

DECOLONIZING FREEDOM OF INFORMATION RESEARCH

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Abstract

The relationship between Canadian state agencies and First Nations, Inuit, and Métis peoples has long been one of control, domination, and exploitation. Research on this relationship can contribute to decolonization by revealing how Canada exercises state colonial power, and conversely, how such power has been resisted. One tool that has been used in this type of research is Freedom of Information (FOI) and Access to Information (ATI) requests. FOI and ATI requests are used to obtain government information and records and are increasingly used in social science research. The ability for FOI researchers to make requests strengthens the credibility of their work while serving as an exercise in empowerment by accessing information otherwise guarded by institutions. We sought to answer two questions: (1) How can FOI/ATI requests be used to decolonize research, and (2) What does it mean for ethics and critical research to view FOI/ATI requests in this way, particularly for settler researchers? Both questions were answered by examining existing literature that used FOI/ATI requests in their research on Canadian state agencies that govern First Nations, Inuit, and Métis peoples.

Keywords: decolonizing methods; freedom of information; research; law; power; ethics.

Résumé

La relation entre les agences gouvernementales canadiennes et les peuples des Premières Nations, Inuit et Métis est, depuis longtemps, caractérisée par le contrôle, la domination et l'exploitation. La recherche à propos de cette relation peut contribuer à la décolonisation en révélant comment le Canada exerce un pouvoir gouvernemental colonial et, inversement, comment il a été possible de résister à ce pouvoir. Un outil qui a été utilisé pour ce type de recherche est la requête à la Liberté d'information (LI) et au Droit d'accès à l'information (DAI). La capacité pour les experts de faire ce genre de requête renforce la crédibilité de leur travail tout en accomplissant un exercice d'empouvoirement en accédant à de l'information autrement protégée par les institutions. Nous cherchons à répondre à deux questions : (1) Comment les demandes à la LI et au DAI peuvent-elles servir à décoloniser la recherche ? et (2) Qu'est-ce que cela signifie pour la recherche critique et éthique, et plus particulièrement pour les chercheurs et chercheuses non-autochtones ? C'est par l'analyse de la littérature existante ayant utilisé les demandes à la LI et au DAI dans la recherche sur les agences gouvernementales canadiennes qui régissent les peuples des Premières Nations, Inuit et Métis que nous avons pu y répondre.

Mots-clés : méthodes de décolonisation, liberté d'information, recherche, justice, pouvoir, éthique

Introduction

Canada continues to relate to First Nations, Inuit, and Métis peoples and territories through laws and ideologies that reinforce settler colonial control. 'Settler colonialism' is a distinct form of colonialism, which indicates the occupation of land that has been, or is currently being, stolen from its Indigenous inhabitants. Settler colonial states are "characterized by political orders based on a particular (usually European) definition of sovereignty that serves" the settler population; the values of which "are superimposed over those of existing Indigenous communities."¹ This approach underscores the Canadian government's prioritization of profit over the lives and lands of Indigenous Peoples. The relationship between Canadian state agencies and First Nations, Inuit, and Métis peoples is marked with attempts by the former to control, dominate and exploit the latter. This is the primary mandate of agen-

cies such as Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC), Indigenous Services Canada (ISC), the Royal Canadian Mounted Police (RCMP), and their predecessors. Canada's North-West Mounted Police was created "to suppress the independence of Indigenous groups as sovereign peoples and bring them within the reach of colonial authority", for fear of their interference with settler schemes.² The *Indian Act* was created to give state agencies formal control over every aspect of Indigenous life, particularly through the power to define who can receive Indian status.³ The colonial mandate of these agencies continues to be enforced through imperialist law and economics, which seek to marginalize Indigenous Peoples, while simultaneously employing a "humanitarian discourse" that encloses Indigenous Peoples within the settler government's purview.⁴ The Canadian government's repeated actions speak to a choice of leaning into indifference over reconciliation.

Academic commentary on this relationship is not new. Extensive research has been done on the operations and impact of these state agencies. By highlighting the exercise of state colonial power, researchers work toward decolonization by challenging and undermining systemic and state colonial narratives. One tool that has been used in investigative research are Freedom of Information (FOI) and Access to Information (ATI) requests. FOI requests can be used to access records from public bodies that are otherwise kept secret and can be used in critical research to investigate government agencies.⁵ *Canada's Access to Information Act* (ATIA) came into force in 1983 and has increasingly been utilized in critical research.⁶ FOI laws have been enacted in more than one hundred countries, including the United States and Australia.⁷ Of significance for this paper are requests made under the ATIA, and its provincial variations, to access documents from state agencies that govern Indigenous Peoples and their land.⁸ Given the colonial history and orientation of these agencies, the ability to unveil otherwise guarded information under the ATIA points to its potential as a tool for decolonizing approaches to research. We argue that researchers can adopt a decolonizing approach when they make FOI and ATI requests while critically studying colonial agencies and their relationship to Indigenous Peoples.

Defining what constitutes a decolonizing method can be difficult in a large country with multiple Indigenous Nations because First Nations, Inuit, and Métis peoples cannot be treated simply as a singular community. In so-called Canada, or Turtle Island, there are over 50 Indigenous Nations and languages.⁹ Decolonizing methods challenge the influence of colonialism in research when interrogating how colonialism impacts bodies of knowledge. It asks who is doing the research, who the research is for, and how the answers to both questions impact the research itself.

Linda Tuhiwai Smith's book *Decolonizing Methodologies* serves as a poignant example in which the "spaces of marginalization . . . becomes spaces of resistance and hope".¹⁰ Smith details how "Indigenous academics and researchers have begun to address social issues within the wider framework of self-determination, decolonization and social justice".¹¹ Providing tools for justice and cultural sovereignty, Smith offers 25 projects (i.e., methods) that work toward decolonization.¹² Decolonizing methods involves working in collaboration with Indigenous communities. FOI and ATI requests are worth consideration as a decolonizing tool for research because they can be used to challenge colonial ways of conducting research and how colonial state agencies share and store information.

Here we pose two questions: (1) How can FOI/ATI requests be used to decolonize research, and (2) What does it mean for ethics and critical research to view FOI/ATI requests in this way, particularly for settler researchers? To answer these questions, we begin with a literature review of the two main themes explored in this paper: (1) Freedom of Information and (2) the relationship between research, Indigenous Peoples, and settler colonial studies. In the next section, we examine how FOI/ATI requests were used in existing FOI and ATI research that studies Canadian colonial agencies and their relationship to Indigenous Peoples. We then make suggestions of how FOI and ATI research can be used as a decolonizing method, as informed by Indigenous scholars. Finally, we discuss the implications of our work for ethics, FOI research, and settler colonial studies moving forward.

