has partnerships with the government, in the form of loans and grants. Firstly, the project received a grant from the Department of Defense worth \$11.8 million, while the Department of Energy contributed \$2.26 billion in loans.<sup>104</sup> This demonstrates the importance to geopolitical strategic considerations, represented by the size of investments. However, the company has additional partnerships. General Motors is also involved and agreed to a \$650 million equity investment with Lithium Americas, in order to jointly develop the Thacker Pass mine and secure a domestic supply chain for lithium. In exchange, GM will receive exclusive access to Phase 1 production. According to the news release by General Motors, Lithium Americas estimates that the mine could produce sufficient quantities to support the production of up to 1 million electric vehicles per year.<sup>105</sup>

The local community in Humboldt County, consisting of both indigenous and non-indigenous people, welcomed the prospect of the lithium mine with mixed feelings. On the

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<sup>104</sup> Amoah, Sovacool, Mulvaney, Bazilian, Luarkie, and Daniel Cardenas, "Critical Minerals Mining and Native American Sovereignty," 12.

<sup>105</sup> General Motors Co., "News Release Details: GM and Lithium Americas to develop U.S. - Sourced Lithium Production through \$650 Million Equity Investment and Supply Agreement," accessed May 6, 2025. <https://investor.gm.com/news-releases/news-release-details/gm-and-lithium-americas-develop-us-sourced-lithium-production>

one hand, the prospect of jobs and economic investment into the local economy and infrastructure was appealing; on the other hand, the risk of environmental pollution was daunting, given the experiences with nearby mercury mines. Furthermore, some members of the Shoshone-Paiute tribe of the closest reservation of Fort McDermitt felt they were insufficiently informed, and were particularly concerned about both environmental impact on ancestral lands, as well as potential desecration of burial grounds.<sup>106</sup> There are other concerns, such as insufficient consultation over the land use, lack of a means of proper address, risk of desecration of ancestral land, risk of losing access to the land for religious purposes, competition over water resources, as well as the established peril brought by extractive industries and their correlation with gender violence.

Furthermore, Thacker Pass is sacred not only for the presence of ancestral spirits, but also due to the lively ecosystem that hosts sacred plants and animals. For example, Michon Eben, tribal historic preservation officer for the Reno-Sparks Indian Colony, interviewed by Human Rights Watch and the American Civil Liberties Union states that the eagles inhabiting the region represent a connection to “the next World.”<sup>107</sup> Hence, not only does mining threaten their ecosystem and breeding grounds, but also constitutes an encroachment on the sacred. Other native elders refer to plant and animal life as sacred, both in themselves and as components in traditional ceremonies and medicine.<sup>108</sup>

The case of traditional medicine is particularly important. Health care for indigenous people is underfunded. The challenges of accessing health services is exacerbated by the distances in rural areas and by the socio-economic difficulties, which makes travel and lodgings prohibitive, as more than half the inhabitants of the Fort McDermitt Paiute-Shoshone Tribe Reservation are below the poverty level.<sup>109</sup> Because of this, traditional sources of medicine acquire importance beyond the cultural: it has the potential to be life saving. According to the People of Red Mountain, Thacker Pass is a key location for sourcing ingredients such as *toza* root for anti-viral remedies and old-growth sage brush

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<sup>106</sup> Daniel Rothberg, ““We’re just somebody little.” Amid plans to mine lithium deposit, Indigenous, rural communities find themselves at the centre of the energy transition.” *The Nevada Independent*, June 20, 2021.

<sup>107</sup> Michon Eben quoted in Human Rights Watch & ACLU, “The Land of Our People, Forever,” 90.

<sup>108</sup> Inelda Sam quoted in Human Rights Watch & ACLU, “The Land of Our People, Forever,” 94.

<sup>109</sup> Nada Hassanein, “Indigenous people are promised health care. For rural moms, it’s an empty one.” *Center for Health Journalism*, August 15 2022. <https://centerforhealthjournalism.org/our-work/reporting/indigenous-people-are-promised-health-care-rural-moms-its-empty-one>

for Indian tea, used in the treatment of respiratory illnesses.<sup>110</sup> This was evidenced during the COVID pandemic when these practices were relied upon. Hence, the disruption caused by mining and related activity of ecosystems that sustain the growth of traditional sources of medicine, risks making a detrimental impact on the health and mortality of local indigenous communities.

It is important to acknowledge that Lithium Americas has also attempted to engage with the concerns raised.<sup>111</sup> The company has signed a Community Benefits Agreement with the Fort McDermitt Paiute and Shoshone Tribe in 2022. This prescribes a number of initiatives, such as providing employment opportunities, training, cultural education and preservation. This includes the building of a community centre to provide for daycare and cultural facilities, as well as a greenhouse to support conservation of native flora and assist in reclamation efforts. Furthermore, the company sponsored an investigation, with the assistance of tribe members, in order to ensure that there were no sites of archeological significance within the Thacker Pass project area.<sup>112</sup> Finally, the relative proximity of the mining project would support local employment; the company claims that up to 2000 jobs would be created in order to build the mining facility, whereas an additional 1,100 employees would service it throughout the lifespan of the mine.<sup>113</sup> In an economically neglected area, this would provide an important source of income, as well as provide further opportunities for related employment. Furthermore, their community engagement initiatives also included improvements to local infrastructure.<sup>114</sup> In addition, the tribes closest are not opposed to the development.<sup>115</sup> According to Lithium America, the tribes that are opposing the mining project are farther away, such as the Burns Paiute Tribe and Reno-Sparks Indian Colony, over 200 miles away and well outside the project area. This highlights the issue of a lack of consensus amongst the local community.

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<sup>110</sup> People of Red Mountain, "People of Red Mountain Statement of Opposition to Lithium Nevada Corp's Proposed Thacker Pass Open Pit Lithium Mine."

<sup>111</sup> Amoah, Sovacool, Mulvaney, Bazilian, Luarkie, and Daniel Cardenas, "Critical Minerals Mining and Native American Sovereignty," 12.

<sup>112</sup> Tim Burmeister, "Lithium Americas signs agreement with local tribe," *Elko Daily Free Press*, October 25, 2022. [https://elkodaily.com/news/local/business/mining/lithium-americas-signs-agreement-with-local-tribe/article\\_a7e6d900-5418-11ed-9e4f-1f9853aa0ad0.html](https://elkodaily.com/news/local/business/mining/lithium-americas-signs-agreement-with-local-tribe/article_a7e6d900-5418-11ed-9e4f-1f9853aa0ad0.html)

<sup>113</sup> Lithium Americas, "Thacker Pass Overview." Lithium Americas Fact Sheet, January 2025.

