

*Legitimation and Autonomy in  
James Bay Cree Responses to Hydro-  
Electric Development*

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INTRODUCTION

This paper examines analytical and methodological problems encountered in evaluating Fourth World political processes, specifically; in analysing the autonomy of representations from the Fourth World.<sup>1</sup>

Because indigenous peoples have found themselves increasingly threatened by intrusions of nation-states and international economic interests, their participation in protests, political and legal mobilizations and complex organizations has also increased in order to oppose these intrusions. As Fourth World political opposition accelerates, one demand put upon anthropologists is to evaluate these experiences so that others—indigenous peoples, administrators, politicians, and social scientists—will be informed about the consequences and effectiveness of the strategies of opposition and resistance.

In order to meet this demand, anthropologists have turned to the analytical tools of political and administrative sciences, and economics. These tools have clearly strengthened the analysis (e.g., Weaver 1981; SSDCC 1982), but in the process there has been a tendency to omit the traditional anthropological emphasis on local-level processes, cultural/symbolic factors and traditional/historical contexts. In scaling their tools to the complex levels of national, political and economic structures, anthropologists have often lost sight of the local-level actions that shape micro-level responses to macro-level interventions and contribute to the final determination of events (Feit 1982).

A case in point are the evaluations that have been made of the James Bay Cree responses to hydro-electric development in northern Quebec. In November, 1975, the James Bay Cree and Inuit of northern Quebec signed the first modern aboriginal claims settlement in Canada—the James Bay and Northern Quebec Agreement (JBNQA). Their leaders called it "a great victory." In the two months that followed, ratification meetings in the Cree villages demonstrated an overwhelming predominance of opinion in favour of the agreement.<sup>2</sup>

Yet, outside the Cree communities the agreement was widely condemned by natives and non-natives, alike. Native opposition, which took the form of condemning the Cree for signing the agreement, was motivated in part by the intention of the federal government to use the agreement as a model for other native claims (Feit 1980). The most common charge was that Cree representational processes had failed: the agreement was a sellout by the native leadership, or it was a sellout by the non-native advisers who controlled their clients, or it was a trick by the government negotiators who duped the native peoples.<sup>3</sup> The assumption that representation broke down is still widespread, and probably still dominates perceptions of those events, although present-day views are often more tempered and thoughtful than the original versions.

The most extensive account of James Bay Cree representational processes is *Negotiating a Way of Life* (LaRusic *et al.* 1979), which attempts to evaluate the initial James Bay Cree experience with the administrative structures arising from the agreement. Among the key questions raised by the authors is the role the new Cree regional leadership has in its own policy-making and administrative structures, and in particular the leaders' position vis-à-vis the consultants. They argue that in the post-agreement period, evidence suggests that the Cree control the more routine aspects of administration, but that the key decisions and policy-making power reside "under the determining influence of consultants in general, and legal advisers in particular." This situation is attributed to necessity (pp. 20-21, 32, 47f., 51), to consultants' brokerage interests (pp. 38, 51, 53), and to the history of the court case and negotiations (pp. 10, 20-21, 42, 46).<sup>4</sup>

LaRusic *et al.* argue that the representational processes by which the Cree opposed the hydro-electric development, negotiated a

land claim settlement, and established a regional Cree government were ineffective, in the sense that they did not reduce dependency on external agencies or individuals. Their argument, in summary, is that dependence was transferred from government agencies to individual and corporate consultants.

They claim further that before the court hearings commenced in December, 1972, the Cree did not have independent political or administrative structures that could be called "their own." The authors state that the court proceedings demanded the involvement of consultants and a high level of organizational skill and sophistication. "Band councils were inefficient, cumbersome and controlled by Indian Affairs . . ." and so they "could not have been viewed as useful to the lawyers," and no other organization such as the provincial Indians of Quebec Association (IQA) was suitable (p. 46). A new organization, the James Bay Task Force, was therefore set up to fill the need. This was initially "a structure where the managerial and directive positions were largely assumed by consultants" (p. 47). The authors describe the role of this organization in shaping Cree leadership and policy as follows:

The Cree leadership which emerged through their work in this organization had as their principal role that of a liaison between the scattered Cree communities and the consultants who needed rapid and efficient access to the body of data available only at the community level. Initially, the Cree had only to express to the public a general demand that the James Bay Project be stopped; the role of the consultants was to choose the grounds upon which the battle would be fought (p. 47).

Lawyer Douglas Sanders reaches similar conclusions in his account of Cree mobilization against the James Bay hydro-electric project and the role of non-Cree lawyers. Sanders notes that when the Cree appeared in court, their initial position was to stop the project completely. He infers that the lawyers' aim was to establish a bargaining position, and he bases this on the following press quote of one of the lawyers advising the Cree: "This is the most difficult thing I will have to say to you, but when the white man wants something he takes it" (Sanders n.d.:13). Sanders concludes that the lawyers had to convince their Cree clients that the project could not be stopped, and that therefore the Cree had to abandon a position

of complete opposition to the project. Thus, when the Cree entered into final negotiations in early 1974, "they were following legal advice to accept a negotiated settlement . . . . There was a young leadership for the Inuit and the Cree who were clearly involved throughout the process. But one only has to start to read the final agreement to know, without question, that it is the product of lawyers. It is not a document which could be communicated in its detail to northern Indians and Inuit" (n.d.:19).

The problems that I see in the analyses of Sanders and of LaRusic and his associates rest on a failure to examine data that traditionally have been the core of anthropological analysis and to link these to the newer forms of macro-political and economic analysis. Sanders' analysis, for example, depends on inferring the lawyers' motives from press reports of their statements, and the views of Cree villagers from formal statements made in a courtroom setting. His interpretation of limited local-level participation is based not upon an account of the process of reaching the agreement, but upon the highly legalistic text of the agreement, which itself was the result of a strategic decision to express the outcomes of negotiation processes in formal legal drafts. The lack of data on community-level processes makes his overall interpretation fragile at best. Thus, whether the lawyers' advice was consistent with community opinion or not, whether it was influential and whether there was a shift in community goals remain essentially undocumented.<sup>3</sup>

The root of the analytical problem inherent in these assessments of autonomy is the failure to distinguish between two distinct perspectives on Fourth World representation: the relationships of the representatives to those whom they represent, and to those to whom representations are made. These two perspectives highlight different dimensions of the representation processes: the former emphasizes the legitimacy of the representation, whereas the latter emphasizes the effectiveness of the representation. LaRusic *et al.* discuss extensively the relationship between representors and those to whom representations are addressed, be they judges, politicians, bureaucrats, or consultants. According to them, the need for these representations to be effective placed real constraints on Cree leadership, and it was this need that determined the predominance of consultants.

The second dimension of representation, namely the legitimacy of the representation as determined in the relationship of the representors to the represented, receives almost no attention in their analysis of this period.<sup>6</sup> Because this dimension was neglected, their analysis of Cree autonomy is incomplete and misleading. The failure to consider community/leader relations strengthens their conclusions that the emerging Cree leadership was dominated by its consultants.

In this paper I question the claim that James Bay Cree responses to the hydro-electric project were determined by advisers, and that these advisers set the stage for the development of a regional leadership, structures and organizations that were dependent on consultants. In particular, I look at the initial opposition to the hydro-electric scheme from May, 1971, to May, 1972.<sup>7</sup> The Cree began mobilizing opposition to the development in May, 1971, when the Quebec government refused to take their interests into account in the design of the hydro-electric project and in the planning for the development of the region. In late 1972, the Cree sought an interlocutory injunction to stop all work on the project, utilizing a number of fortunate anomalies in Canadian law. They won the court case in late 1973, and although appeals immediately delayed implementation of the court ruling, the stage was set for negotiations. Although construction continued, putting pressure on the Cree, the disruptions caused by the appeals made potential investors wary of continuing to fund the project, which put pressure on the government. Negotiations between the James Bay Cree, the Inuit of northern Quebec and the governments of Quebec and Canada began early in 1974 and continued for nearly two years. They covered modifications to the project; the protection and development of the indigenous society, culture and economy; allocations of rights to the territory and its resources; indigenous control of Cree communities, services and organizations; indigenous participation in the government, administration and development of the territory; financial benefits; and new structures of articulation between indigenous peoples and senior governments. These negotiations culminated in the JBNQA of 1975.