Given the focus of this work, it is imperative to recognize our social location before moving forward. Channele Lajoie is a University of Winnipeg alum and Queer Métis multi-disciplinary artist and McGill law scholar honouring and amplifying the voices of her communities through storytelling. Anna Evans-Boudreau and Kevin Walby identify as white Canadian settlers writing on settler-Indigenous relations from Treaty 1 Territory of Turtle Island. We cannot detach our social location from our research as this work is "not an innocent or distant academic exercise but an activity...that occurs in a set of political and social conditions."¹³ This paper is informed by the critical analyses of Indigenous scholars-activists and grapples with the role of settler colonial research, particularly as it relates to Indigenous Peoples in so-called Canada. We seek to amplify the work of Indigenous authors and reflect on how their instruction may bring a critical eye to critical research whilst improving our own efforts at decolonization.

Context, Literature, and Theory

Freedom of Information and Access to Information

FOI/ATI requests are made in a variety of research contexts.

These requests are crucial in historical research as a mechanism for declassifying records, but they can also be useful in social science research.¹⁴ Investigative journalists also use FOI/ATI requests to examine government corruption, nepotism, and cronyism.¹⁵ Despite the invaluable information that can be uncovered through these requests, FOI literacy in Canada and elsewhere is low, even among researchers, journalists, and lawyers.¹⁶ Meanwhile, not all government workers comply with FOI/ATI legislation.¹⁷ In response to these challenges, FOI literature has focused on issues of performance and compliance,¹⁸ the views of FOI coordinators,¹⁹ and the legal technicalities of FOI.²⁰

Despite the growing body of literature on FOI and research, there is limited literature on how FOI and research relate to colonial power structures. We note it is important to think about FOI in a national, political, and social context.²¹ Further, FOI laws must be tied to civil and human rights and a quest for social justice.²² These two perspectives inform our understanding of FOI in relation to colonial power structures and the questions we raise about ethics and research in the field of settler colonial studies. Using a decolonial framework for all qualitative and critical research is imperative to interrogating colonial systems and their influence over research.²³ There is a need to decolonize archival and historical research.²⁴ The same can be said for FOI research, particularly when FOI research concerns Indigenous lands and governance or state agencies that regulate and control First Nations, Inuit, and Métis peoples.

Settler Colonial Studies and Decolonizing Research

Considering research as a socio-political act informed by subjective experience may be unfamiliar for many non-Indigenous, predominately white settler researchers. Western science adopted positivistic approaches to research believing accounts should be, and *could* be, objective. This is still the predominate belief as academia continues to draw “from an ‘archive’ of knowledge and systems, rules, and values” that exhibit preference for Eurocentric processes.²⁵ Moreover, challenges to these processes have historically been suppressed by white settlers who have been the keepers of authority in academia in so-called Canada: “Because this enterprise is controlled by elite White men, knowledge validation processes reflect this group’s interests”.²⁶ In the Canadian context, the work of the National Centre for Truth and Reconciliation and the Truth and Reconciliation Commission’s (TRC) Calls to Action signal for the decolonizing of Canadian society, including the decolonizing of social science research.²⁷

Decolonizing academia requires that academic institutions accept knowledge claims that have historically been suppressed. Decolonization also demands a critical eye on the processes that reveal a preference for white settler scholars and the ‘archive’ from which they

have always drawn. While settler colonial studies offer an explicit decolonizing lens for thinking about social institutions,²⁸ this field does not offer a faultless anti-colonial approach. Indeed, there is debate on the capacity of this field to work toward decolonization and to interrogate the settler colonial identity.²⁹ For example, there is a historical and continued tendency among settlers to extract knowledge and experiences from Indigenous Peoples for the benefit of the settler's career.³⁰ While settler colonial studies seek to do away with this form of exploitation, it still sees instances of knowledge and scholarship being accredited to a settler, despite originating in Indigenous Studies. For example, Patrick Wolfe is often accredited as the creator of settler colonial studies, even though he has acknowledged that Indigenous scholars created the field.³¹

There are also instances of settlers omitting Indigenous scholarship (and agency) when using the settler colonial paradigm.³² For example, in Bell's exploration of the dynamics of settler colonial identity, she solely amplifies Western scholarship, which contributes to the erasure of Indigenous scholarship and knowledge.³³ Another cause of erasure in this field occurs when Indigenous Peoples are the sole subject of interrogation when studying settler-Indigenous relations. This approach, employed by authors like Ford and Rowse, expunge settlers from their direct implication in colonialism and imperialism.³⁴ These approaches reproduce the colonialist framing of knowledge production the field seeks to evade.

Veracini argues that settler colonial studies is valuable because it can be used as a tool of interpretation and heuristics.³⁵ The author argues that accusations made against the field are mistaken conflation of settler colonialism (what is being observed) with settler colonial studies (the methodological approach)³⁶ and that "there is no intrinsic danger in settler colonial studies as an intellectual endeavour".³⁷ What Veracini does not account for is that, here, the object and method cannot be isolated. The author presents a contradiction by describing settler colonial studies as a tool of interpretation, while failing to acknowledge that this methodology may be informed and interpreted *through* settler colonialism.

Reducing settler colonial studies to an "intellectual endeavour" highlights the privilege settlers have when studying settler-Indigenous relations. Believing that settler colonial relations can be discussed at a merely intellectual level devalues the racialized experiences of those who are not white settlers (i.e. Indigenous Peoples), who have generated the wealth of knowledge out of which settler colonial studies has grown, and who feel the impact of these relations beyond academia. If the interpretation is reproduced through a framing of settler colonialism and valued within academia by a white settler, *such interpretations are still occupying practices.*

Research Methodology

Our methodology consists of locating and evaluating peer-reviewed research that meets two criteria. First, the research must examine the relationship between First Nations, Inuit, and Métis peoples and the Canadian state agencies that seek to control them and their land through practices of colonization. Second, the research must use FOI and ATI requests, which are made by the author(s), to advance their research goals. Despite attempting to use different databases, the only database that provided results meeting our criteria was Google Scholar. Papers were found by entering combinations of state agencies with “freedom of information,” “access to information,” or their acronyms, into the database search bar. We adjusted our search to account for any research published over the last two decades, but the earliest that could be found was from 2012. We were able to find thirteen papers that fit our criteria.

Some authors made only one or two requests, while other authors made dozens of requests. The requests were sent to agencies related to First Nations, Inuit, and Métis peoples but were also sent to various other federal government bodies. When methodology was discussed, rarely were the processes involved in making FOI requests outlined, with few offering further details, such as what was requested or how long it took for the requests to be answered. In some cases, the information gained from requests was paired with open-source documents, interviews, media coverage, and firsthand knowledge from communities. There was no discernible difference in how the FOIs were used over the years, possibly because the papers that could be found were published within the same decade. While searching we came across research that was insightful and valuable but was not used because it did not meet our criteria. In some instances, researchers used information gained from requests, but they did not make the requests themselves. In other instances, FOI requests were made by the author(s) but were not included in this paper because they did not appear in a peer-reviewed source. We conducted a thematic analysis when examining the thirteen papers, leading us to categorize them under three themes that arose out of the papers. Each theme was supported by material obtained through a FOI/ATI request: 1) colonial capitalism; 2) settler colonial emergency; and 3) disruption of Indigenous authority and title. While each paper was categorized under one of these themes, they often share all three as they are common elements of settler-state-Indigenous relations. This analysis is followed by a discussion that answers our two main questions, namely, how FOI/ATI requests can be used to decolonize research, and what this means for ethics and critical research, particularly for settler researchers.