<sup>114</sup> Lithium Americas, "Community Engagement." Lithium Americas Fact Sheet, January 2025.

<sup>115</sup> Tim Burmeister, "Lithium Americas signs agreement with local tribe," *Elko Daily Free Press*, October 25, 2022. [https://elkodaily.com/news/local/business/mining/lithium-americas-signs-agreement-with-local-tribe/article\\_a7e6d900-5418-11ed-9e4f-1f9853aa0ad0.html](https://elkodaily.com/news/local/business/mining/lithium-americas-signs-agreement-with-local-tribe/article_a7e6d900-5418-11ed-9e4f-1f9853aa0ad0.html)

However, it is important to analyse the concept of shared benefits. This raises the question of who has the power to define the benefits, how they are conceived and distributed. And perhaps most crucially, this brings to the forefront whether the benefits are articulated by the locals or whether they are what the company thinks the locals want. For example, in some cases there is a desire to protect an intact landscape and pass it on to descendants, yet this is ultimately incompatible with the construction of the mine. Perhaps the concept of shared benefits does not take into account the sheer imbalance in structural power between locals and company, and their respective ability to shape the outcome of the relationship. The fact that the company has access to a different level of financial resources, the financial backing of the Department of Energy through loans, the additional backing of the Department of Defense through more loans, as well as financial support from General Motors displays the network of entities with a vested interest in supporting the project. This potentially lies in the background of the Share Benefits Agreement; the company itself may be well meaning in its claims that it wishes to be a good community member. However, perhaps the agreement is a reflection of what the company believes the community wants or needs, as opposed to what the community itself wishes for. While acknowledging the divide within the community on the merits and drawbacks of the mining operation, at least to some members, the ideal option would simply be for there to be no mine; which is not an option on the table. Yet this demonstrates a difference in values, which is reflected in the primary sources. For example, as stated previously, one of the efforts engaged in by the company is the provision of a greenhouse to safely source traditional medicine from plants. However, a component of continuing cultural practices is the sourcing of medicine from the land, which would be hindered and disrupted by the presence of the mine. Similarly, in an effort to minimise environmental impact, the company is planning on engaging in land reclamation process following extraction.<sup>116</sup> Yet, both mining and land reclamation disrupt the ecosystem, upon which the tribe depends for survival. It is not possible to guarantee the integrity of the environment through reclamation and ensure that it is sustainable for future generations. This puts the physical and cultural future of the community at risk, according to Michon Eben.<sup>117</sup>

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<sup>116</sup> Lithium Americas, *Thacker Pass Overview*.

<sup>117</sup> Human Rights Watch and American Civil Liberties Union. "The Land of Our People, Forever," 96.

There are additional splits, such as those within environmental groups. Firstly, Great Basin Resource Watch, which had filed a lawsuit against Lithium Americas on environmental grounds, found itself at odds with one of its founders, who subsequently left the group. Glenn Miller, one founders of the organisation, left the group over their decision to file a lawsuit against the Thacker Pass project.<sup>118</sup> He ultimately believes that according to the proposed operations, the environmental impact will be relatively contained. Most importantly, he argues that the lithium itself is critical in order to sustain a decarbonisation process.

In addition, there is the potential issue of splits within the opposition against mining. According to Politico, some of the environmental activists who were collaborating with indigenous groups in regards to the protests, were distanced due to their ties with controversial environmental group Deep Green Resistance.<sup>119</sup> This group is considered to be problematic given their radical goal of complete industrial dismantlement, as well as their transphobic beliefs. While this in itself is an unrelated issue, it does reveal several problematic dimensions. Firstly, that even well-meaning outsiders can be detrimental, as they may have additional agendas, at odds with the movement. This can range from being a distraction to the overall message, but can also run the risk of an issue being hijacked. Furthermore, given the radical nature of these professional activists, their mere association could risk undermining the movement.

There are additional tensions between the parties and their stories. Firstly, claims of sufficient consultation and divulcation are contested. Both the Bureau of Land Management and Lithium Americas assert that both parties have sincerely engaged in a consultation process with both local communities and tribal authorities in regards to the mining development. This is supported by such actions such as the Shared Benefits Agreement between the Fort McDermitt Tribe and `Lithium Americas, as well as the Letter of Support issued by Maxine Redstar, one of the tribal representatives. This letter further mentions the consultation process which addressed concerns and implicate other parties. Thus, this raises the question of whether there was a consultation process; whether this

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<sup>118</sup> Tim Burmeister, "Founding Member of Environmental Group supports Thacker Pass," *Elko Daily Free Press*, March 12, 2022. [https://elkodaily.com/news/local/business/mining/article\\_d30e23e1-8f11-5b51-9e3e-d8ba423dc5dc.html#tracking-source=in-article](https://elkodaily.com/news/local/business/mining/article_d30e23e1-8f11-5b51-9e3e-d8ba423dc5dc.html#tracking-source=in-article)

<sup>119</sup> Jael Holzman, "How a fight over transgender rights derailed environmentalists in Nevada," *Politico*, February 6, 2022. <https://www.politico.com/news/2022/02/06/nevada-transgender-rights-environmentalists-lithium-00001658>

consultation process was sufficient in reaching out to affected community members whether enough information was provided to make an informed decision. Secondly, claims of how sustainable and environmentally safe the mining project is are disputed. For example, lithium mining requires a lot of water in the process of extraction, which often strains water supply. On the one hand, the company is striving to engage in such practices such as the recycling of water to minimise the impact on local resources. However, one of the local ranchers who filed a lawsuit against the company claims that the company failed to disclose the accurate amount of water required during the production cycle, which would threaten the water resources for the livestock.<sup>120</sup> Furthermore, mining processes often have issues with tailing, the material leftover from the extraction; often they are toxic, due to the chemicals used to treat them in order to separate the desired ore. In the case of the Thacker Pass project, this is supposed to be neutralised through a chemical process. In addition, while most lithium mines are either hard rock or brine based, the lithium deposits in the McDermitt Caldera area are clay based, the extraction process of which is more complex and yet to be done on a commercial scale. Hence, while the proposed operations seem to take into consideration the mitigation of water use and pollution, it is also relatively untested in regards to its commercial scale, which in turn raises the issues of unforeseen risks, both economic and environmental.<sup>121</sup>