This paper examines the historical and cultural context in which the opposition was organized, and shows how the trends initiated during the first year of political mobilization were not in the direction of increased dependency.

### CULTURAL AND HISTORICAL PERSPECTIVES ON CREE LEADERSHIP

Anthropological discussions of traditional leadership and authority in contemporary Cree and eastern Algonquian societies have emphasized a consistent and pervasive set of themes: the communal and egalitarian principles on which the society is organized; the dependence of a leader's actions on already existing consensus; authority based on influence, usually won by demonstrating exceptional competence; the short-term duration of leadership; and the ability of followers to change allegiances if and when a leader's performance did not conform to values. Although I do not disagree with this analysis, I believe it simplifies the dynamics between communal interests and leadership initiatives in Cree society, and it suggests that leadership was somewhat more transitory and unstructured than my data indicate.

To understand Cree models of leadership and authority it is necessary to examine day to day leadership patterns *within* the community. The most widespread form of formal leadership in Cree society occurs in hunting groups that live together from three to nine months a year in bush camps. It is this form that is crucial to our understanding of Cree leadership in general.

Hunting-group formation and leadership are influenced by rights to defined areas of land called "hunting territories." The Cree region of Quebec is divided into approximately 300 contiguous tracts of land, each ranging from approximately 230 km<sup>2</sup> to several thousand km<sup>2</sup> and together averaging about 1200 km<sup>2</sup>. Access to, and use of, the hunting territories are defined by a system of rights and obligations encompassing various categories of individuals.

Each hunting territory is said to be "owned" by an individual "boss," whom I shall call a steward. Although the term for the relationship of stewards to their hunting territories is "ownership" in English, the relationship is not one of ownership by Western standards. The steward appoints his successor, but he cannot dispose of the land by sale or transfer. The Cree say that land was created by God and can neither be owned nor disposed of in the way in which Euro-Canadians are accustomed. The steward is therefore the temporary custodian of a portion of the community and kin-group patrimony. He is under obligation to see that the

land is used in ways that sustain its productivity, and to protect the land for posterity.

The steward exercises a broad mandate and considerable authority vis-à-vis his contemporaries. He has the right to decide whether the hunting territory is to be used for an extended period of time, that is, whether it can be harvested intensively and, to some extent, by whom. He can decide which and how much of the big-game species can be hunted, as well as where and when. Spiritual sanctions support his authority, and animal spirits communicate their willingness to be caught through dreams and signs.

In practice, a steward exercises much less day-to-day direction than this formal account implies; allowing a hunter to use a hunting territory often carries an implicit or explicit agreement on the overall size of the harvest and the area to be harvested, and no more direction than that may be required. Often, direction takes the form of an impersonal commentary on a situation, or a suggestion in accordance with the ideology of egalitarianism.

Other rights pertain. Hunters acquire a long-term right of access to one or more hunting territories in which they have grown up or hunted over an extended period of time. If a steward decides a certain hunting territory will be used, then those people with a long-term right of access to it may use it without having to be invited to join the steward's hunting group. Their use of it, however, is still subject to the steward's supervision. In addition, a hunter may be granted the privilege of using a hunting territory for a specified period of time—for several months or for a hunting season.

An individual occupies the role of steward for several decades, typically between the ages of 40 to 60. Thus, leadership is exercised by a relatively stable and limited number of individuals. There are about 300 stewards in the James Bay Cree area among a population of 8,600.

The authority of stewards derives not only from being a skilled hunter, but also by having direct control of information and access to intensively used resources. This means that a limited number of men exercise considerable authority over the activities of others in the name of the community and in the common interest, as well as the interests of themselves and their immediate kin. I would emphasize that both community and kin-group in-

terests must be harmonized so that neither will be served exclusively.

The steward's authority is, in principle, sanctioned spiritually, which while making it powerful also obligates him to protect and improve the resources, and to share them with the community. If these values are not respected, the spirits and the animals will not provide a good hunt. Stewards are generally expected to accommodate hunters without land, and in so doing they reinforce egalitarian and communal values. When a steward uses his authority according to Cree values, he wins public approval and prestige. The system works most of the time.

The key elements of this system are the following: (1) a communal and inalienable interest in the use and protection of all land resources; (2) the existence of a limited and relatively stable set of leaders whose detailed knowledge of, and spiritual ties to, particular tracts of land are the basis of their authority over those lands; (3) community expectation, sanction and encouragement of leaders to exercise authority with a view to protect communal and family needs and intergenerational continuity. This model coincides fundamentally with the classical accounts of Cree leadership (e.g., Rogers 1965), but it does differ in its emphasis on the resources that leaders control and the durability of their status, and in specifying a more complex means by which leadership is exercised and constrained.<sup>8</sup>

The dynamics of traditional leadership are also more complex than has often been suggested. The power of leaders does not simply decline because they lose followers. When they lose support they still retain control of important resources, and many people will not, or cannot, cut their ties and join other leaders. It is easier for those who depend on invitations to cut ties. The more serious challengers of a steward's authority are his close kinsmen and associates who have primary rights of access to his territory. When leadership breaks down, they are likely to engage in a kind of civil disobedience: they begin challenging publicly the steward's management. If this fails to bring about accommodation, they may make parallel claims of ownership to part or all of the territory, claiming their personal ties to his predecessor and to the spirits as their authority. Calling on public opinion for support, they may declare that 'ownership' should be split or transferred, since it had

been wrongly assigned. If such conflicts are not quickly resolved, the challengers start to use the land under their own direction with informal public sanction, thus undermining an errant steward's authority.

From the present perspective, the above model of leadership is significant when applied to the role of the new leadership whose mandate encompasses external arenas, resources and action. The new leaders are the chief and band council and the regional leaders.

Chiefs and band councils came into being during the 1930s and '40s in various Cree communities when governments set up administration of the region, and when the first band membership lists were prepared by the federal Indian Affairs Branch. Chiefs and councils appear to have existed for a decade or more prior to this in some communities; they resembled the earlier trading chiefs appointed by the Hudson's Bay Company (HBC) during the previous two centuries (cf. Morantz 1982). Government recognition of chiefs and councils brought them officially under the Indian Act. This national legislation authorized the council to act for the band as a whole, but at the same time delegated considerable authority to the federal minister of Indian Affairs. This distribution of authority did not reflect Cree political culture. With regard to the band council, this was not usually a problem because, as I indicate below, its authority was restricted. However, the authority of the minister was a source of conflict.

My limited data on these early leaders indicate that they were generally chosen from among the elders of the various extended kin groups, who were appointed by the Hudson's Bay Company trader and/or the resident missionary (cf. Kerr 1950; Honigmann 1962; Rogers 1965). Later, the Indian government agents, who were often former HBC traders, tended to use these same elders for the tasks of identifying band members, receiving requests for aid and distributing social assistance, just as the HBC had done before. When elections were held, the same men used by the agents were often elected to positions of chief and band council. Sometimes the agents themselves chose the candidates or intervened to disallow election results with which they were dissatisfied (cf. Pothier 1967; Najmi n.d.).

Within the community, elected leaders had legitimacy because most had already been active leaders in the community. Some were

stewards or hunting group leaders; others were elders who organized community-wide activities and church ceremonies and mediated social conflicts (Preston 1971; Kupferer 1966; Honigmann 1962). However, election to titled positions was sometimes ridiculed and on occasion, highly respected individuals refused such a position (Kerr 1950; Preston 1971).