We are practicing unsettling throughout the process of writing this paper (and after) to ensure we work toward decolonization. ‘Unsettling’ refers to the actionable and internal work a settler must do to commit to decolonization.³⁸ It is the interrogation of our colonial world view that allows us to recognize “our unconscious orientations to concepts such as time, space, property, law, and membership – all of which European settlers leveraged to justify” the control of Indigenous Peoples and territories.³⁹ Mere recognition of settler-positionality is not enough, and actionable steps are needed to recognize the limits and potential harm that come with writing as a settler on issues of colonialism and settler-Indigenous relations. Unsettling recognizes the value of collaboration between settlers and non-settler researchers,⁴⁰ which is why we shared our work with local First Nations and Métis organizations. To ensure a decentering of knowledge, we also created a report that summarizes our findings in plain language. The report is currently available on the University of Winnipeg’s Centre for Access to Information and Justice’s website.⁴¹

FOI Research and First Nations, Inuit, and Métis Peoples in Canada

Colonial Capitalism

Colonialism and imperialism are intricately tied to capitalism. ‘Colonial capitalism’ has operated under the guise of ‘trade’ to control, exploit and commodify Indigenous Peoples, their land, and their culture. The commodification of Indigeneity extends to “treaty rights, identity, traditional knowledge, traditional customs, traditional organizations, land titles, fauna and flora.”⁴² Resistance to this commodification is contested under the settler juridical system, in which proving an Indigenous group has claim to these ‘commodities’ is a feat.⁴³ We found four papers that used FOIs to illustrate the extent of colonial capitalism in Canada.

In the first paper, Crosby explains how the federal government excluded Indigenous authority and sovereignty in legislative framework relating to the sale of cannabis.⁴⁴ This element of exclusion in settler-Indigenous relations serves as an example of the government’s hollow commitment to reconciliation. To corroborate this lack of commitment, Crosby made requests to eight government agencies (Department of Finance, Indigenous Affairs Ontario, ISC, Justice Canada, Ministry of Community Safety and Correctional Service, Privy Council Office, Public Safety Canada, or PSC, RCMP) under the ATIA and Ontario’s *Freedom of Information and Protection of Privacy Act*. One request to ISC found that the Task Force mandated to consult with First Nations, Inuit, and Métis communities ignored concerns that were raised. Another request to Justice Canada found indications “that no Indigenous person was seriously considered for the Task Force”.⁴⁵ This exclusion

of Indigenous perspectives and authority was arranged so that these communities would not benefit from the excise tax formula.⁴⁶ The motive behind this exclusion is an indication of the persistence of colonial capitalism: a request to Justice Canada found “a projected 2019 market value worth \$6–9 billion” from retail sales of cannabis in Indigenous communities.⁴⁷

Hall made ATI requests to Aboriginal Affairs and Northern Development Canada (AANDC) about efforts to privatize Indigenous land, in relation to the *First Nations Property Ownership Act* (FNPOA).⁴⁸ This Act would allow First Nations governments to grant individual property rights to those living on the land of which they have been ‘given’ title. The author made ATI requests for emails, interviews, transcripts, and reports from AANDC, which illustrate the competing views surrounding the legislation. Proponents of the FNPOA believed it would decolonize capitalistic production by universalizing the process,⁴⁹ while those in opposition to the Act believed the concept of private property cannot escape colonialism.⁵⁰ Tomiak’s study on urban reserves explores another aspect of the complex relationship of colonial capitalism and land use.⁵¹ Tomiak made ATI requests to one agency (INAC) for policy additions, brief case studies, interviews, and documents. The author used these records to argue urban reserves are contradictory spaces of Indigenous self-determination and reclamation that are simultaneously confined to the limits of the state’s neoliberal agendas.⁵²

Pasternak and Dafnos made ATI requests to two agencies (PSC, INAC) to further detail how commodification and privatization of Indigenous land serves the interests of capitalist colonialism.⁵³ The authors argued that by contextualizing Indigenous claim to land as an impediment to profit, the settler-state can legitimate their disregard of these land claims, and Indigenous rights more broadly. ATI requests sent to PSC revealed meetings in which it was agreed that state power should be extended more thoroughly to corporations and that these critical infrastructure owners and operators should be included more proactively in national security.⁵⁴ The security policies in question are those relating to Indigenous communities exercising their right to land where critical infrastructure projects are taking place. By contextualizing this Indigenous resistance as a security issue, ‘colonial emergency’ is employed by the state, which protects the interests of colonial capitalism.

Settler Colonial Emergency

‘Colonial emergency’ is “a liberal legal-political mechanism originating in martial law, which enables pre-emptive political and military interventions against anti-colonial movements and Indigenous resurgence.”⁵⁵ It is this mechanism that allows INAC to argue they do not perform surveillance, but in direct contradiction ‘monitor’ protests to

manage emergency, which takes the shape of settler colonial emergency.⁵⁶ This reframing of Indigenous resistance as an ever-present threat allows for the settler-state to justify disruption of resistance through policy, discourse, and procedures that are outside of the state's jurisdiction and ethical use of power. Employment of settler colonial emergency can be unveiled using FOI and ATI requests, which brings to light actions that move beyond paternalism, and toward state violence.

Dafnos spoke directly to the case of colonial emergency as employed by the Canadian government, revealing the worrying extent to which surveillance of Indigenous Peoples is carried out.⁵⁷ By sending ATI requests to two agencies (INAC, RCMP), Dafnos found that Indigenous protests were brought under the purview of INAC's Emergency and Issues Management Directorate (EIMD), "despite being outside the formal program scope."⁵⁸ More troubling is a request that revealed only 30% of the protests monitored are actually under the scope of INAC's jurisdiction.⁵⁹ These ATI requests exposed the disturbing extent to which Indigenous protests are monitored by the settler-state:

"INAC's situational awareness products are disseminated to the Treasury Board Secretariat, Health Canada, Transport Canada, Justice Canada, the Privy Council Office, Public Safety Canada...the Royal Canadian Mounted Police, Sureté du Québec, Ontario Provincial Police, the Canadian Security Intelligence Service, and the Integrated Terrorism Assessment Centre."⁶⁰

In earlier writings, Dafnos used records from five agencies (RCMP, PSC, Canadian Security Intelligence Service or CSIS, INAC, Department of National Defense or DND), obtained through ATI requests, to illustrate how INAC maintains the goals of the settler-state by reframing Indigenous resistance as "civil disobedience"⁶¹ and "militant" in nature.⁶² Records highlighted that this resistance habitually comes in the form of peaceful protest, often in response to critical infrastructure and development on Indigenous land.⁶³ Due to the colonial capitalistic motives of INAC, these protests are reframed as an emergency that 'demands' an escalated response. Records obtained by the author detail the collaboration between INAC, RCMP, and CSIS and regional police that specifically targets "aboriginal occupations and protests."⁶⁴ through monitoring and raids:

The contribution of INAC to the integrated production of national security intelligence stems from the department's colonial knowledge base of the social, political, and economic dynamics, geographies, and legal situations of the Indigenous communities under its administration.⁶⁵

Crosby (2021) used a RCMP report obtained under the *ATIA* to show

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“how Indigenous communities have been framed as a primary threat to the country’s critical infrastructure.”⁶⁶ The report describes how Indigenous challenges to Canadian sovereignty are a threat to national security. The report goes one step further by describing these challenges as a threat to the prosperity of settler society because of the impact they have on Canada’s critical infrastructure. Crosby uses the report to show that Indigenous self-determination is described by the settler state in a way that justifies increased surveillance and policing to protect the goals of the settler state and settler colonialism.⁶⁷

The fourth paper in this category, written by Pasternak et al.,⁶⁸ examines this escalated response through a case study of Mohawk land in Tyendinaga. When disputing the Specific Claims policy that places settler property rights over the interests and rights of Indigenous Peoples, a protest against the building of a condominium grew into violence when military trucks drove through the site of demonstration.⁶⁹ This was one of many events that led to a campaign by the Mohawk peoples to demand recognition and negotiation for their land. Resistance led to a surge of settler colonial emergency, in which members of the Mohawks were criminalized and arrested. ATI requests to three agencies (RCMP, CSIS, DND) reveal weekly intelligence reports that frame protestors as “militant leaders,” while the blockades came under the purview of the Integrated Terrorism Assessment Centre (ITAC).

Finally, Blackstock made ATI requests to two agencies (Department of Justice, AANDC), part of which revealed unsettling surveillance INAC conducted on her.⁷⁰ Blackstock is the Executive Director of the First Nations Child and Family Caring Society of Canada (FNCFCSC). In 2007, the FNCFCSC and the Assembly of First Nations filed a historic human rights complaint against INAC. In response, Blackstock experienced various reprisals from the federal government. For example, in 2009, Blackstock was told by an INAC official that she was not allowed to enter a meeting at the INAC Minister’s Office, despite having proper security requirements and a direct invitation from the Chiefs of Ontario to attend the meeting. After being told by the INAC official that the meeting would be cancelled if she attended, Blackstock sat outside the meeting, where she was guarded by a male security guard. Seeking clarity about why she was excluded from the meeting, Blackstock filed a request that revealed “INAC and the Department of Justice had deployed at least 189 public servants to follow [her] movements and online postings, in an apparent effort to find “other motives” for filing the child welfare case, so that it could be dismissed on frivolous or vexatious grounds”.⁷¹ By framing Blackstock as a threat to the Canadian government with ulterior motives, resources could be used ‘justifiably’ to disrupt her case against the settler-state.

Disruption of Indigenous Authority and Title

The last theme relates to requests filed by authors with the intent of exhibiting how the settler-state disrupts Indigenous authority and title. Crosby and Monaghan analysed settler governmentality in response to members of the Algonquins of Barrier Lake (ABL), who have repeatedly demanded recognition of sovereignty through protests and blockades.⁷² The authors filed ATI requests to one agency (INAC), collecting any information that relates to “Section 74 of the Indian Act, which enables the Minister of Indian affairs to depose traditional chiefs and implement an election designed and overseen by INAC”.⁷³ The briefing notes, reports, presentations, and internal communications received through the requests allowed the authors to validate their claim that INAC is increasing its scope of colonial control and state intervention through concerted efforts to “eliminate” Indigenous leadership under Section 74. These documents also highlight how the reframing of ABL’s resistance as a security threat allows for the continued disruption of Indigenous authority and title by the settler-state: “Interpreted as resistance to the legitimacy of Canadian rule, traditional governance is delegitimized as politically and economically backwards and a source of insecurity to the settler population.”⁷⁴

This intent of elimination through policy and law was also explored by Palmater, who made ATI requests to one agency (INAC).⁷⁵ These requests revealed how the *Indian Act* has constructed status and the unjust consequences that have followed from the settler-state’s narrow, patriarchal laws that dictate who this status may be allocated to. By uncovering the purposeful consequences of the *Indian Act* through ATI requests, Palmater challenges the myth that these policies were an accident or that we live in a post-colonial era today.⁷⁶

Pasternak and Schabus also challenge the pervasive post-colonial myth in their study of Canada’s efforts to delegitimize and subvert Indigenous title to land.⁷⁷ The authors filed FOI requests to two agencies (Ministry of Indigenous Relations and Reconciliation, Ministry of Attorney General) relating to the Supreme Court of Canada’s decision in *Delgamuukw v. British Columbia*. The authors wanted to prove that the settler-state repeatedly places economic gain over respect and recognition of Indigenous territorial authority. Requests revealed that the Canadian government employs coercive legal devices that undermine the meaning of consent.⁷⁸ Requests revealed that the Canadian government employs coercive legal devices that undermine the meaning of consent. The state’s flippant attitude can be discerned in memos that use terms like “sweeten the deal”⁷⁹ and in meetings where participants explicitly suggest “reign[ing] in the powers of First Nations to assert jurisdiction”.

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Finally, Brown et al. analysed a different aspect of disruption by looking at how AANDC assesses drinking water risk in Indigenous communities.⁸¹ By obtaining a 2006 risk evaluation through a request

to one agency (AANDC), Brown et al. were able to show that the factors contributing to the assessment are too narrow, as they do not account for the needs of each community.⁸² Still today, the settler-state government has not been able to meet the basic need of providing access to clean, safe drinking water to many Indigenous communities. From the establishment of the reserve system in the 1800s to short-sighted, colonial 'solutions' today (like the privatization of water services), these agencies continue to disrupt Indigenous authority and title to land and basic resources.

Using FOI/ATI Requests as a Decolonizing Method

Lessons Learned from the Thirteen Articles

By using tools of evaluation informed by an Indigenous led, decolonial research approach, we can better evaluate the effectiveness of FOI research that seeks to decolonize. Linda Tuhiwai Smith's *Decolonizing Methodologies* is a critical tool for academics and researchers wishing to collapse the settler colonial state's agenda. Linda Tuhiwai Smith's projects are used to transform our relationship to research by naming the impact of colonialism, positioning research within a socio-historical context, and by prioritizing Indigenous perspectives.⁸³ Linda Tuhiwai Smith's projects inspire our approach to methods and our readings of methodological texts.