In the *Response to Comments Received during Public Notice Period concerning Nevada Lithium Corporation's Thacker Pass Project*, there are many comments regarding the objection of residents to the min development, due to reasons of pollution risk, environmental integrity (and how this relates to community identity) and lack of sufficient consultation. However, the responses from the Nevada Division of Environmental Protection often refer to compliance with existing laws. Perhaps this suggests that exiting laws are insufficient to protect land based off of cultural and environmental concerns. Despite this, the historical experiences of mining have left a negative impact. In light of this, the hesitancy of the public to embrace lithium mining, regardless of the potential economic benefits, can be understood; safeguards may be in place to ensure sufficient safety practices, but this can only be proven through experience. As pointed out in one of the responses by the Nevada Division of Environmental Protection, it is worth recognising that the negative impact of historical mining in the region was prior to new laws, measures

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<sup>120</sup> Ed Bartell, "Opinion: Study overstates lithium mining benefits," *This is Reno*. October 1, 2024. <https://thisisreno.com/2024/10/opinion-study-overstates-lithium-mining-benefits/>

<sup>121</sup> Human Rights Watch and American Civil Liberties Union, "The Land of Our People, Forever," 114.

and mining techniques being implemented. Regardless, this does inform the suspicion of local communities in regards to mining activities and to the capability of mining operators to limit their environmental impact.

There are additional factors raised by the issue of climate change, such as droughts and access to clean water, as well as the issue of setting a precedence, given that there are other mining interest in the region as well.

How does this affect indigenous life and death through the control over resources, livelihoods in the region? Firstly, through marginalization from political decision-making, especially in regards to a lack of information or consent. One of the ways through which necropolitics works is not through explicit policies of harm or malice, but through the just as insidious practice of neglect. This conforms with de Souza's position, that sacrifice zones are "not the products of cruelty, but rather of indifference."<sup>122</sup> This characteristic of neglect is made very clear in the case study. As reported in an article by Jennifer Solis, one of the key issues in the Thacker Pass case is that local actors, including local ranchers, environmental groups, and, perhaps most importantly, local tribal communities, claim to have not been consulted sufficiently in regards to the permissibility of the project; lawsuits filed by these groups address both the sensitivity of the land due to the historic significance, as well as environmental impact, and allege that crucial information regarding both issues had been withheld.<sup>123</sup> The Bureau of Land Management, on the other hand, claims to have fulfilled their obligations of consultation, by issuing written letters to one of the tribes, the Summit Lake Paiute Tribe.<sup>124</sup> However, as stated both in the article and lawsuit, should the mere act of sending letters be considered as sufficient consultation? At best, it is a case of following the letter of the law, or in this case agreement, certainly not following the spirit. This example of lack of effort to satisfyingly inform and engage with local communities suggests a degree of indifference. However, this (lack of) action due to indifference has compounding effects on life and death: decisions are made without the input of those affected, industrial projects disrupt local environments, sourcing vegetation for traditional medicinal uses becomes difficult, access to ancestral land becomes restricted, thus altering not only physical environments but also community memory and integrity.

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<sup>122</sup> de Souza, "Sacrifice Zone," 232.

<sup>123</sup> Solis, "Three tribes file new lawsuit challenging Thacker Pass Lithium Mine."

<sup>124</sup> Solis, "Three tribes file new lawsuit challenging Thacker Pass Lithium Mine."

Secondly, the legal framework as a means of recourse is difficult. Aside from lawsuits being costly. Outdated laws and legal frameworks, such as mining laws with lax environmental protection safeguards, or the absence of provision for Indigenous consultation undermine attempts to utilise them. Hence, companies may be operating within the boundaries of the law. For example, protection for indigenous land seems to depend on a standard of proof that is unable to be met in this case. While this area was the site of a massacre in 1865, hence the cultural significance to the Paiute Shoshone community, the exact location is unknown; the documents that testify to the event do not specify the location.<sup>125</sup> Because of this, while there may be legal protections in regards to the preservation of sites of historical significance, they struggle to be applicable in this case. This constitutes an example of power imbalance between the actors. Laws and policies enacted by the government that are supposed to protect Native communities or the environment are instead given considerable latitude for interpretation and enforcement. For example, the Environmental Impact Statement carried out by the Bureau of Land Management prior to granting mining permits takes on average 3.1. years to complete. However, this was accelerated by the Trump administration through executive order in order to expand and protect domestic sources of critical minerals.<sup>126</sup> As a result, the process took less than a year instead, beginning in January 2020 and final permit being issued in January of 2021.<sup>127</sup> Furthermore, as part of the Environmental Impact Statement the Bureau of Land Management is supposed to solicit the opinion of affected parties, both the broader public and native communities. However, it can exercise discretion in who to consult and how, leading to accusations of insufficient consultation by indigenous peoples. This was particularly exacerbated by the COVID outbreak, during which the consultation process was allegedly taking place, due to the lockdown measures.<sup>128</sup>

Finally, both marginalization and the legal infrastructure serve the purposes of a hierarchy of priority. Lack of sufficient historic political influence by indigenous communities inhibits their ability to safeguard their cultural and environmental interests when these conflict with government or corporate interests. In this case, environmental

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<sup>125</sup> Thea Riofrancos, Alissa Kendall, Kristi K. Dayemo, Matthew Haugen, Kira McDonald, Batul Hassan, Margaret Slattery, and Xan Lillehei, "Achieving Zero Emissions with More Mobility and Less Mining," 2023, Climate and Community Project, 9. [<http://www.climateandcommunity.org/more-mobility-less-mining>].

<sup>126</sup> Human Rights Watch and American Civil Liberties Union, "The Land of Our People, Forever," 54.

<sup>127</sup> Human Rights Watch and American Civil Liberties Union, "The Land of Our People, Forever," 55.