The main responsibility of this elected leadership was to represent the community to external agencies—primarily the government but also the church and fur traders. In this respect, the expectations and legal mandates of the elected chiefs conflicted with their structural position. LaRusic (1972) indicates that the elected chief and council had limited knowledge of the outside world and were therefore dependent for information and resources on the very persons to whom they made representation: the Indian agent, the minister and trader, all three of whom shared certain interests and exchanged personnel. The chiefs therefore had limited information and means for making demands on and responding to external agencies (e.g., Preston 1971).

As a result, by the 1960s the band council was, with occasional exceptions, simply the recipient of benefits and services decided on by external agencies. As such, the role of the chief and band council was to serve the needs of the external agencies by, for example, approving programs and services offered by government departments. Thus, during the 1960s, when the road and rail networks were opened in the southern Waswanipi area, when mining towns were built, when forestry operations were begun, and when the Hudson's Bay Company closed its trading post on the newly granted reserve, the band council had no response to the decisions (LaRusic 1972).<sup>9</sup>

This pattern was not easily accepted by the chiefs, many of whom resented their dependence on non-natives and sometimes expressed their frustration (Kupferer 1966; Preston 1971). By the mid-1960s, therefore, the chiefs and band councils in several Cree communities began initiating responses and demands (LaRusic 1972; Kupferer 1966; Preston 1968, 1971; Hyman 1971; Robbins 1967; Barger 1980). The impetus for change appears to have been the return to communities of young adults who, during the 1950s and '60s, acquired a higher level of education than any generation before them. As external influences on community life increas-

ed, this generation began to be elected to positions of chief and council because of a widely expressed need to have representatives who could speak English (and occasionally French), who were not reticent with whites, and who understood the ways of governments. This trend continued for a decade so that eventually traditional leaders shared official positions with the younger men (LaRusic 1972; Barger 1980).

Also significant during this period was the emergence of a provincial Indian association in 1967, under the stimulus of the Department of Indian Affairs (LaRusic 1972). Despite its origins, the Indians of Quebec Association (IQA) provided a forum in which chiefs and councillors from bands across the province could get together and learn by sharing their experiences. For younger leaders from the more northerly, isolated bands, the contact with southern Indian leaders broadened their knowledge in dealing with outside agencies and provides a basis of comparing southern and northern reserves (cf., LaRusic 1972). Because the IQA had a small staff and limited organizational and financial resources at this time, only occasionally was it able to help band leaders, but the effect of its bringing together Indian leaders was pervasive (LaRusic 1972; Barger 1980).<sup>10</sup>

As a result of the above developments, not only was there a steady increase in political action, but also an elaboration of political ideas. Kenneth Barger, working in Great Whale River, identified three themes underlying Cree concerns in their discussions with government officials in the late 1960s: self-government, claims to the land and the preservation of their culture. In addition, the Cree demanded increased government services and socioeconomic development (Barger 1980:202-03). The form of expression that these demands took derived in part from outside contacts, but the concerns themselves were deeply rooted in community values. The new leaders were expressing community-wide concerns within the framework of Indian rights, demands that were becoming known in the wider Canadian society. Political activism united both young and old, and it opened up communications of a new order—initiated by the bands rather than the government. But it did not guarantee success.<sup>11</sup>

The new band leaders inherited the same broad mandate, based on autonomy, as that exercised by stewards. They, also, were

expected to exercise this autonomy to serve community interests. The nature of their authority was modified by the new conditions, but in important respects it remained consistent with that of stewardship. Band leaders, for example, had the authority to allocate resources; and those who were closest to a leader were often the first and the most vocal in expressing discontent. A form of civil resistance occurred, for example, when close kinsmen opposed the re-election of a leader, or when community members criticized a leader in front of the government authorities with whom the leader had to maintain credibility. In addition, just as stewards could not alienate land, so too the new leaders could not alienate or control land or land-based resources; they were expected to refer such matters to the community. The important point here is that the new leaders added a leadership structure to community organization without supplanting the old form of community leadership. The new leaders thus inherited a relationship not only to the community at large, but also to the stewards, who retained their authority over land and resources. The stewards, elders and chiefs became interdependent leaderships. Such developments resulted in some control being retained by the community over its leaders and in a leadership whose exercise of autonomy was constrained by community interests. In the period from 1971 to at least 1980, the relatively stable leadership reflected the general success of this model from the perspective of both band members and leaders.

The hydro-electric project strengthened this interdependence because it made clear to the elders and the stewards that the land and resources were threatened by the intervention of Euro-Canadians whom they could neither influence nor communicate with effectively, unless they worked in cooperation with the younger leaders. Furthermore, credible opposition to the hydro scheme required that younger leaders be able to demonstrate the support of the elder hunters, whose lives would be most affected. The younger leaders also depended on being able to draw on the elders' knowledge of the land and of Cree history in order to assess the long-term implications of the project for native/white relations in the region.

## THE LEGITIMACY DIMENSION—ESTABLISHING REGIONAL REPRESENTATION

### *Self-Selection of the Emerging Regional Leadership*

When, on 30 April 1971, Premier Robert Bourassa announced that the James Bay hydro-electric scheme would begin immediately, he had neither consulted Indian representatives nor set in motion any consultation process.

A collective Cree response to the announcement was not immediate. There were as yet no leaders with a regional mandate to speak for the James Bay Cree as a whole and so a unified response was impossible. Initial reactions therefore came from various levels, both band and provincial. Billy Diamond, the chief of Rupert House, said he would fight the project, in a *Montreal Star* interview a few days after the premier's announcement. His objections were many: the project would have an impact on Cree hunting; it was to be built on Indian land; there had been no consultation; the jobs created by the project would not last; and so on. He went on to say, "I think it's the feeling of all the chiefs on James Bay that the Indians will get nothing out of this project and will be ruined completely" (*Montreal Star* 4 May 1971). He said he wanted the help of all Quebec Indians, who should fight for their rights. And he indicated that he wanted to stall the project or get compensation for Indians whose land and livelihood will be affected. Other chiefs began calling band meetings in May to discuss with their band members the responses they should make, although official details of the project were as yet unknown.

At the provincial level, the IQA also took an immediate stand against the project. Chief Max Gros-Louis, secretary-treasurer of the IQA, was quoted as saying that Quebec Indians would block the James Bay project and go before the courts if necessary (*Montreal Star* 4 May 1971). The association also had legal counsel, James O'Reilly, send a letter to the federal minister of Indian Affairs, stating that it was essential that the territorial rights of Indians be dealt with immediately, before the project went any further (Diamond 1972; Rouland 1978:210).

It is noteworthy that each of these stands was taken independently of one another, and none was related to an existing community or leadership consensus on strategies of response to

the project. Diamond's statements aimed at creating a consensus, not expressing one.

Another initiative was taken by a young councillor of the Mistassini band, Philip Awashish, who decided to call a meeting of Cree band leaders at Mistassini to discuss possible regional responses to the proposed project. He went about this using both formal and informal channels of communication: through ties with former classmates at residential Indian schools, but seeking first the permission and assistance of the Mistassini chief and the participation of other chiefs. This meeting is regarded as the starting point of a new regional representation process, a new leadership and eventually a new organization among the James Bay Cree. Looking back on this meeting Chief Diamond commented:

For the first time in history, the Cree sat down together to discuss their common problem—the James Bay Hydroelectric Project. But we found out much more than that—we found out that we all survive on the land and we all have respect for the land. Our Cree Chiefs also found out that our rights to the land, our rights to hunt, fish and trap and our right to remain Crees were considered as privileges by the governments of Canada and Quebec (Diamond 1977:3).<sup>12</sup>

The funds needed to arrange the meeting were sought first from the Department of Secretary of State, but the request was refused because the IQA had already been provided funds for such meetings (LaRusic 1972:34). The Cree organizers, who saw the meeting as preparatory for adopting a position at an upcoming IQA general meeting, did not go to the IQA for funding. They planned to use band funds, but received funding from the Man in the North Programme of the Arctic Institute of North America, then located on the campus of McGill University, where Awashish had been a student.<sup>13</sup> When the IQA executive heard of the meeting, they arranged to transport a large contingent of Cree chiefs and councillors to Mistassini by chartered aircraft, as well as to send an IQA executive member and IQA legal counsel (LaRusic 1972). A total of 35 people from seven communities attended the three-day meeting.