The articles we examined were helpful in answering our first question. All the articles used FOI/ATI requests to unmask the operation of state colonial power through state agencies, and in this way the requests were used as a decolonizing method. This is a decolonizing method because the authors used the information obtained through requests to support a reframing of the narratives surrounding relationships between state agencies and Indigenous Peoples. 'Reframing' relates to a recontextualization of how Indigenous communities and peoples are understood in research and the world more broadly.⁸⁴ Reframing challenges the tendency to 'Other' or confine Indigeneity in academia by assessing how Indigenous Peoples are represented. This involves an intersectional and critical approach that reflects the impacts of colonialism and imperialism. Information, records, or data accessed through FOI requests were used to challenge settler colonial narratives by presenting narratives and knowledge previously suppressed. This reframing involved definitions of Canada that name colonialism, and definitions of Indigeneity that name agency. Information gained through requests provided evidence to back up the claims of the researchers. Crosby recognized laws that exhibit settler colonialism,⁸⁵ Blackstock demonstrated just how extensive colonial surveillance is,⁸⁶ and Tomiak explains how our capitalist system serves the aims of colonialism.⁸⁷ Dafnos detailed actions that have

supported Idle No More,⁸⁸ Hall challenged the tendency to homogenize Indigenous Peoples,⁸⁹ and Pasternak et al. directly deconstructed the framing of Indigenous resistance as instances of “emergency.”⁹⁰

When these researchers made FOI/ATI requests for their research they were also practicing a decolonizing method of intervention. ‘Intervening’ refers to actively changing structure and status quo. This involves direct engagement with “institutions which deal with indigenous peoples and not at changing indigenous peoples to fit the structures.” FOI research offers power and agency to the researchers carrying out the requests, as they ‘intervene’ with how public bodies release information, or rather, what these bodies choose not to release. Each author carried out the project of intervention simply by virtue of making a request using FOI and ATI. This decentralization of power alters the normalized course of dissemination and access, which challenges the status quo. The fact that these requests can be made by anyone, not only those in academia, aligns with the general goals of decolonizing methodologies as it further eliminates barriers to accessing information held by colonial state agencies. However, we would suggest there are ways to draw from Linda Tuhiwai Smith’s *Decolonizing Methodologies* to push the decolonizing potential of FOI/ATI requests further. While FOI/ATI are government mechanisms, if used craftily and collectively these requests for records can be empowering for Indigenous communities, Indigenous researchers, critical researchers, and allies.⁹²

Further Steps

FOI research and decolonizing methodologies both place importance on making information accessible. The authors of the above thirteen papers illustrate how FOI and ATI requests can be used as a decolonizing method in research. There are several additional steps that can be taken as well to further advance decolonization in FOI and ATI research. Researchers should make efforts to move beyond colonial rules of gatekeeping so that data and results are not only physically accessible, but accessible in all forms (e.g. language is presented in simple terms). This can look like sharing research results in spaces outside of academia, and in ways that avoid theory, methodologies, and vernacular of the Eurocentric academic world. It may also mean sharing stories and accounts of research on, or experiences with, government agencies. By paying attention to methods of sharing in research, this principle of FOI can be more genuinely upheld. It is important for FOI and ATI researchers to engage in more sharing of findings and stories. However, it is also important to incorporate other components of Linda Tuhiwai Smith’s projects from *Decolonizing Methodologies*.

Research as it relates to Indigenous Peoples must also include “principles of collectivity”⁹³ so that research not only considers, but works with, Indigenous perspectives, communities, and organizations.

This demands a process of working ‘with’ Indigenous communities throughout the research project to evade the pervasive colonial practice of simply ‘talking about’ these communities. Research that speaks to the need for self-determination and equitable relations, that demands consent and inclusion, but does not apply these beliefs through practice will continue to keep decolonization in the realm of theory. Researchers that use FOI/ATI requests as a decolonizing method can advance this goal further by ensuring other aspects of their research work toward this aim as well. We envision future FOI/ATI investigations that have more resemblance to Indigenous led community-based research or participatory action research.

Expanding on FOI/ATI Requests and Decolonizing Methods

What does it mean for ethics and critical research to view FOI/ATI requests as a decolonizing method, particularly for settler researchers? Research ethics have long been a part of the problem when it comes to colonial ways of approaching research in academia. Stiegman and Castleden describe the disconnect between formal ethical protocol and relational ethical requirements in research with First Nations, Inuit, and Métis peoples.⁹⁴ Castleden et al. explain a number of ways to create genuine community participation and input from Indigenous groups in research.⁹⁵ Ball and Janyst discuss ways of creating meaningful recognition for Indigenous groups in research.⁹⁶ Guillemin et al. reflect on the importance of decision-making in research with Indigenous peoples.⁹⁷ Haberstock discusses the integration of decolonizing perspectives in history and archival sciences, arguing that participation is a key element of this work.⁹⁸

The Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans (TCPS 2) categorizes FOI research as secondary research. Chapter Two of TCPS 2 addresses the scope of ethics policy and indicates secondary data collection including records-based research and archival research is not subject to ethical review. However, this section directly contradicts Chapter Nine of TCPS 2 on Research Involving the First Nations, Inuit, and Métis Peoples of Canada. Chapter Nine indicates that First Nations, Inuit, and Métis peoples should have community control over research involving Indigenous persons. Though some ATI and FOI records pertain to government policies and practices, some records do pertain to specific Indigenous persons and communities. When they do, the principles articulated in Chapter Nine of TCPS 2 should be applied. Although ethics approval is not typically required for FOI research, it should be needed when the focus of FOI research requires consultation with and learning from Indigenous communities. When FOI research pertains to First Nations, Inuit, and Métis peoples or their lands, a decolonizing approach must be undertaken. Although we

are not confident that formal research ethics protocol will require this approach or that this contradiction in TCPS 2 will be addressed, these ethical considerations should be addressed in practice. When FOI/ATI records pertain to Indigenous persons and communities, the researcher should undertake decolonizing approaches to this work including implementing Linda Tuhiwai Smith's projects from *Decolonizing Methodologies*. We have made this argument with reference to the Canadian situation, but the case is similar in New Zealand, Australia, the United States, and in other settler-colonial countries. Further, what we have argued about research should also apply to teaching research methods in the social sciences and humanities,⁹⁹ which can incorporate the lessons of literature on decolonizing methods to confront colonialism in social science.