<sup>128</sup> Daranda Hinkey, "Finding Ourselves at Peehee Mu'huh: An Interview with Daranda Hinkey."

integrity is critical to ensure sustainable sources of livelihood, such as hunting, guarantee cultural and spiritual practices, such as access to the land for rites, but perhaps most importantly, sourcing traditional medicine, especially in an era affected by the recent COVID pandemic.<sup>129</sup> Therefore, the benefits of lithium mining, which comes with the aforementioned risk to indigenous land, must be analysed in regards to who they benefit. The benefits of lithium mining, whether as an industrial resource or as employment opportunity, may risk being exported anyway. Batteries for use elsewhere, lithium refined and turned into products elsewhere. Working on lithium requires skilled labour and industry that may not be present in the region, hence limiting the positive economic impact of the presence of the industry. For example, the industries requiring lithium, such as battery or car manufacturing, are not necessarily located in Nevada; hence, the job creation opportunities of the extractive side are limited, and the bigger job creation opportunities are likely to be found in other states. In fact, this is likely the case as seen as how General Motors has not only secured exclusive access to the output of the mine during Phase 1 to 20 years, but plans on using it to develop GM's lithium-ion batteries, to be used in its vehicles.<sup>130</sup> However, the production of these batteries will be carried out in facilities in other states, such as Ohio, Tennessee, Michigan.

Ultimately, one thing that emerges from the primary sources is that the interests of the parties involved are shaped by a difference in worldview. On the one hand, nature and people can be seen as commodities, land can be seen in terms of ownership. Human society is separated from Nature and engages in the political creation of a space, understood as either useful or useless according to this framework. This is opposed to viewing the environment as interconnected entity with humans; co-habitation with the planet. This implies co-existence within a shared space, which is a constant in the intergenerational knowledge passed through the ages. Because of this, access to traditional lands is important in order to carry out customs, and perform rituals of respect and affirm continuity between past, present and future. This is emphasised by Fishel, as she states that Shoshone name for their ancestral land is *New Sogobia*, which means "People's Earth Mother."<sup>131</sup> The Shoshone people believe that their relationship with the

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<sup>129</sup> Human Rights Watch and American Civil Liberties Union, "The Land of Our People, Forever," 33.

<sup>130</sup> General Motors Co., "News Release Details: GM and Lithium Americas to develop U.S. - Sourced Lithium Production through \$650 Million Equity Investment and Supply Agreement."

<sup>131</sup> Julie Ann Fishel, "United States Called to Task on Indigenous Rights: The Western Shoshone Struggle and Success at the International Level," *American Indian Law Review* 31, no. 2 (2006): 622. <https://doi.org/10.2307/20070801>.

land is one of responsibility, to take care both physically and spiritually through rites and prayers. This is a shared responsibility, distributed not just throughout the community, but through time, binding past and future generations. However, it is also important to acknowledge that these two contrasting perspectives prove to pose a challenge to many amongst the indigenous community, as they navigate the pressure of economic and cultural survival. Thus, positions in the middle are also negotiated in an effort to balance the interests of tribal members, as expressed by Maxine Redstar, tribal chairwoman of the Fort McDermitt Indian Reservation. The potential economic benefits of mining or other resource extraction are weighed, while recognising the difficulty in balancing cultural traditions.<sup>132</sup> However, the conflict in perspective within the tribe has demonstrated to be passionate enough to escalate into physical confrontations.<sup>133</sup>

The legal and political structure is built on one worldview, whereas resistance comes from the other. Hence, while the company may be operating within established legal confines, the simple matter is that, historically speaking, the legal infrastructure is built to facilitate the interests of white settlers (and their descendants). The current dispute is a legacy of this. Exploitation of resources has colonial precedence and undertones. Hence, the current appetite for lithium is labelled as green colonialism. Green transition risks becoming a Trojan horse of extraction for consumption in the urban centres of non-indigenous peoples.<sup>134</sup>

A key difference between the competing actors perhaps lies in the concept of natural resource. As expressed by Smith and Tidwell, resources do not exist, rather they become resources as the result of specific human activity and imagination, a product of a set of political, economic or cultural contexts.<sup>135</sup> Furthermore, they expand on this by arguing the resources only exist as they are due to the assemblages that exist extract, commodify, distribute and consume, as well as the discourses and practices that are required to run these processes. These two points underpin the term “socio-technical imaginaries,” which are shared visions of the future, based off of a common understanding

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<sup>132</sup> Maxine Redstar quoted in Daniel Rothberg, “We’re just somebody little.”

<sup>133</sup> Brenda Norrell, “Fort McDermitt Tribal Leader Choked Youth During Lithium Americas Community Meeting,” IndyBay. January 19, 2024. [https://www.indybay.org/news\\_items/2024/01/19/18862201.php](https://www.indybay.org/news_items/2024/01/19/18862201.php)

<sup>134</sup> Submission by the Shoshone - Paiute Tribes of the Duck Valley,” 4.

<sup>135</sup> Smith, Jessica M, and Abraham SD Tidwell. “The Everyday Lives of Energy Transitions: Contested Socio-technical Imaginaries in the American West.” *Social Studies of Science* 46, no. 3 (2016): 330. <http://www.jstor.org/stable/26099844>.

of social life and order, to be achieved through advances in science and technology.<sup>136</sup> Importantly, these imaginaries are linked to exercises of state power, expressed through policy decisions and priorities, allocation of funds, and infrastructure development. In light of this analysis, the different worldview between company, state, and local communities is made particularly stark. Lithium Americas views the McDermitt Caldera as a lucrative lithium deposit, a resource to extract and sell. The federal government views it as a critical resource in its geopolitical considerations, given the importance of the mineral in both industrial development as well as in the green transition, envisioned as new kind of society. Local communities may be split: for some, it is the prospect of economic and employment opportunities; for others, it is not a resource, it is simply familiar landscape that was, is and will be part of the Earth and therefore not something to be bought, sold, or altered.

In conclusion, the tension between the key actors highlights the struggle over life and death at Thacker Pass. National directives and economic interest, facilitated by an extraction-friendly legal infrastructure, impose a mining industry which poses physical risk to both humans and ecosystem. These threats are constituted by risk of air, water and land pollution, disruption of natural environment and habitats. The potential distribution of these harmful impacts on life, human and otherwise, demonstrates how particular bodies, in this case indigenous and non-human, are more likely to be targeted as a result of acceptable neglect and marginalisation. This also applies to social forms of violence, such as the danger faced by indigenous women at the hands of mining communities, as well as socio-economic violence of poverty and lack of access to healthcare, which in turn nudges dependence on traditional health remedies which are in themselves imperilled by mining. This shows how hierarchy of interest accompanies hierarchy of acceptable loss. The following chapter will take a closer look at the key role of narratives in the articulation or justification of these hierarchies, how they both shape and are shaped by the process of contestation.

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<sup>136</sup> Smith and Tidwell, "The Everyday Lives of Energy Transitions," 330.