The Cree initiators originally envisaged an informal meeting of Cree leaders, to be conducted in Cree, at which information on the James Bay project would be shared and potential responses

to it discussed. However, because of the non-Cree in attendance, extensive translations were needed and long discussions took place in English, with few inputs from unilingual Cree (LaRusic 1972:35). There was little information about the project itself, but it was pointed out that (1) the project would cause severe damage to the land, the animals and to the Cree communities; (2) that the project would serve whites not Indians, and those who would benefit from the jobs would be whites first and Indians second; nor would the jobs last. It was unanimously decided to oppose the project (Anonymous\* 1971).<sup>14</sup>

The meeting ended on 1 July 1971 with a resolution addressed to the minister of Indian Affairs and Northern Development:

We, the representatives of the Cree bands that will be affected by the James Bay Hydro Project or any other project, oppose to these projects because we believe that only the beavers have the right to build dams in our territory, and we request the Minister of Indian Affairs and Northern Development to use his legal jurisdiction to stop any attempt of intrusion of our rightful owned territory by the Government of the Province of Quebec or any other authority (quoted in Diamond 1977).

The resolution was given to the IQA representatives to be delivered to the minister.

#### *Building Community Consensus in Favour of Opposition*

When the community leaders returned to their villages, many called meetings to report on the Mistassini discussions. This period was critical because the leaders not only had to inform the communities of developments but also to unify community opinions. Data drawn from two villages, Waswanipi and Fort George, illustrate the process.<sup>15</sup>

At meetings held in summer of 1971 the Waswanipi band members were presented with a brief account of what were then thought to be the main features of the project and the legal and political grounds for opposition. They were asked to support their chief's initiative to oppose the project. In reply, they expressed a widespread and deeply rooted scepticism about the practical

\*Unpublished sources cited in the text are listed at end of essay. Published citations are included in the bibliography at end of volume.



possibilities of effective opposition to the project. At this time, they discussed the short-term goals of stopping or delaying the project and/or receiving compensation.

The data available from Fort George for this period generally support this picture.<sup>16</sup> Only slowly did a response of indignation and consensus to oppose the hydro-electric development grow through the summer and fall of 1971, following several inputs from the chiefs and councillors who attended the Mistassini assembly.

The importance of the change from quiescence to a consensus on opposition is easily overlooked, as is the role of the emerging regional Cree leaders in the creation of that consensus. Evidence of these processes does not appear widely in the public documents of the period; indeed, it would have been politically dangerous if it had. However, this development becomes obvious in a comparison of statements made at Waswanipi band meetings immediately before and after the Mistassini assembly.

At the meetings held in two Waswanipi settlements on May 15 and 20, Chief Peter Gull did most of the talking. He informed the people of the government's decision to build the project without consulting the Cree. He impressed upon them the need to express their views about the project and to think about how they wanted to respond. He had already been in touch with Philip Awashish and Billy Diamond, and a 'moccassin telegraph' of information was already established. The chief showed maps (unofficial) of the lands to be flooded and discussed problems that would be encountered by hunters traversing the reservoirs and the problems of flooded hunting areas and burial sites. He reported that efforts were under way to secure a film on the effects of flooding on Peace River. He emphasized that the band members could not be passive in the face of the development, that the project must be stopped—but "if we can't stop them I want to be sure we will get something out of it" (Waswanipi 1971a).

Few band members spoke at these meetings, but those who did were decidedly pessimistic about the possibilities of stopping the project. When some members noted that it might bring direct benefits, the chief agreed, specifying money, electric power, roads, and tourism benefits. However, he warned that above and beyond any benefits that might result, they had to think of their land: he emphasized that wildlife and hunting would be disrupted

(Waswanipi 1971a and b). Unfortunately, it is difficult to judge how much of the technical project data and of the political situation was understood by community members at this stage.<sup>17</sup>

At the meetings held after the Mistassini assembly, the chief met with a mix of support and scepticism from band members. On the one hand, some opposition to the project was voiced; people cited its detrimental impact on the land, the animals and on their hunting, and they repeatedly cited the fact that they should have been consulted about the project before it was begun. On the other hand, opposition was not unanimous, even among those Waswanipi who had attended the Mistassini assembly.<sup>18</sup> Several people expressed the view that the government never listened to them before, and that things had already gone too far, given the intensity of surveying and exploration work already in progress. Others commented that the project would not "be all bad for us," and that the government had helped the Indians, and they expected more help in the future: ". . . I don't think we should complain what the government wants to do with this land because I don't think he [they] will leave us completely in need." Nevertheless, there was more opposition to the project than had been evident at previous band meetings (Waswanipi 1971c and d).

The chief repeatedly stressed that opposition was possible. He referred to the legislative basis of Indian rights to the land and specifically to the failure of the Quebec government to fulfil the obligations under the 1912 Quebec Boundaries Extension Act. "It's only right that they should ask the Indians first when they want something from our land and it is time we should get something for it too," he said (Waswanipi 1971d). He went on to explain how the project could be made opposed:

Over half the money comes from the U.S. Maybe it will cost about \$7 billion . . . So maybe if we can hold this thing back for 2 or 3 years, the people that are putting their money in for it will not like their money going to waste not knowing if they are going to continue with it or not. They want to make money with this. If they quit putting their money for it I don't think [the] Quebec government will continue to do it alone. This thing is not too certain yet (Waswanipi 1971d; cf. 1971c).

Although the chief could not dispel the scepticism with such arguments, nonetheless, a position was expressed by a band

member that made a consensus possible: "All we can say is we don't want it [the James Bay Project] because we are not sure if it will be good for us or not" (Waswanipi 1971c). Although this view did not reconcile the growing opposition with the widespread scepticism, it proposed a position from which opposition could proceed in the face of what seemed to many band members to be a hopeless case. In short, they could oppose because there was no better alternative.

By the time Billy Diamond and Philip Awashish polled the communities in early 1972, they found that the Cree were united in opposition to the project.

#### *Establishing the Legitimacy of the Emerging Leadership Structure*

Cree leaders not only had to develop a consensus on the need for action, but they also had to establish the legitimacy of regional structures for coordinating action and the legitimacy of the individuals who would occupy the new regional leadership roles. The opportunity to pursue these objectives was provided by the widely perceived need in the Cree communities for more information on the project and on the possible responses to it. This need led, at the insistence of the emerging leaders, to the funding of two full-time communications workers in October 1971.<sup>19</sup> Billy Diamond and Philip Awashish began work in January 1972 (Anonymous 1973) after a second meeting of regional leaders, this time in Val d'Or, Quebec, sanctioned their appointment.

The funding of these communications workers provided the first opportunity for a regional tour of the communities by Cree leaders. Their first task was to establish their legitimacy and that of the regional meetings of chiefs and councillors. This was accomplished in the following way.

Billy Diamond began by meeting with the chief and band council of each community he visited, asking whether they wanted him to speak to their people about the project (Diamond 1972). He told them that his own role and that of the IQA depended on the authorization and support of the band council. This made it clear that the legitimacy of the communications workers and the IQA derived from the band level: accordingly, the workers and the program were under the ultimate control of the band councils.<sup>20</sup> Communicating the data collected on the project established the

potential usefulness of regional personnel to the chiefs and councillors who were responsible for keeping their people informed. Thus the skills and resources Chief Diamond brought to his position were presented as resources available to the existing leadership.