The settler who writes on settler-Indigenous relations is quick to reach these ethical limits of their positionality, but the power to surpass these limits rests in earnest and active efforts to decolonize. We have taken efforts to ensure we are writing collaboratively with, and not simply about, First Nations, Inuit, and Métis peoples, as outlined earlier in this paper. Nevertheless, efforts to decolonize and unsettle our paper are still constrained. Ethical considerations for the settler researcher are not confined to the subject matter on which we write, but extend to the spaces in which we occupy while writing, which demands continuous ethical reflection:

[R]esearch funding in Canada, generated through government revenues is either directly or indirectly tied to the exploitation of lands that are either untreated, unceded, or treated lands but where the Canadian state continuously ignores its treaty obligations.¹⁰⁰

Conclusion

We have reviewed works that use FOI requests to examine issues related to state control and governance of Indigenous communities across Canada. The studies are revealing of how state power operates. Contributing to debates about colonial tendencies in social science and what settler colonial studies could be in the future, we argue that critical forms of social science research, such as FOI research, needs to learn from literature on decolonizing methodology.¹⁰¹ This work is part of a move toward conducting critical research based on the principles and ethics of decolonizing methodologies and anti-colonial struggle.¹⁰² White settlers often respond harshly to decolonizing perspectives because of the fear of change that white settlers have.¹⁰³ Decolonizing perspectives aim to disrupt the status quo, and this applies to critical research as well. Settler colonial studies and settler colonial theory disturbs privilege and long held assumptions in academia.¹⁰⁴ It follows that

even the most seemingly critical forms of social science research, such as investigative research and FOI research, need to reflect on what settler colonial studies and settler colonial theory means for research practices. Our intervention is an attempt to disrupt colonial tendencies, even in critical research, and to ensure First Nations, Inuit, and Métis standpoints are recognized in investigations involving ATI and FOI policies.¹⁰⁵

Government texts contain latent settler colonial messages.¹⁰⁶ FOI research can help to access and illuminate these records, but research process and an expanded view of ethics is important. Not only will First Nations, Inuit, and Métis peoples have insights about what agencies were involved and what records to collect, but it is about the relationship with the Indigenous communities and the politics of trust and representation in research.¹⁰⁷ There is a need to reflexively interrogate the limits in settler colonial studies and critical research, and we attempt to address those limits in social science work that incorporates FOI requests.

Endnotes

- ¹ Cavanaugh, E. and Veracini, L. "Editors Statement." *Settler Colonial Studies* 3, no. 1 (2013): 1-2; Wadsworth, N. "Unsettling Lessons: Teaching Indigenous Politics and Settler Colonialism in Political Science." *Political Science & Politics* 47, no. 3 (2014): 692-697; Barker, A.J. "The Contemporary Reality of Canadian Imperialism: Settler Colonialism and the Hybrid Colonial State." *American Indian Quarterly* 33, no.3 (2009): 325-351.
- ² Nettelbeck, A. and Smandych, R. "Policing Indigenous Peoples on Two Colonial Frontiers: Australia's Mounted Police and Canada's North-West Mounted Police." *The Australia and New Zealand Journal of Criminology* 43, no.2 (2010), 356-375, 361.
- ³ Palmater, P. "Genocide, Indian Policy, and Legislated Elimination of Indians in Canada." *Aboriginal Policy Studies* 3, no. 3 (2014): 27-54, 34.
- ⁴ Foster, R. "Paved with Good Intentions': Terra Nullius, Aboriginal Land Rights and Settler-Colonial Law." *Australian Historical Studies* 49, no. 1 (2018): 135-136; Robert, H. *Paved with Good Intentions: Terra Nullius, Aboriginal Land Rights and Settler-Colonial Law* (Canberra: Halstead Press, 2016).
- ⁵ Brownlee, J. "Contract Faculty in Canada: Using Access to Information Requests to Uncover Hidden Academics in Canadian Universities." *Higher Education* 70, no. 5 (2015): 787-805; Sheaff, M. *Secrecy, Privacy & Accountability: Challenges for Social Research* (London: Palgrave, 2019).
- ⁶ Brownlee, J. "Contract Faculty in Canada: Using Access to Information Requests to Uncover Hidden Academics in Canadian Universi-

ties." *Higher Education* 70, no. 5 (2015): 787-805.

- ⁷ Worthy, B. *The Politics of Freedom of Information: How and Why Governments Pass Laws that Threaten their Power* (Manchester: Manchester University Press, 2017).
- ⁸ Birkinshaw, P. *Freedom of Information: the Law, the Practice and the Ideal*. 4th Edition (Cambridge: Cambridge University Press, 2010).
- ⁹ See also Sikes, P. "Decolonizing Research and Methodologies: Indigenous Peoples and Cross-cultural Contexts." *Pedagogy, Culture & Society* 14, no. 3 (2006): 349-358.
- ¹⁰ Smith, L. *Decolonizing Methodologies: Research and Indigenous Peoples* (London: Zed Books, 1999), 4.
- ¹¹ Smith, 4.
- ¹² Smith, 143.
- ¹³ Smith, 5.
- ¹⁴ Clément, D. "'Freedom' of Information in Canada: Implications for Historical Research." *Labour/Le Travail* 75, (2015): 101-131.
- ¹⁵ Cuillier, D. "Scandals and Freedom of Information. In H. Tumber & S. Waisbord" (eds.), *The Routledge Companion to Media and Scandal*, 215-224 (London: Routledge, 2019).
- ¹⁶ Weiler, M. "Legislating Usability: Freedom of Information Laws That Help Users Identify What They Want." *Journal of International Media & Entertainment Law* 7, no. 1 (2017): 101-127.
- ¹⁷ Darch, C and Underwood, P. "Freedom of Information Legislation, State Compliance and the Discourse of Knowledge: The South African Experience." *International Information & Library Review* 37, no. 2 (2005): 77-86; Lagunes, P, and Pocasangre, O. "Dynamic Transparency: An Audit of Mexico's Freedom of Information Act." *Public Administration* 97, no. 1 (2019): 162-176.
- ¹⁸ Hazell, R, and Worthy, B. "Assessing the Performance of Freedom of Information." *Government Information Quarterly* 27, no. 4 (2010): 352-59; Shepherd, E, Stevenson, A, and Flinn, A. "Information Governance, Records Management, and Freedom of Information: A Study of Local Government Authorities in England." *Government Information Quarterly* 27, no. 4 (2010): 337-345.
- ¹⁹ Kimball, M. "Shining the Light from the Inside: Access Professionals' Perceptions of Government Transparency." *Communication Law and Policy* 17, no. 3 (2012): 299-328.
- ²⁰ Kazmierski, V. "Accessing with Dinosaurs: Protecting Access to Government Information in the Cretaceous Period of Canadian Democracy." *Constitutional Forum* 25, no. 3 (2016): 57-66.
- ²¹ van Wyk, T. "Accessing Information in South Africa." In *Freedom of Information and Social Science Research Design*, edited by K. Walby and A. Luscombe, 24-37 (New York: Routledge, 2019).