## Chapter 4: Conflicting narratives and unintended reactions

The first chapter establishes that mining in the United States is carried out against a historical backdrop of necropolitics, one in which native communities were first driven off their territory, then forced in reservations on territory deemed less significant to settler populations, and finally once again exploited irreparably by outside interests. The second chapter establishes that lithium mining itself is part of bigger struggle between different visions of sustainability between human society and environment. This is made clear in both global cases of extraction and the case of Thacker Pass, where government and corporate interests have require lithium in order to develop a sustainable society built on green technology; however, this based on an unequal distribution of benefits and sacrifices. Lithium for green technology serves to sustain a consumption driven society that has strained the environmental limits of the planet and ushered in the looming threat of climate change in the first place; hence, this highlights the awkward issue of whom does the green transition serve? As a result, this chapter details the expected and unexpected consequences of lithium mining in material, environmental and human terms, by answering the following sub-question: **How have narratives around indigenous rights, cultural preservation and environmental preservation confronted control over life and death in the region?** This chapter answers this question in three steps: firstly, by analysing the narratives and mechanisms of power and exclusion; secondly, by analysing the narratives around life and death, specifically, whose life and death; and thirdly, by analysing the narratives formed around resistance. The study of narratives is important as they show how the actors that embrace or perpetuate them interpret political and social interactions and hence shed light on different perspectives. This is not merely descriptive but also, importantly, normative, as narratives also reveal how people think things should be. In regards to this, however, there is also a process of narrative selection or creation by bodies of varying political power. This is particularly relevant to the previous two chapters, as history informs how narratives were and are used to justify political projects of social reordering and legitimise distribution of power. By engaging with counter-narratives of marginalised communities,

While lithium mining has threatened the integrity of the environmental landscape, access to traditional lands, the preservation of flora and fauna, amongst others, it has also spurred a reaction. It has incentivised a coalescing of interests motivated to protect the environment, while also highlighting the key debate at the centre of the green transition,

that of whose life and society is it preserving. While the contestation over Thacker Pass has at times disputed the veracity of key factors such as the historicity of the massacre which makes the land culturally and communally significant, it can also be claimed that the prospect of losing access to this land has also proven to be a focal point of cultural identity. Furthermore, this process has potentially provided a catalyst to the bonds of solidarity, both within the local indigenous community, but also within the broader community of global indigenous people. In fact, Daranda Hinkey asserts that “if the lithium mine hadn’t come up, I don’t think I would have been at Thacker Pass for a really long time ... I was able to reconnect to this place, and a lot of people are being able to reconnect to this place.”<sup>137</sup> This demonstrates that in the face of adversity, priorities are renegotiated. Furthermore, it potentially demonstrates a kind of generational renewal in the relationship between the land and people. While the threat to the land has mobilised both older and younger generations, it has also provided a catalyst for collective engagement which hosts opportunities for the sharing of cultural practices and oral traditions. To quote Hinkey again, “... being able to gather certain things here and hear those stories; it just brings in our identity of who we are as a people...”.<sup>138</sup> This establishes Thacker Pass as not merely a site of residence, but as a constant source of identity throughout multiple generations.

In fact, community solidarity is a particularly relevant point and has multiple dimensions. Firstly, it has strong historic links, as demonstrated by previous experiences of indigenous land exploitation; secondly, it has demonstrated key geographic links as well, which sees an indigenous solidarity movement extend transnationally. This is particularly relevant not just in regards to overall exploitation of environment, people and resources, but specifically in regards to the role of the indigenous community and links with other movements and issues. In fact, “unlikely” alliances have the potential to work outside of traditional settings and increase the chances of change by subverting or altering existing power dynamics.<sup>139</sup>

Climate change is a threat confronting the planet; it is an invisible threat, distributed unevenly. It begs the question of how both sacrifices and benefits are also distributed, often unevenly and often predicated on ranks within a global hierarchy of structural power

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<sup>137</sup> Daranda Hinkey, “Finding Ourselves at Peehee Mu’uh: An Interview with Daranda Hinkey.”

<sup>138</sup> Daranda Hinkey, “Finding Ourselves at Peehee Mu’uh: An Interview with Daranda Hinkey.”

<sup>139</sup> Vicken Hillis, Kate A. Berry, Briana Swette, Clara Aslan, Sheila Barry and Lauren M. Porensky, “Unlikely alliances and their implications for resource management in the American West,” *Environmental Research Letters* 15, no.4 (2020): 9. <https://iopscience.iop.org/article/10.1088/1748-9326/ab6fbc/pdf>

and interest. In order to mitigate this, a decarbonising society is necessary; however, this decarbonising society is still envisioned as one built upon technology and consumption, two factors that contributed to both environmental destruction and climate change. So what is supposed to be saved from this green transition? If it is an inhabitable planet, then it seems counterintuitive to impose an environmental cost in the construction of a mine, even with as many safeguards as possible to mitigate environmental impact and to make provisions for reclaiming the land after extraction. “This climate crisis is based on three roots: capitalism, colonialism, and extractivism.”<sup>140</sup> These words by Gary McKinney target not just the potential environmental impact of mining, but also the narratives being used to justify it. However, this challenge is flipped on its head. Contestation of mining is not just about the impact on indigenous people; it is also about what is lost by those sponsoring and practicing mining. McKinney states: “We’re all standing on the same Earth. What is taken from you is taken from me ... What if we were to take a step back and get back on the land? We would be building relationships and spirituality that you might be missing.”<sup>141</sup> In this manner, he depicts a more wholesome and sustainable connection with the land, not as the characteristic of indigenous people and a relic of a bygone time, but as a calling that is potentially fulfilling to others as well. In the background of this is the narrative of modern life and modern technology as being alienating from something deeper.

The discourse around the importance of lithium in green technology and, crucially, how green technology underpins a “green economy,” is steeped in a kind of technology fetishism, an expectation or aspiration that technology will enable humankind to engineer itself out of a climate crisis; yet this neglects two crucial dynamics. Firstly, that appetite for technological development and consumption created the climate crisis in the first place. Secondly, that the resources necessary for a green economy often come at the cost of those at the margins, often indigenous people. The narrative on sustainable energy pushes the implication that it is less damaging to the environment and on human health; that it is critical in the decarbonisation of global society which is necessary to mitigate or halt climate change, and that this in return will ensure an inhabitable planet. However, what this narrative omits, deliberately or otherwise, are some of the resources required to build green industries. This dynamic neglect to ask the question who and what is being sacrificed for whom? This narrative is then confronted by a potential metabolic rift, or a three way split between: consumers of technology who don’t experience the issues related to

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<sup>140</sup> McKinney, “Our Sacred Sites are more important than a Lithium Mine.”