This mutual support between regional and band leaders also helped the communications workers establish their legitimacy with their public—the band members. They had to do this in opposition to the Cree James Bay Development Corporation (JBDC) liaison workers, who had visited the communities prior to Chief Diamond's arrival. The JBDC workers, however, failed to establish their legitimacy because they had not received band-council support, had spoken informally to people in the communities and had called meetings of band members on their own initiative.

That Chief Diamond's procedure was considered appropriate by the councils is reflected in their approval and organization of public meetings, in their agreeing not to say very much, "but rather give the public the opportunity to say all they wanted about the project," and in officially introducing Diamond at the general meetings (*ibid.*).

In his presentations to the communities, Diamond sought to legitimate the new regional political structure. He also gave a description and history of the James Bay project, a report on the responses and decisions made at previous meetings by the chiefs and leaders, and an outline of IQA actions and support.

Initially, in each village there was "confusion and bewilderment as to our [IQA communication worker] position" in relation to the JBDC, to the project and to the Cree (1972:5). Chief Diamond had to explain the differences between the IQA and the JBDC, which he found difficult to do effectively since people had little contact with either. However, he saw an occasion for this in the presentation of the JBDC reports on the environmental impacts of the proposed project to the communities.

In his own community of Rupert House, Chief Diamond had the full English report and the Cree-English summary read to the community. The omission of several erroneous and derogatory comments on the Indian people, which had appeared in the full report but not in the Cree summary, was pointed out. These included claims that Indians were "economically and politically.

strongly dependent on white man's society." and that "the Indians are no longer as economically dependent on [wildlife] as some people think" (Federal-Provincial Task Force 1971a). As Chief Diamond reported (1972:7):

Some of the people could not believe the report after the comparison was made and as Chief of the Rupert House Band, I asked my people. . . what shall we do with the report? The first reaction was from the crowd. Mr. Andrew Salt said let us burn the reports. . . . Then one hundred and twenty-five copies of the reports were burned in the stove and others were taken outside and burned as well.

Other communities simply mailed the reports back to the corporation. These meetings established for the communities who could legitimately be seen as working for the Cree people.

Chief Diamond's meetings thus established not only the legitimacy but also the usefulness of regional-level representation. They also revealed a willingness among the Cree to adopt a consensus on the key issues. Even in those communities that thought they would not be as affected by the project as others, there were clear statements of regional solidarity. For example, a band member from Paint Hills said: "Of course, we will unite with our brothers of Fort George, Eastmain, Rupert House, Waswanipi and Mistassini to stop the James Bay Projects" (Diamond 1972). And in Great Whale River the Inuit who thought they would be less directly affected than the Cree stated they would stand behind the Indian people.

The meetings were also an opportunity for the community to express their views regarding regional leadership mandates. This was happening as early as the summer of 1971 at meetings held by Chief Peter Gull. When he urged his people to speak up and help their chief to represent them, several band members agreed: "You need to know what they [other band members] think." But a former chief felt differently: "You chiefs get together and talk to each [other] about this instead of asking us. Then whatever you think, we'll agree to your idea. You're the ones that [are] supposed to know" (Waswanipi 1971d).

These two views—that chiefs should listen to the people, and that chiefs should take the initiative to make decisions—are complementary components of a Cree leader's mandates. This was

reflected in a comment by a Fort George band member: "Our Chiefs and Indian leaders have a RIGHT to voice their opinions on our behalf against the Project because they know that the Project is no benefit for the Indians" (Diamond 1972). In other words, leaders are expected to speak their *own* ideas; the reason they must do so is because they are *knowledgeable*; and they are expected to do so *on behalf of the community*.

Leaders are expected to be competent in serving their communities at the same time as community members are expected to guide their leaders in decision-making. The two sides of this model are united in process, but not through a formal sequence of steps. Consensus does not necessarily precede any leadership action, and leaders do not just present their decisions as *faits accomplis*. Their mandate is to lead and not just represent their people. By confirming and consulting the community, the community participates in the ongoing decision-making, and the final authority rests with the community.

#### THE AUTONOMY DIMENSION: CHOOSING STRATEGIES AND DEFINING GOALS

Cree goals and objectives emerged only in the process of working out a strategy of opposition to the hydro-electric scheme. A gradual development of goals is to be expected when a crisis occurs before political mobilization has taken place. I emphasize this point, because it is easy to neglect the state of mobilization when looking back from the present perspective. Unlike native groups in Canada today who face development schemes after a decade of nation-wide political mobilization on the issues of aboriginal rights, northern development and self-government, the Cree were forced to mobilize without having yet determined their goals. The Cree, I hasten to add, were not alone in this position in 1971; as yet there had been no supreme court ruling on the Nishga case, no Morrow caveat, no Berger inquiry, no Malouf judgment. Native peoples across the Canadian North at this period were living more or less autonomously and only occasionally in public conflict with the state.

#### *Taking the Initiative to Define Strategies*

The Mistassini assembly, in June 1971, was the first opportunity for Cree leaders to discuss their options for opposing the project:

specifically, whether it could be stopped, whether it could be delayed as the oil pipeline had been in Alaska, or whether to demand compensation from governments. Advice was offered by Chief Max Gros-Louis, the IQA representative, and Jacques Beaudoin, a legal counsel for the IQA.

Chief Gros-Louis emphasized the need for Indians to present a united front to the government at the band, provincial and national levels, and he proposed a statement of solidarity between Cree chiefs with the other Indians of the province, which was signed by the Cree chiefs (IQA 1974). Second, he argued against taking a case to court where a white judge would hear the case and cause the Indians to lose. Third, he recommended mobilizing Indian and non-Indian support, throughout Canada and beyond, suggesting that if other countries knew what was going on they would try to help.

Beaudoin's advice covered the possibilities of legal action. He stated that normally the government could take the land without Indian consent, and that a court case would be very difficult to file against the government. Dealing with the province would be difficult, for although the authorities needed the permission of the minister of Indian and Northern Affairs to go ahead with the project, they were already certain of federal support. Therefore, the province would only discuss compensation and not a change in project plans. He suggested communicating with the minister, possibly by means of a resolution opposing the project, and urging him to use his powers, on behalf of the Cree. In response to a question from a chief asking what they could do if the minister decided not to stop the project, the lawyer implied that the only thing that could be done was to establish the value of the claim for compensation (Anonymous 1971).<sup>21</sup>

The assembly did not make a clear choice between suggestions made by the IQA executive member and the lawyer. Rather, the leaders kept the options open by acting on both of the suggestions. They drafted and sent off to the minister the resolution cited above, requesting that he use his legal powers to stop any intrusion of Cree-owned land. They also proceeded to mobilize support from Indian organizations.

The general meeting of the IQA, held in Quebec City the following month, supported opposition and received messages

from many Indian associations.<sup>22</sup> Only part of a day was devoted to the James Bay project, however, and discussions focused on trying to stop it (Waswanipi 1971d).<sup>23</sup>

During the meeting a press conference was held by the executive of the IQA and the James Bay Cree chiefs "to make it clear that the Indians of Quebec were opposed to the James Bay project" (Anonymous 1973). The executive stressed that their opposition to the project was aimed at establishing consultations with the Quebec government at the cabinet level (*Montreal Star* 29 July 1971).

The IQA position was consistent with its long-term strategy, which was to negotiate a series of agreements with the province on questions of aboriginal rights. To this end the IQA had submitted to the Government of Quebec in the last several years three position papers on territorial rights, hunting and fishing rights and taxation. A negotiated agreement on hunting and fishing rights had been reached by early 1970 (LaRusic 1972), but a change in government resulted in its never being finalized and implemented (LaRusic *et al.* 1979). The submission on territorial rights was made in 1969 to the Quebec Royal Commission on the Territorial Integrity of Quebec—the Dorion Commission. The province refused to negotiate until the commission's report was submitted on 5 February 1971, shortly before the announcement of the James Bay project. Reaction to the project was therefore linked to the long-term IQA goal of establishing senior-level negotiations on Indian territorial rights (IQA 1974). The objectives of the IQA were not entirely clear, but their submission mentioned that "without prejudice to any future re-evaluation, we consider that our rights have been alienated in the amount of five billion dollars, exclusive of damages" (IQA 1972).