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- ²² Darch, C and Underwood, P. "Freedom of Information Legislation, State Compliance and the Discourse of Knowledge: The South African Experience." *International Information & Library Review* 37, no. 2 (2005): 77-86.
- ²³ Ansloos, J. "Surviving in the Cracks: a Qualitative Study with Indigenous Youth on Homelessness and Applied Community Theatre." *International Journal of Qualitative Studies in Education* 33, no. 1 (2019): 50-65.
- ²⁴ Luker, T. "Decolonising Archives: Indigenous Challenges to Record Keeping in 'Reconciling' Settler Colonial States." *Australian Feminist Studies* 32, no. 2 (2017): 108-125.
- ²⁵ Smith, 42.
- ²⁶ Hill Collins, P. "Black Feminist Epistemology." In *Black Feminist Thought: Knowledge, Consciousness, and the Politics of Empowerment*, 2nd ed, 251-272 (New York: Routledge, 2000).
- ²⁷ Griffith, J. "Settler Colonial Archives: some Canadian Contexts." *Settler Colonial Studies* 9, no. 3 (2018): 320-340; Truth and Reconciliation Commission of Canada. *Truth and Reconciliation Commission of Canada: Summary of the final report of the Truth and Reconciliation Commission of Canada*. (2015). Winnipeg: Truth and Reconciliation Commission of Canada. Retrieved from http://www.trc.ca/websites/trcinstitution/File/2015/Honouring_the_Truth_Reconciling_for_the_Future_July_23_2015.pdf; Truth and Reconciliation Commission of Canada. *Truth and Reconciliation Commission of Canada: Calls to action*. (2015). Winnipeg: Truth and Reconciliation Commission of Canada. Retrieved from http://www.trc.ca/websites/trcinstitution/File/2015/Findings/Calls_to_Action_English2.pdf.
- ²⁸ Carey, J. and Silverstein, B. "Thinking With and Beyond Settler Colonial Studies: New Histories after the Postcolonial." *Postcolonial Studies* 23, no. 1 (2020): 1-20.
- ²⁹ Konishi, S. "First Nations Scholars, Settler Colonial Studies, and Indigenous History." *Australian Historical Studies* 50, no. 3 (2019): 285-304; Kerr, J. "Western Epistemic Dominance and Colonial Structures: Considerations for Thought and Practice in Programs of Teacher Education." *Decolonization: Indigeneity, Education & Society* 3, no. 2 (2014): 83-104. Tuck, E., & Yang, K. "Decolonization is not a Metaphor." *Decolonization: Indigeneity, Education & Society* 1, no. 1 (2012): 1-40.
- ³⁰ Smith, 3.
- ³¹ Carey, J. "On Hope and Resignation: Conflicting Visions of Settler Colonial Studies and its Future as a Field." *Postcolonial Studies* 23, no.1 (2020): 21-42.
- ³² Carey, 28
- ³³ Bell, A. *Relating Indigenous and Settler Identities: Beyond Domina-*

tion. (Basingstoke: Palgrave Macmillan, 2014).

- ³⁴ Ford, L. & Rowse, T. *Between Indigenous and Settler Governance*. (London: Routledge, 2013).
- ³⁵ Veracini, L. "Defending Settler Colonial Studies." *Australian Historical Studies* 45, no. 3 (2014): 311-316, 312.
- ³⁶ Veracini, 314.
- ³⁷ Veracini, 315.
- ³⁸ Wadsworth, N. "Unsettling Lessons: Teaching Indigenous Politics and Settler Colonialism in Political Science." *Political Science & Politics* 47, no. 3 (2014): 692-697.
- ³⁹ Wadsworth, 694.
- ⁴⁰ Held, M. "Decolonizing Research Paradigms in the Context of Settler Colonialism: An Unsettling, Mutual, and Collaborative Effort." *International Journal of Qualitative Methods* 18, (2019): 1-16.
- ⁴¹ Evans-Boudreau, A, Lajoie, C and Walby, K, "Decolonizing Freedom of Information"(2021) Retrieved from: <https://www.uwinnipeg.ca/caij/docs/reports/decolonizing-freedom-of-information.pdf>.
- ⁴² Smith, 90.
- ⁴³ Smith, 89.
- ⁴⁴ Crosby, A. "Contesting Cannabis: Indigenous Jurisdiction and Legalization." *Canadian Public Administration* 62, no. 4 (2019): 634-655.
- ⁴⁵ Crosby, 637.
- ⁴⁶ Crosby, 639.
- ⁴⁷ Crosby, 638.
- ⁴⁸ Hall, R. "Divide and Conquer: Privatizing Indigenous Land Ownership as Capital Accumulation." *Studies in Political Economy* 96, no. 1 (2015): 23-46.
- ⁴⁹ Hall, 30.
- ⁵⁰ Hall, 42.
- ⁵¹ Tomiak, J. "Contesting the Settler City: Indigenous Self-determination, New Urban Reserves, and the Neoliberalization of Colonialism." *Antipode* 49, no. 4 (2017): 928-945.
- ⁵² Tomiak, 928.
- ⁵³ Pasternak, S. and Dafnos, T. "How does a Settler State Secure the Circuitry of Capital?" *Environment and Planning D: Society and Space* 36, no. 4 (2018): 739-757.
- ⁵⁴ Pasternak and Dafnos, 750-751.
- ⁵⁵ Dafnos, T. "The Enduring Settler-Colonial Emergency: Indian Affairs and Contemporary Emergency Management in Canada." *Settler Colonial Studies* 9, no. 3 (2019): 379-395, 379.
- ⁵⁶ Dafnos, 379.
- ⁵⁷ Dafnos, T. "The Enduring Settler-Colonial Emergency: Indian Affairs and Contemporary Emergency Management in Canada." *Set-*

- tlar Colonial Studies 9, no. 3 (2019): 379-395.
- ⁵⁸ Dafnos, 388.
- ⁵⁹ Dafnos, 388.
- ⁶⁰ Dafnos, 389.
- ⁶¹ Dafnos, T. "Pacification and Indigenous Struggles in Canada." *Socialist Studies* 9, no. 2 (2013): 57-77, 68.
- ⁶² Dafnos, 71.
- ⁶³ Dafnos, 65.
- ⁶⁴ Dafnos, 67.
- ⁶⁵ Dafnos, 67.
- ⁶⁶ Crosby, A. "The Racialized Logics of Settler Colonial Policing: Indigenous 'Communities of Concern' and Critical Infrastructure in Canada." *Settler Colonial Studies* (2021), 1-20, 2.
- ⁶⁷ Crosby, 1.
- ⁶⁸ Pasternak, S., Collis, S. and Dafnos, T. "Criminalization at Tyendinaga: Securing Canada's Colonial Property Regime through Specific Land Claims." *Canadian Journal of Law and Society* 28, no. 1 (2013): 65-81.
- ⁶⁹ Pasternak et al., 75.
- ⁷⁰ Blackstock, C. "The Complainant: The Canadian Human Rights Case on First Nations Child Welfare." *McGill Law Journal* 62, no. 2 (2016): 285-328.
- ⁷¹ Blackstock, 316
- ⁷² Crosby, A. and Monaghan, J. "Settler Governmentality in Canada and the Algonquins of Barriere Lake." *Security Dialogue* 43, no. 5 (2012): 421-438.
- ⁷³ Crosby and Monaghan, 423.
- ⁷⁴ Crosby and Monaghan, 434.
- ⁷⁵ Palmater, P. "Genocide, Indian Policy, and Legislated Elimination of Indians in Canada." *Aboriginal Policy Studies* 3, no. 3 (2014): 27-54.
- ⁷⁶ Palmater, 28.
- ⁷⁷ Pasternak, S. and Schabus, N. "Privatizing Uncertainty and Socializing Risk." *University of New Brunswick Law Journal* 70, (2019): 208-229
- ⁷⁸ Pasternak and Schabus, 208.
- ⁷⁹ Pasternak and Schabus, 221.
- ⁸⁰ Pasternak and Schabus, 217.
- ⁸¹ Brown, B., Wachowiak-Smolikova, R., Spence, N., Wachowiak, M. and Walters, D. "Why do Some First Nations Communities have Safe Water and Others Not? Socioeconomic Determinants of Drinking Water Risk." *Global Journal of Health Science* 8, no. 9 (2016): 99-106.
- ⁸² Brown et al, 108.
- ⁸³ Smith, 6.