<sup>141</sup> Ibidem.

extractivism; locals who presumably see the (potential) impact on the land but choose to navigate, negotiate or rationalise it; and locals who see the (potential) impact on the land and given their relationship with it, choose to contest it.

The conflict between settler mining interests and indigenous resistance is better understood through the juxtaposition of narratives. For example, in an interview with Fox News, CEO of Lithium Americas, Jonathan Evans, describes Thacker Pass as: "... it's the largest lithium deposit in North America. It's third largest in the world and it's right in our front yard."<sup>142</sup> While the term "front yard" is just a figure of speech, it also evokes the imagery of a settler house with a front yard. The imagery is representative of what the dominant narrative is, that such houses and lifestyles constitute the norm. Furthermore, use of the pronoun "our" indicates the idea of both the United States as a whole, and of the lithium deposits as a collective resource to be used, as it resides on public land. However, by comparing these words to those of Gary McKinney, who says: "The United States wanted the Indians off what is now "public land" to make space for white settlers."<sup>143</sup> This statement makes explicit the violent process through which white imagery and narrative become the norm, and how Shoshone/Paiute land ended up as "public" land. The difference in norms and values is also highlighted in regards to the touting of economic benefits, the provision of jobs and the prospect of income, taken for granted that these are universal desires.<sup>144</sup> Yet, the alternative desire is also expressed, but results as impossible to consider. As McKinney states: "We want to be left alone. We want our history here. We want our culture to be taught within our communities. We've always been here as Native Americans."<sup>145</sup> Finally, this divide in perspective is even replicated in the environmental friendliness policies of Lithium Americas. According to their fact sheets, an emphasis is placed on the land reclamation project following the extraction of lithium deposits, in order to restore the environment to its previous state, through reseed

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<sup>142</sup> Jonathan Evans, "Lithium Americas president says 3rd largest lithium supply is "in our front yard,"" interview by Dagen McDowell and Sean Duffy, *The Bottom Line*, Fox News, October 16, 2024, audio, 00:32, <https://www.foxbusiness.com/video/6363354200112>.

<sup>143</sup> McKinney, "Life over Lithium."

<sup>144</sup> Lithium Americas, *Thacker Pass Overview*, Lithium Americas - Fact Sheet, January 2025. [https://s203.q4cdn.com/835901927/files/doc\\_downloads/thacker-pass/factsheets/2023-10\\_Thacker\\_Pass\\_Overview\\_Oct\\_2023.pdf](https://s203.q4cdn.com/835901927/files/doc_downloads/thacker-pass/factsheets/2023-10_Thacker_Pass_Overview_Oct_2023.pdf)

<sup>145</sup> McKinney, "Our Sacred Sites."

efforts.<sup>146</sup> However, this introduces the difference between replaceability of plants and wildlife, which finds itself at odds with the idea of preservation.

Counteraction can be seen to emerge from below, through grassroots and community initiatives. This in turn has triggered supportive counteractions from above as well. By shining a spotlight on the problematic process of both lithium mining itself and the process for approval, recognition for the insufficient protection afforded by existing laws to environmental landscapes and local communities. As a result, some American legislators have submitted bills to address these issues. Firstly, the Mining Waste, Fraud, and Abuse Prevention Act of 2025 by Representative Raúl Grijalva and Senator Ben Lujan. Secondly, the Clean Energy Minerals Reform Act of 2023, submitted by Representative Raúl Grijalva, Senator Martin Heinrich. These bills have merely been introduced and have yet to pass, so it is early to draw any conclusions. Certainly it is too late for these to be brought to bear in protecting the land around Thacker Pass. However, perhaps it is a display of evolving awareness of the long-term impact of both archaic laws and of contemporary environmental and cultural issues.<sup>147</sup>

In addition these cases demonstrate the value of activism. While progress or overall success in regards to addressing the issue may be slow, may encounter failure, or fail in achieving immediate results, this can also highlight the progression in awareness, norms and actions. All these actors and links, the effort to gain public attention, lobbying politically, and filing legal recourses, can compound over time to ensure a slow but constant extending of legal protections, as well as spreading awareness.

Given the lack of legal protection to cultural lands, invested groups, who have launched lawsuits to halt the mining project, have done by attempting to utilise environmental protection laws, specifically those designed to protect endangered species and biodiversity. While the objective is clearly to preserve territorial integrity, it is interesting

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<sup>146</sup> Lithium Americas, *Thacker Pass Overview*.

<sup>147</sup> Reporters from the Howard Centre for Investigative Journalism, "Lithium Liabilities: The Untold Threat to Water in the Rush to Mine American Lithium," Cronkite News, January 25, 2024, <https://cronkitenews.azpbs.org/howardcenter/lithium/stories/lithium-liabilities.html>.

that they have chosen or had to co-opt environmental concerns and essentially non-human actors.<sup>148</sup>

Why are these communities in a position where they find themselves in a potential dilemma between economic benefit, environmental and cultural integrity, and sacrifice for the “greater good?” The narrative is similar, both interested parties are arguing for and against the mine in order to conserve environmental integrity. However, the scope and parameter are vastly different. Those that support lithium mining overall argue that this mineral is critical for a decarbonised society, which would counter the effects of climate change, preventing the planet from becoming uninhabitable (along with admittedly more geopolitical interests); their perspective is bigger. Those that are against it argue that the construction of a mine in this location is not only destructive environmentally, disrupting local habitats for both flora and fauna, but also a threat to cultural practices dependent on a sustainable relationship with the land. In a website statement, the Reno Sparks Indian Colony states: “Paiute and Shoshone people have hunted deer and other wildlife, fished for Lahontan cutthroat trout, gathered food and medicinal plants, and practiced our spiritual ways here since time immemorial, and we continue to do so to the present day.”<sup>149</sup> Not only are practices of sustenance also cultural practices, but this statement further highlights the continuity between past communities and present. Therefore, the preservation of the environment not only constitutes an act of protecting a spiritually meaningful area, but also safeguards community identity, shaped and maintained through these practices, for future generations as well.