The commission's report recognized the possibility of serious implications resulting from Quebec's failure to settle Indian rights, particularly the rights to hunt, fish and trap in large areas of the province (Leger 1971:44). These included the areas affected by the James Bay project for which jurisdiction had been transferred from the federal to the provincial government in 1898 and 1912, with a specific proviso in the latter transfer that the province deal with aboriginal rights (Savoie 1971:38). The report responded to IQA submissions and recommended that the Government of Quebec

sign an agreement with the Indians of Quebec to abolish all rights and debts whatsoever (cf. Savoie, p. 41). It implied that \$34 million dollars was a starting point for discussions.

The IQA approved the report's recognition of Indian rights but rejected its interpretation of the nature of those rights and their political solution. Its statement indicated that the rights included land, hunting and tax exemption (IQA 1974). Following the release of the report, the IQA requested that negotiations begin with the provincial government (Savoie, p. 38). The first session took place on 27 September 1971.<sup>24</sup>

Thus it is clear that the Dorion Commission Report and IQA initiatives were important sources of support for opposing the James Bay project, and also that opposition to the project would influence the province-wide negotiations. Nevertheless, there were differences in perspective between the Cree leaders and the IQA executive. For the Cree leaders the aim of mobilizing federal government support was to get the province to discuss the project with the Cree. For the IQA the aim of mobilizing federal and public support was to get meaningful negotiations underway on territorial rights and compensation for all Quebec's native peoples. The two aims were perceived to be linked but it was also recognized that they could come into conflict.

During the summer and fall of 1971 the Cree leaders waited, observed and evaluated the effectiveness of their decisions made at the Mistassini assembly. Little or no concrete response was forthcoming from the government. Meanwhile, exploration and preparatory construction work on Cree lands accelerated. Hunters expressed their concern upon their mid-winter return from their bush camps, and people became bitter when they realized the construction work had begun without their having been consulted (Awashish 1972a).

The meeting of the Cree leaders with two executive members of the IQA in Val d'Or in mid-January, 1972, was the occasion that the leaders took to assert their own goals and strategies. It had also been the first occasion at which the leaders met a senior representative of the JBDC, and they were upset by the failure of the JBDC representative to do more than inform them of project plans. This, together with the failures of the minister of Indian Affairs to respond to their resolution and of the Quebec government

to discuss the project, in the face of growing opposition in the villages, led them to insist the IQA take out an injunction to stop the project. A request for an injunction was drafted and signed by the Cree chiefs and delegates on 13 January 1972, and the IQA was asked, via the two IQA executive members present, to proceed immediately with the court action (Awashish 1972a).

When Chiefs Diamond and Awashish visited the Cree communities in February and March, they reported these decisions to the band members, and asked the band councils to pass resolutions supporting the court action and requesting the IQA to take immediate action on it.

In making this decision they went against the priorities of the IQA executive. During the fall of 1971 the IQA had begun negotiations with Quebec's minister of Natural Resources. There had been little progress on the question of territorial rights, since the minister refused to begin discussions on the basis of the \$5-billion claim and asked the IQA to itemize its demand (*Montreal Star* 4 March 1972). However, progress was being made on the question of taxation and by late February, an order-in-council was prepared, exempting Indians in Quebec from the provincial sales tax. IQA lawyer Beaudoin was quoted as saying that this was "a sign of good faith by Quebec that they're interested in bargaining seriously" (*ibid.*).

The Cree leaders, for their part, began to see a conflict between the IQA role of carrying out a mandate to oppose the James Bay project and the IQA interest in negotiating with the province. Several Cree individuals accused the IQA of selling James Bay for tax concessions (*ibid.*), and in February several Cree band councils "warned the Indian association they want a firmer stand against the project" (*Montreal Star* 29 February 1972). Events over the next couple of months tended to heighten Cree fears. Chief Andrew Delisle, president of the IQA, said the association would not discuss James Bay in their negotiations because the IQA did not have a mandate from the Cree. But he also said that the IQA told the Quebec government: "you can't talk about a project to be built on our territory until you settle our claims" (*Montreal Star* 4 May 1972). The most serious breach of cooperation occurred when it was revealed that the IQA did not forward to the federal minister the resolution passed the previous July in Mistassini until 14 April 1972 (Rouland 1978:211; Chrétien 1972).

*Mobilizing Support and Deciding on Tactics*

Having chosen a strategic course of action, the Cree needed organizational, financial, legal, political, and technical support and information, which, during this period, came from a range of sources: citizen protest movements; university-based researchers and journalists; as well as from the IQA executive and legal advisers.

A protest meeting at McGill University in January led to the formation of the James Bay Committee, which, along with the Society to Overcome Pollution, the Canadian Wildlife Federation and the Sierra Club, organized public protests against the hydroelectric project and researched the bases for opposition. By July 1972, one book by a journalist, six pamphlets by citizens' groups, as well as numerous newspaper commentaries criticized the project (Richardson 1972a, 1972b; Berkes *et al.* 1972; James Bay Committee 1972a, 1972b; LaJambe 1972; Parti Québécois 1972; Spence 1972; Spence and Spence 1972). Discussions and protests took place at public meetings of, for example, the Canadian Zoological Society and the Canadian Preparatory Committee for the United Nations Conference on the Human Environment. The anthropology journal *Recherches amérindiennes au Québec* published a special issue on James Bay in the fall of 1971. And the Programme in the Anthropology of Development at McGill University began a study of the social implications of the project late in 1971 for the JBDC, and it organized open seminars, among whose participants were several Cree (Salisbury *et al.* 1972).<sup>25</sup>

However, Cree leaders still felt the need for organizational and financial support and for legal advice. The success of the IQA in obtaining funding for the Mistassini meeting and the communications workers demonstrated the effectiveness of dealing with the government through an organization. This realization, plus a desire to cooperate with other Indians, led the Cree to pressure the IQA and its advisers to assist with an injunction.

Thus, when the leaders visited the communities in February and March, their task was twofold: to mobilize support for their decision to initiate court action and to request band-council resolutions in support of IQA aid with the injunction. The resolutions at Mistassini and Waswanipi demanded that the IQA proceed immediately with the injunction (Awashish 1972a; Waswanipi 1972).

In preparation for taking action, a meeting of the IQA Board of Directors was scheduled for 18-20 April 1972 in conjunction with a meeting of the Cree leaders and representatives of the Inuit of northern Quebec. According to Awashish, the first issue to be resolved was what the IQA was prepared to do to support legal measures against the James Bay project (1972b). While the communications workers were mobilizing community opinion on the matter in preparation for the meeting, the IQA legal advisers were asked to prepare specific recommendations on the means of proceeding with an injunction and implementing the strategy of accelerating opposition.

At the meeting, IQA lawyers O'Reilly and Beaudoin presented an analysis of the options open to the assembled leaders. First, they argued that if the IQA could negotiate quickly, important concessions might be gained. But if this could not be achieved, then the Cree might be left with only a claim for damages when the project was completed. A court injunction on aboriginal rights was one alternative, the lawyers claimed, but the chances of Indians acting alone in court were not good because injunctions against the Crown were difficult to execute and because of the complications in determining the nature of native rights. It was noted that the enforcement of native rights was at that time being tested by the Nishga in British Columbia. The lawyers pointed out that the chances of success were greater if the federal government could be persuaded to take an injunction against the province, but that given the political situation the federal government was unlikely to do so. Rather, the federal government was likely to pressure the Cree to negotiate a settlement (Awashish 1972b).