- ⁸⁴ Smith, 6.
- ⁸⁵ Crosby, A. "Contesting Cannabis: Indigenous Jurisdiction and Legalization." *Canadian Public Administration* 62, no. 4 (2019): 634-655.
- ⁸⁶ Blackstock, C. "The Complainant: The Canadian Human Rights Case on First Nations Child Welfare." *McGill Law Journal* 62, no. 2 (2016): 285-328.
- ⁸⁷ Tomiak, J. "Contesting the Settler City: Indigenous Self-Determination, New Urban Reserves, and the Neoliberalization of Colonialism." *Antipode* 49, no. 4 (2017): 928-945.
- ⁸⁸ Dafnos, T. "The Enduring Settler-Colonial Emergency: Indian Affairs and Contemporary Emergency Management in Canada." *Settler Colonial Studies* 9, no. 3 (2019): 379-395.
- ⁸⁹ Hall, R. "Divide and Conquer: Privatizing Indigenous Land Ownership as Capital Accumulation." *Studies in Political Economy* 96, no. 1 (2015): 23-46.
- ⁹⁰ Pasternak et al., 75
- ⁹¹ Smith, 147.
- ⁹² Palmater, Pam. *Indigenous Nationhood: Empowering Grassroots Citizens*. (Winnipeg: Fernwood Publishing, 2015).
- ⁹³ Smith, 156.
- ⁹⁴ Stiegman, M., and Castleden, H. "Leashes and Lies: Navigating the Colonial Tensions of Institutional Ethics of Research Involving Indigenous Peoples in Canada." *International Indigenous Policy Journal* 6, no. 3 (2015): 1-11
- ⁹⁵ Castleden, H., Morgan, V. and Neimanis, A. "Researchers' Perspectives on Collective/Community Co-authorship in Community-based Participatory Indigenous Research." *Journal of Empirical Research on Human Research Ethics* 5, no. 4 (2010): 23-32; also see Cidro, J. "Nanabush Storytelling as Data Analysis and Knowledge Transmissions." *The Canadian Journal of Native Studies* 32, no. 2 (2012): 159-169.
- ⁹⁶ Ball, J. and Janyst, P. "Enacting Research Ethics in Partnerships with Indigenous Communities in Canada." *Journal of Empirical Research on Human Research Ethics* 3, no. 2 (2008): 33-51. Also see Datta, R. "Decolonizing both Researcher and Research and its Effectiveness in Indigenous Research." *Research Ethics* 14, no. 2 (2018): 1-24.
- ⁹⁷ Guillemin, M., Gillam, L., Barnard, E., Stewart, P., Walker, H. and Rosenthal, D. "'We're checking them out': Indigenous and Non-Indigenous Research Participants' Accounts of Deciding to be Involved in Research." *International Journal for Equity in Health* 15, no. 1 (2016): 1-10.
- ⁹⁸ Haberstock, L. "Participatory Description: Decolonizing Descriptive Methodologies in Archives." *Archival Science* 20, (2020): 125-

138.

- ⁹⁹ Louie, D., Pratt, Y. P, Hanson, A. J. and Ottmann, J. "Applying Indigenizing Principles of Decolonizing Methodologies in University Classrooms." *Canadian Journal of Higher Education* 47, no. 3 (2017): 16-33; Anderson, J. "Indigenous Knowledge, Intellectual Property, Libraries and Archives: Crises of Access, Control and Future Utility." *Australian Academic & Research Libraries* 36, no. 2 (2005): 83-94; Dei, G. J. S. "Indigenous Knowledge Studies and the Next Generation: Pedagogical Possibilities for Anti-Colonial Education." *The Australian Journal of Indigenous Education* 37(S1), (2008): 5-13; Luker, T. "Decolonising Archives: Indigenous Challenges to Record Keeping in 'Reconciling' Settler Colonial States." *Australian Feminist Studies* 32, nos. 91-92 (2017): 108-125.
- ¹⁰⁰ Sylvestre, P. Castleden, H., Martin, D. and McNally, M. "'Thank you very much...You can leave our community now': Geographies of Responsibility, Relational Ethics, Acts of Refusal, and the Conflicting Requirements of Academic Loyalties in Indigenous Research." *ACME: An International Journal for Critical Geographies* 17, no. 3 (2018): 750-779, 156.
- ¹⁰¹ Carey, J. "On Hope and Resignation: Conflicting Visions of Settler Colonial Studies and its Future as a Field." *Postcolonial Studies* 23, no.1 (2020): 21-42.
- ¹⁰² Braun, K., Browne, C., Ka'opua, L., Jung Kim, B. and Mokuau, N. "Research on Indigenous Elders: From Positivistic to Decolonizing Methodologies." *The Gerontologist* 54, no. 1 (2014): 117-126; Chan-Tiberghien, J. "Towards a 'Global Educational Justice' Research Paradigm: Cognitive Justice, Decolonizing Methodologies and Critical Pedagogy." *Globalisation, Societies and Education* 2, no. 2 (2010): 191-213.
- ¹⁰³ Deumert, A. "Sensational Signs, Authority and the Public Sphere: Settler Colonial Rhetoric in Times of Change." *Sociolinguistics* 23, (2019): 467-484.
- ¹⁰⁴ Macoun, A. and Strakosch, E. "The Ethical Demands of Settler Colonial Theory." *Settler Colonial Studies* 3, no. 3-4 (2013): 426-443; Paris, D. "Naming Beyond the White Settler Colonial Gaze in Educational Research." *International Journal of Qualitative Studies in Education* 32, no. 3 (2018): 217-224.
- ¹⁰⁵ Carlson, E. "Anti-Colonial Methodologies and Practices for Settler Colonial Studies." *Settler Colonial Studies* 7, no. 4 (2016): 496-517.
- ¹⁰⁶ Stastny, A. "The Fabrication of Settler Legitimacy: Managing Colonial Violence and Wars in Australian School Textbooks from the 1870s to the Present." *Postcolonial Studies* 22, no. 3 (2019): 362-383.

- ¹⁰⁷Smylie, J., Marsden, N., Star, L., Gahagan, J., Zarowsky, C., Mykhalovskiy, E., & Potvin, L. "Requirement for Meaningful Engagement of First Nations, Inuit, Métis, and Indigenous Peoples in Publications about Them." *Canadian Journal of Public Health* 111, no. 6 (2020): 826-830.