There is a creative outcome, as the experience of this struggle and contestation may become provide an additional cornerstone in community memory and identity. Unexpected and unintended outcome of necropolitics and unimagined community. The historical background of conflict with the federal government and white settlers, being subjected to massacres and deprivation of freedom and traditional lifestyles and culture, the environmental destruction wrought on ancestral lands through nuclear testing, the cavalier exploitation of resources have all been traumatic and destructive; yet they also all are significant in shaping both collective memory and identity. As demonstrated by the

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<sup>148</sup> Western Watersheds Project, “Conservation and Public Accountability groups to argue the Illegality of the proposed Thacker Pass Lithium Mine,” Western Watersheds Project, January 3, 2023, <https://www.western-watersheds.org/2023/01/conservation-and-public-accountability-groups-to-argue-the-illegality-of-the-proposed-thacker-pass-lithium-mine/>

<sup>149</sup> Human Rights Watch and American Civil Liberties Union, “The Land of Our People, Forever,” 30.

primary sources, the difficult history informs the culture and history of the people. Identity of endurance and resistance, as well as cosmic continuity between past and present, ancestors and descendants, environment and human community. Hence, being able to access traditional lands is important in the process of reaffirming identity through the practice of rituals and traditions.<sup>150</sup>

The massacre of 1865 has clearly been a key moment within the collective memory and it has proven to be powerful enough to motivate members of the community to contest the Thacker Mine Pass Mining project, in order to ensure access to the land in order for tribal members to pay tribute to their ancestors. The primary sources frequently reference ancestors and the long established relationship between the Shoshone Paiute tribes and the land itself. Daranda Hinkey references family oral tradition by stating that “my uncle recently told me that we were given this land from our creator, and we have lived here since time immemorial.”<sup>151</sup> However, this statement does not simply denote residing in a given territory, but highlights a key concept of reciprocity between people and land. She further goes on to say: “So we’ve been living in this reciprocal relationship with the land, and we have this belief that if we take care of her that it’ll take care of us.”<sup>152</sup> This relationship with the land is further reinforced by the presence of ancestral spirits. In an interview with Human Rights Watch and the ACLU, Numu/Nuwu (Paiute) Elder Dean Barlese references how following the massacre of 1865, it was not possible to return to the site of the massacre to perform the necessary burials and hence, the ancestors are still “out there.”<sup>153</sup> However this connection with the land is not only embedded in the past through both historical experience and spiritual beliefs, but is also characterised by a sense of responsibility that is also projected into the future. To use Hinkey’s own words: “But our people-this[sic] is our home, and it’s going to be our great grandchildren’s home. I just want to bring that to light that our people are never leaving.”<sup>154</sup>

In order to maintain ties to the land and reinforce community traditions and identity, accessing Peehee Mu’huh to perform rites and practice culture is critical. However, this

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<sup>150</sup> Ibidem.

<sup>151</sup> Daranda Hinkey, “Finding Ourselves at Peehee Mu’huh: An Interview with Daranda Hinkey.”

<sup>152</sup> Ibidem.

<sup>153</sup> Dean Barlese quoted in Human Rights Watch & ACLU, “The Land of Our People, Forever,” 91.

<sup>154</sup> Ibidem.

has been disrupted by the presence of private security hired by Lithium Americas.<sup>155</sup> On the one hand, it is understandable that it would be necessary to ensure area safety and prevent accidents from occurring in relation to construction equipment. On the other hand, this also has the effect of intimidating locals and discouraging them from accessing the area. This problematises the image of “good neighbours” that companies such as Lithium Americas seek to encourage, especially through the use of Community Benefits Agreements and Good Neighbour Agreements. These are both contracts that can serve ensure open lines of communication and address community concerns as well as shape responses. In the case of Lithium Americas in Thacker Pass, they have made efforts to engage with the local community and incorporate concerns regarding cultural respect, environmental and social safety, as stated in their fact sheet regarding community engagement.<sup>156</sup> However, it also serves to obscure the power imbalance between the two parties, in terms of political influence, financial weight and legal tools. Local communities potentially find themselves in a situation to subordinate their primary interest, given the difficulty in legally blocking mining approval, and resort to negotiating in order to extract what is possible through shared benefits schemes.

Furthermore, this creativity is not limited to the experience at Thacker Pass. Thacker Pass is by no means the first high profile case of native contestation against imposed interest. Yet through the act of public contestation and confrontation, not only is awareness raised in regards to the issue itself but it also highlights the similarities in the experiences faced by other indigenous, marginalised or otherwise disadvantaged communities. In doing so, this heightens a sense of solidarity and reinforces transnational bonds that can be brought to bear upon the necropolitical structure that places them and their land in a position to be sacrificed.

The necropolitical regime of violence, displacement, dispossession and othering which was set in place to destroy Native American lives, tribes and identities in the 19th century, and culminated in the massacre of 1865, was only partially successful; while beyond question it was immensely harmful, it was unable to erase the cultural identity of the Shoshone-Paiute people. If anything, the massacre has since become part of their

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<sup>155</sup> Human Rights Watch & ACLU, “The Land of Our People, Forever,” 92.

<sup>156</sup> Lithium Americas. *Community Engagement*. Lithium Americas - Fact Sheet, August 2024. [https://s203.q4cdn.com/835901927/files/doc\\_downloads/thacker-pass/factsheets/2024/08/2024-08-Community-Engagement-at-Thacker-Pass-AUG2024-1.pdf](https://s203.q4cdn.com/835901927/files/doc_downloads/thacker-pass/factsheets/2024/08/2024-08-Community-Engagement-at-Thacker-Pass-AUG2024-1.pdf)

history and even as a painful reminder of the past, is equally a reminder of endurance, one that has incentivised community efforts to remember and to persist.<sup>157</sup> One way of consolidating and shaping narratives is by shared experiences. Commemorating past events and ancestors is one half of the discourse, as the implied other half is to preserve the landscape and traditions in order to pass them down to descendants, and in doing so ensure the continuity of community tradition and identity. Thus, this contestation could very well become yet another important part of their identity, as the challenges require a strengthening of bonds and a recommitment to a shared heritage. In this way, the threat posed by a necropolitical regime can also have the unintended consequence of being surprisingly creative. An example is provided by Daranda Hinkey: “My uncle recently told me that we were given his land from our creator, and we have lived here since time immemorial ... So we’ve been living in this reciprocal relationship with the land, and we have this belief that if we take care of her that it’ll take care of us.”<sup>158</sup> Not only does this demonstrate the passing down between generations of oral traditions, but his also shows how crisis also creates opportunities for a reaffirmation of identity. Her words further highlight how community identity is tied to the relationship with land, envisioned as maternal figure, given the use of the feminine pronoun.