The lawyers offered a fourth alternative: court action based on the unconstitutionality of Bill 50, the legislation that set up the crown corporation to develop the region, for violating federal jurisdictions;<sup>26</sup> or court action against the province and contractors for working on navigable waters without federal authorization under the Navigable Waters Protection Act. The lawyers indicated that such legal actions would show the seriousness of Cree opposition and might make the project negotiable—if that was the Cree objective. If these legal actions failed, court action on native rights could then be considered, but with the realization that if the case were finally lost, there would be no recourse against the

project (Awashish 1972b).

Awashish (*ibid.*) reported that having received this advice concerning the four possible alternatives,

The native people of James Bay and Mistassini-Waswanipi area requested the following:

(a) That Jean Chrétien [minister responsible for Indian Affairs] be pressured into undertaking an injunction against the Provincial Government of Quebec. Support would be mobilized from various groups and resolutions collected;

(b) That legal action proceed under the basis of Bill 50 and the Navigable Waters Protection Act.

A press conference would be held following the presented actions. Everything was to be ready by May 1, 1972. . . .

The IQA was mandated to take whatever legal measures were necessary to block the project until "a satisfactory settlement could be achieved" (Diamond 1977). In addition, the James Bay Task Force was established under the coordination of Chief Billy Diamond and the IQA to evaluate both Indian rights and the impact of the James Bay project.

Commitment of the Cree to the IQA was indicated at a follow-up meeting of Cree chiefs and lawyers held on 28 April, at which the Anglican bishop of the Diocese of Moosonee offered to assist the opposition by sponsoring communications workers. The Cree leaders decided the church could assist by declaring publicly that it supported the stand taken by the Cree and the IQA, and by writing letters to Prime Minister Trudeau and Premier Bourassa protesting their governments' handling of native issues raised by the James Bay project. But they did not accept the organizational participation of the church.

At this same meeting the lawyers reported on the legal actions they had drafted: the first one, against the attorney general of the province and the crown corporation, asked the court to declare Bill 50 unconstitutional. The second, against the contractors, asked (if Bill 50 were proven unconstitutional) that the court issue a permanent injunction forcing them to cease all work. The lawyer noted that the constitutionality of Bill 50 could be seriously challenged. He also indicated that the possibility of action under the Navigable Waters Act was still being researched; in the meanwhile a letter requesting federal intervention had been sent to the

appropriate minister. The assembled Cree leaders agreed on the two court actions.

A week later, a series of meetings and press conferences were held in Ottawa by the Cree chiefs, leaders and band representatives, the IQA board of directors and legal counsel, with officials of the Department of Indian Affairs. The court actions were launched.

About the same time, the Mistassini band council requested the minister of Indian Affairs to report on his responsibilities and power with respect to the hydro-electric project and Indian interests. They also asked him how he had used this power in the past, and how the Cree could initiate its use again.

#### *Defining the Goal*

The intensification of opposition pushed to the forefront the question of what the Cree wanted specifically. The question was raised by the minister of Indian Affairs at the May meetings, and the legal counsel for the IQA asked the Cree leaders whether they were totally against the project.

Until the hydro-electric project began, then, the Cree commitment to a distinctive economic, social and cultural way of life had not been previously questioned. The young Cree collectively discovered the viability and extent of their commitment to the renewable resource-based economy in the process of opposing the project. However, although this commitment was widely shared, it was not part of an explicit ideology; nor was it clear how this way of life could be threatened—or protected—for example, whether the project would have to be stopped completely or only modified to make its socioeconomic impact survivable. Similarly, that the whole issue of aboriginal rights was the goal of the opposition was not envisaged at the beginning; rather, aboriginal rights looked like one possible basis for the main task, which was to oppose the project and protect existing Cree autonomy.

As noted above, the Cree leaders had decided to block the project until "a satisfactory settlement could be achieved." This phrase originated in many of the band-council resolutions passed during Diamond's and Awashish's tour. For example, the Mistassini resolution authorizing the IQA to proceed with an injunction stated: "The purpose of this court injunction was to stop all works

and constructions until an agreement has been reached between the affected Indians and the Provincial Government of Quebec" (Awashish 1972a).<sup>27</sup>

A more precise definition of the goal of opposition was encouraged by the lawyers, who asked: "What did people of the area mean by an 'agreement'?" Awashish (1972b) reports that after some discussion,

. . . most of the Chiefs felt that they would accept some form of hydro development under conditions that would be acceptable to the native people of the area. A negotiable development project would be the goal. Therefore, all Chiefs of the bands involved were opposed to the James Bay Development Project as it is or has been presented by the Provincial Government of Quebec.

According to Awashish, it was obvious that specific details concerning possible agreement would have to be worked out before proceeding with negotiations.

During the first tour of the villages in February and March, statements by nearly 100 members of various bands had been recorded and summarized by the leaders. Although these statements were united in their expression of opposition, they contained many diverse views of the possible goals of opposition (Diamond 1972). Thus, when the leaders returned to the villages in March and May, they sought advice from the elders. In effect, the reports of their discussions represent a summary of the elders' understanding of Cree/white conflicts, of their "ideology" regarding whites and of how the present crisis fitted into this historical perspective.<sup>28</sup> The elders talked about governments and developments and of the historic context within which the current crisis had to be understood. Summarizing their views, Awashish (1972f) wrote:

[The present pattern was] started by the arrival of the first white man to the area and still continues to this very day.

Development has been solely in the hands of people outside the region.

The James Bay Development Corporation in its plans to develop the area has given little or no consideration to the resources which are important for subsistence to the Cree people . . . .

The region has been utilized almost exclusively by the Cree people who have no voice in the decision-making body which [is now] planning the development of resources in the area.

The desirability of negotiation with the government was reflected in the following statement by a Waswanipi elder:

This is the way it appears. Things are being done behind the backs of the Indian people. Things are so secret. There has simply . . . been no talk at all. Perhaps if they had started to consult the Indians about the benefits of the James Bay Project, there would be less opposition to it. So now we have no other way but to oppose it (Waswanipi 1972).

The elders' resentment against government development practices repeatedly focused on the lack of previous consultation, concern for the ecology of the area, concern for the future of Cree communities, and the abrogation of the traditional rights. These statements make it clear why a complete stop to the project was not the main goal for the Cree. Cree elders viewed the hydro-electric project in the broader historical perspective of long-term relationships with whites; the project required that relations between Cree and whites be restructured. The goals encompassed both a modified project and a new relationship with governments that had to include the recognition of a Cree role in determining the development of their land. The means to these ends was negotiation, and the tone was conciliatory, although immediate opposition seemed essential to achieve these ends.

The regional leaders' responses, as they sought to define the goals of opposition, were thus informed by the developing consensus among the elders on the long-term objectives. The leaders articulated this growing consensus: opposition until agreement is reached and a demand for participation in the development of the area. Awashish (1972f) argued that:

Indian people from the area must be involved in the planning body of the development of the area. It is not . . . enough to have experts from outside the region to study the situation of the Cree people and plan the development of the region . . . [it is] require[d] that the native people be meaningfully involved in the planning for the use of the resources of the area.

It took three and one-half years of political mobilization, court action and negotiation to achieve this goal. Although the strategies



decided on in the spring of 1971 did eventually pressure the government to negotiate an agreement, this did not occur until a year-long injunction hearing, based on the plausibility of the claim for aboriginal rights, was won.

#### CONCLUSIONS

The first year of Cree mobilization against the hydro-electric project set into gear several distinct but interrelated processes of representation. The process of creating Cree regional political structures had begun, and an *ad hoc* meeting of local leaders and several active young Cree had, by the spring of 1972, given birth to a regional decision-making forum based on key elements of Cree political culture. The new Cree leaders, largely self-selected, began developing their skills cooperatively to meet the task at hand. They did not set up a formal organization but used the existing provincial Indian association for administrative, financial and general organizational support. The new regional structure made use of the already existing organization of chiefs and band councils and thereby avoided being imposed by, or claiming authority from, outside authorities. As such, the regional structure complemented and enhanced the growing autonomy of local band councils, a process that, as I have indicated, had begun several years earlier. This trend was critical to the events that followed.

