



# Infrastructure Beyond Extractivism

Material Approaches to Restoring Indigenous Jurisdiction

## Statement on Indigenous Identity and Ethics

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The issue of false claims of Indigeneity is a settler problem. And to be specific, it's largely a white settler problem. More disturbing perhaps is the widespread fascination of settlers with each exposé or "outing" of individuals who have falsely claimed Indigenous identities for personal and/or professional benefits. And while these stories garner national and international attention, rarely have they caused settlers to question their own responsibilities toward accounting for and addressing this problem of false representation. Instead, the labor has been largely, if not wholesale, left to Indigenous peoples to identify the root causes of this problem and provide solutions -- solutions that have largely called for Indigenous peoples to implement standardized practices for determining who is, and more importantly, who is not, Indigenous.

The impacts of settler colonialism are far reaching and multifarious. Indeed, while its impacts and devastation are disproportionately played out on the lives and lands of Indigenous peoples, colonialism is not just consumptive and destructive, but also productive. As many scholars have detailed, settler colonialism has produced nation-states that are tethered to and refracted through the Indigenous nations they seek to eliminate. In the wake of the failures of nation-states and their citizens to form or adhere to ethical ways of being in this place and belonging in ethical relationships with Indigenous nations, nation-states constructed national mythologies that sought to legitimate their right to Indigenous lands. While national narratives drew on Indigenous symbols and tropes to legitimate the state, individuals too often produced family stories of Indigenous ancestry that sought to generate a form of belonging for families. These stories have shaped the national consciousness in both the United States and Canada.

While some families have inherited these stories for generations, in other cases fictive narratives of Indigenous ancestry are largely drawn on to suture the ruptures produced by settler colonialism. The paucity of pathways available for settlers, in their own tradition, to be in ethical relationships with Indigenous nations has too often produced slippages where identity becomes a stand-in for kinship and belonging. But these are not the same thing. And more importantly they don't need to be. Indigenous legal, social and governing traditions are relational. For many of our nations, there is no other way to understand ourselves or our world than through the intricate webs of relationality that give them meaning. It is therefore crucial that we engage in ethical relationships. And when harms occur, we must draw on reparative and restorative processes to address those harms.

When community members raise concerns that someone is falsely claiming to be a member of their nation, we must take those concerns seriously. We understand that this kind of false claim undermines the jurisdiction of not only that particular Indigenous nation, but of all Indigenous nations. Whether intentional or unintentional, any false claim of Indigenous identity is harmful. It gains its power from the fact that the relationships that constitute Indigenous identity have been deliberately undercut by colonialism – including the violence of residential schools, the foster care system, poverty, and extractivism. It makes a currency out of the fractures created by settler colonialism.

We recognize the need for processes and frameworks that can properly and ethically attend to the multifarious and messy ways in which colonialism has impacted our communities, both Indigenous and non-Indigenous. As a team of Indigenous peoples and settlers, we recognized that no single legal order would appropriately

address the specific conditions for redressing harms and attending to breaches of ethics. Therefore, we sought to establish a process that would mobilize an ethic of care for those engaged in the process and for communities and individuals impacted by a breach of ethical relationships. We recognize that settler colonialism has had devastating impacts for many Indigenous communities, disrupting families and modes of belonging. We have tried to remain attentive in this process to the imperfections of the colonial records and imposed systems of governance that have produced harms for Indigenous peoples, and disproportionately so, for Indigenous women, gender diverse and two-spirit peoples. We have also sought to recognize the diverse and multitude of forms Indigenous jurisdiction of citizenship and belonging take, looking beyond state-sanctioned forms of recognition. As a grant team committed to the restoration of and respect for Indigenous jurisdiction, we understand an ethic of care as an ethic of accountability, an accountability to one another and to the communities we work with. It was in this spirit that we established our Ethics & Accountability Framework and Intervention Process.

Our Ethics & Accountability Framework and Intervention Process states that “We expect all researchers will not engage in practices that cause knowable or anticipated harms, and further expect all researchers to accept responsibility for harm caused by their own actions/inactions.” As researchers, we have an ethical obligation to represent our relationships to communities accurately and honestly. These commitments apply to all of us, whether we are Indigenous or non-Indigenous. Integrity and honesty are essential for us to work in good faith with our partners in our collective efforts to achieve a more just future.

In drafting our Ethics & Accountability Framework for the *Infrastructure Beyond Extractivism* project, we wanted to create a framework that was flexible enough to account for nation-to-nation differences in governance, internal diversities for how we constitute ourselves, and the temporal and geographic specificity of the impacts of settler colonialism. Yet we also recognize some universal commitments. These commitments include expecting “all researchers to follow the commonplace expectation of being in good relations, with an open heart and open mind, and to always engage truthfully, transparently, and accountably”; as well as expecting that “all researchers will not engage in practices that cause knowable or anticipated harms, and further expect all researchers to accept responsibility for harm caused by their own actions/inactions.”

Standardized responses to harm risk producing additional harm and obscure pathways for reparation and restoration of relationships. We have instead attempted to mitigate this potential by creating a process for addressing ethics violations that is case- and context- specific. While our framework lays out principles for ethical relationships, we recognize that ruptures in these relationships are not uniform and that each specific case will require different processes, resolutions, and pathways forward.

Too often, harmful behaviours have been met with repudiation and the exile of individuals. We want to propose another way forward, because we believe that it’s possible – and urgently necessary – to repair harms when they occur in our relationships and our work. First, we believe that such an approach would require individuals to acknowledge that they caused harm, even if it was unintentional. Second, we believe that the individual should, if it doesn’t produce further harm, engage in reparative and restorative processes with the Indigenous communities and people that have been harmed. And third, we expect that the individual should consider and address the impacts of ethical breaches beyond the specific communities and individuals harmed.

We recognize that confronting harm can be a difficult and painful process. Indeed, many Indigenous people are exhausted emotionally and physically from attending constantly to the labours of addressing the harms of colonialism within and outside of our communities. And too often our non-Indigenous colleagues and kin absolve themselves of accountability, sometimes out of fear that they will be perceived as paternalistic or inserting themselves into discussions that don’t belong to them. Indeed, settlers approaching these topics from a place of ignorance, or with paternalism does replicate harm. Either way, the void is leaving an enormous burden of difficult, upsetting work for Indigenous peoples to pick up. We see this now as universities, amongst other institutions, are calling on Indigenous colleagues to address the problem of false representations of Indigeneity. But it’s important that as we take up this challenging question, we remain careful to not lose sight of the colonial structures that continue to enact this eliminatory logic, even as it shape-shifts in its form. We must be diligent and do the hard work that parses out the particularities. We must refuse to collapse important distinctions such as identity with kinship and belonging, and intentional harm with inherited legacies; we must move away from *either/or* and toward understandings of *and/also*, because it is in taking these careful steps

that we may discover that multiple paths lead towards remediation – and just as harm exists in many forms, so too does reparation.

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