In conclusion, revealing some of the narratives embedded in the primary sources demonstrates both how dominant forms of histories and norms come to taken for granted and accepted as universal; at the same time, by integrating narratives from marginalised communities, reveals discrepancies within the established narrative, bringing attention to inherent power dynamics. In the case of Thacker Pass, competing narratives over mining shape the struggle over life and death by justifying practices that are harmful to both local communities and ecosystems. However, deploying counter-narratives serves to challenge this process, while simultaneously offering the experience of affirming and informing community identity.

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<sup>157</sup> McKinney, “Our Sacred Sites are more important than a Lithium Mine.”

<sup>158</sup> Daranda Hinkey, “Finding Ourselves at Peehee Mu’huh: An Interview with Daranda Hinkey.”

## Chapter 5: Conclusion

This thesis has aimed to tie together multiple layers in the tension surrounding the development of the lithium mine project at Thacker Pass, Nevada. The first chapter demonstrated through the use of historic examples that native lives, livelihoods and lifestyles have been, as a matter of policy, routinely subordinated to the interests of settlers and colonial governments, and as a result neglected or sacrificed. The second chapter laid out the different actors involved and their interests, in relation to the development of the lithium mine at Thacker Pass. This highlights not only different goals, which implies different sets of perspectives, as well as the difference in political, economic or social power at their respective disposition. Furthermore, this also reveals the heterogeneity of interests and opinions even within groups disputing the mine. The third chapter identifies the mechanisms of power and exclusions, competing narratives on life and death, and the unintended creative outcomes of necropolitics. Narratives are both created to serve certain interests, as well as to mobilise and martial resources; within these narratives and outcomes, lives are shaped or risk being lost, but there are also important responses to these pressures. Responses such as counter-mobilization, affirmation of identity, and establishment of links of solidarity. These three chapters serve to argue that violence was central in the construction of white political power at the expense and destruction of indigenous people in the United States. This legacy of violence is embedded in the political and legal infrastructure that privileges industry and imposes an experience of slow violence through political neglect, socio-economic struggle, and environmental hazards, as can be seen in the case of the Shoshone and Paiute people in Thacker Pass. However, these marginalised communities also engage in challenging dominant narratives to reveal this violence and reaffirm communal identity.

This thesis contributes in particular three things to the debate regarding lithium mining in the United States and the impact of the Green Transition on marginalised communities, especially indigenous ones, both domestically and internationally. Firstly, the geographic focus on the United States demonstrates how the demand for critical minerals is tied to the securitisation for the resource; this has led to a turn inward of the demand towards domestic sources. However, the political processes which shape lithium extraction in a manner that infringes upon indigenous land and water rights, as well as spiritual beliefs and cultural practices, are being replicated in the United States as well.

Whether in North or South America, a key point of contention is on the difference between consent and consultation. With the latter being the key term brought up by both indigenous communities and allies in disputes with government and mining companies, arguing that full and informed consent is lacking in lithium extraction operations. Whereas consultation is the key term brought up by government and companies, which affords them leeway in interpretation and provides discretion in regards to whether and how to integrate consultation, while not being committed to binding agreements.

Secondly, by using necropolitics in particular as a theoretical framework, this thesis brings to the forefront the violence embedded in the political and legal infrastructure that supports mining in the United States. While literature on the Thacker Pass lithium mining project touches upon the contentious issue of indigenous sovereignty and recognises the role played by colonialism in the dispossession of native land, applying necropolitics brings to the forefront the violence built into the system. Historically speaking, this violence has been explicitly directed towards indigenous communities, whereas more recently it has been expressed through environmental and socio-economic neglect, which has negatively impacted health, living standards and mortality amongst native peoples.

Finally, by using discourse analysis this thesis highlights how narratives play a key role in the dispute regarding the viability of lithium mining in Nevada. This also reveals several things: firstly, how historical narratives are embedded and continue to inform modern practices and policies. Secondly, that local narratives reveal the forgotten or neglected consequences of national or global narratives. Thirdly, this in turn spotlights how compelling narratives can be instrumentalised to push agendas.

This thesis adopts a qualitative approach the research, using discourse analysis on selected primary sources to reveal how the words, statements and language convey narratives and how these narratives in turn reflect or challenge unequal power relations. In other words, this approach investigates how language shapes understanding of the issues. Given the qualitative approach, the perspectives of key authors, actors and activists have been brought to the forefront for analysis. However, this also constitutes a limitation of the methodology. As stated in one article, the subject of lithium mining at Thacker Pass has been met by a spectrum of responses, ranging from active opposition to quiet support.<sup>159</sup> While the active opposition has been analysed by this thesis, the prospect of studying the

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<sup>159</sup> Rothberg, "We're just somebody little."

quiet support could prove to be equally revealing. While not intending to minimise or marginalise the voices of active opposition, especially given the historical context, this introduces the challenge of ascertaining who speaks for whom in this relationship, and how to assess the degree to which louder voices reflect broader feelings. This is a reflection of the power/knowledge dynamic, raising the issue of who has the power to shape narratives, who has the power to act on them, and who has the power to be listened to.

In light of this, the study introduces considerable scope for future research. could benefit from a quantitative approach, by locating and analysing broader datasets. The study of news articles, on paper or online, could identify which narratives are more engaging, either to a local or a wider public. A similarly broad approach could be done with government documents, such as those produced by the Committees of U.S. Congress or Presidential Executive Orders, in order to better study national rationales and agendas. This can be compared to regional or local narratives in order to distinguish the spectrum of acceptability, depending on proximity to mining and affected territories and people. In addition, surveys could be undertaken to ascertain a potentially more accurate reflection of public sentiment on the issue of lithium mining.

This thesis relied on written statements, articles and interviews. However, a broader research into the oral traditions of indigenous communities could also reinforce and better articulate the significance of land and the means to ensure a more comprehensive approach to indigenous environmental rights and stewardship. This could contribute substantially by addressing two key issues often brought up. Firstly, it is often argued by native actors that contemporary legal frameworks are ill-suited to take into consideration oral traditions that preserve and impart cultural traditions. Secondly, because this inadequacy contributes to the marginalisation native peoples and therefore documenting oral narratives and using them to articulate

While this thesis touches upon the relationship between land loss and culture loss and how this affects physical states of existence, it was beyond the scope to properly investigate how this dynamic also causes forms of generational trauma and psychological damage, contributing to greater socio-economic struggles, in relation to issues such as substance abuse, domestic violence, and physical marginalisation.



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## Appendix I - Maps

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