Vis-à-vis the communities, the regional leadership initiated an information program aimed at consensus-building, and established the legitimacy of regional decision-making. Providing information to the communities was a priority of the regional structure, which recognized that only an adequately informed public could effectively participate in decision-making. On the one hand, the extent of political and legal information available to the Cree leaders from diverse sources was impressive; on the other, technical information on the hydro-electric project was very restricted and constantly changing as the plans themselves developed. The leaders systematically and repeatedly communicated this information to the communities, but it is clear that they found effective communication to band members to be an elusive and difficult task. Many people could not conceptualize the scale of the hydro-electric project and its associated structures, and it was also difficult for them to comprehend the complex macro-political processes behind

the project, as well as those involved in opposing the project. But the regional leaders renewed their commitments to the information program and initiated changes for its improvement (Awashish 1972a). It was to be a complex, long-term project. The important point here is that this was recognized by the regional leaders right from the start, and they were committed to the task from the start.

Community feedback to the regional leaders did not take the form of clear directives, but rather was expressed in general consensus on broad orientations. The critical points of consensus centred on the need to oppose the project as it was then proposed and on the legitimacy of the new decision-making forum and of the self-appointed incumbents in regional leadership roles. The communities also supported the initiation of legal action and the request that the IQA act on behalf of the Cree. However, it is difficult to assess whether, at this stage, these were more than *pro forma* approvals of the strategies recommended by the regional leaders.

More specific direction was provided by the elders, who interpreted the hydro-electric project crisis in terms of their perception of the history of Indian/white relations, specifically the problems created by whites for maintaining Cree social and economic autonomy. Thus, when the regional leaders sought guidance with respect to the long-term goals of opposition, the elders advised them not to view the project as an isolated instance, but as part of an ongoing conflict over control of the development of the region. This attitude influenced the leaders to seek an agreement with the government rather than oppose the project outright. Whereas this broader goal was consistent with opposing the specific project at the strategic level, the elders' view also reflected a desire to achieve long-term reconciliation rather than ever-increasing confrontation. The important point here is that community elders played a key role in giving direction to the regional leaders' emerging position regarding the long-term goals of political action.

During this first year the regional leaders also established contact with individuals and organizations at the provincial and national levels that could provide them with information, advice and infrastructural support. It is clear that the leaders had decided to work most intensively with the IQA executive and legal counsels. From the beginning, the leaders were aware that their priorities

were not identical with those of the IQA; but they were also concerned to link Cree interests to those of all native people. During the course of the year, the differences between the Cree and the IQA over the need for court action and over the urgency of immediate opposition increased. Partially as a result of this, the Cree leaders began to assert a stronger and more independent voice in the choice of strategies while continuing to work with the IQA executive.<sup>29</sup> With respect to legal advice, the leaders gave priority to those strategic options that the lawyers advised were potentially effective, although they did not follow precisely their recommendations or IQA priorities. The lawyers provided the leaders with a comprehensive set of options, given the current state of legal opinion on aboriginal rights. Thus, it was local-level concern for dealing with the hydro-electric project and the elders' concern for dealing with it in the broad context of controlling development in the region that guided the leaders in making choices of strategy and goals—rather than any imposition of choices by legal advisers.

This conclusion differs from that reached by LaRusic *et al.* because they did not examine the legitimacy component of autonomy and thus they failed to record or analyse the critical micro-level activities of the emerging regional Cree leadership: initiating community consensus; creating and legitimating a regional structure; mobilizing information, advice and support from external sources; choosing strategies and tactics of opposition; and articulating Cree goals through dialogue with community elders. Without a consideration of these activities, any assessment of Cree autonomy is incomplete and erroneous.

In conclusion, it is my hope that this case study has illustrated the complexity of evaluating autonomy in Fourth World representation and the impossibility of omitting consideration of micro-level legitimation processes in the analysis. The methods of traditional anthropological analysis, though not sufficient, remain essential to the study of politics of indigenous communities in modern nation-states.

#### Notes

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2. In a ratification vote in Cree communities, 922 signatures supported the agreement, and one opposed it (Diamond 1977) out of a resident adult population of 2,540. The low turnout was due to the fact that many Cree did not see the need for a ratification vote in view of the extensive consultations and the official approvals given in each community before the signing of the agreement (Feit, field notes; Rouland 1978:51). In the Inuit communities the ratification results were more complex: two-thirds of the population voted 96 percent in favour of the agreement; however, in three of the 14 communities that were strongly opposed to the agreement, only 15 percent voted, most people preferring to boycott the ratification process (Rouland 1978).
3. An example of the sellout theme appeared in the *Native Press* on 18 November 1974 under the headline *\$150,000,000 James Bay Sellout*. The term was also used by a lawyer who condemned the agreement and ridiculed the legal opinions influencing the Cree strategy (Cumming 1977). *Le Monde diplomatique* accused the government of trickery and native leaders of exploitation (Dommergues 1976).
4. LaRusic *et al.* suggest that this pattern is not invariable and that there are signs of stronger Cree roles in some areas, which could expand (cf. LaRusic 1979:26-27; 36-38; 53). They, nevertheless, claim the pattern is a general one.
5. The question of what advice the lawyers actually gave their clients when negotiations were resumed in 1974 is beyond the scope of this paper. It is important to note that many of those involved in the events would not agree with Sanders' evaluation that the legal aim was to establish a bargaining position.
6. Elsewhere LaRusic has analysed the pre-1972 period in detail, and I draw on these studies in the body of this paper.
7. Although I did not play an active role in the events of the year covered by this paper, I was involved with the Cree response from December 1972. An analysis of the later stages of this process is envisaged to extend the present analysis.
8. A fuller account of this system is in preparation.
9. A similar picture of the period up to the early 1960s is provided for the other Cree communities of the period (cf. Kerr 1950; Honigmann

- 1962, 1964; Johnson 1962; Rogers 1965; Kupferer 1966; Pothier 1967; Knight 1968; Preston 1968, 1971; Barger 1980).
10. Other factors in this shift were diverse, but they were all linked to outside interventions. One factor was the availability of alternative channels of information and assistance. Another factor was the increasing takeover by provincial governments of former federally administered programs (cf. Preston 1968, 1971; Sam 1968; Barger 1980). The short-lived Indian Affairs community-development-officer program in the mid-1960s provided the opportunity for non-natives to teach government policy and structure without being committed to a career position in that structure (McDonald *et al.* 1965; McDonald 1966). Also important was the new funding of native centres and organizations, which opened up new links to government, paralleling those of the Indian Affairs Branch. And the relatively recent presence in the villages of young Euro-Canadian teachers and social service administrators similarly increased access to new knowledge and resources. Of long-term importance in this development was the Indian Affairs policy of transferring some administrative services to the bands, which created full-time salaried Indian band managers, so that some band members were then able to gain experience of government operations (Preston 1971).
  11. In Waswanipi, the demand for a new reserve went unresolved despite band decisions on this matter in 1964 and 1965 and a clear agreement on a site by the band members in 1967 (cf. Najmi n.d.; and LaRusic 1972). Similarly, the resistance to provincial government involvement in schooling was not satisfactorily resolved at Rupert House (Preston 1971), nor was the issue of provincial administration of services settled at Great Whale River (Barger 1980). As wider demands for self-government and land rights were articulated, these two met with implacable sympathy and inaction. At Great Whale River the calls for self-government received comments from federal government agents such as: "If the Indian and Eskimos after getting the necessary knowledge can administer their own affairs, I feel that both Quebec and Ottawa would be happy to allow them to do this" (quoted in Barger, 1980:205).
  12. Looking back, Chief Diamond cited the personal implications of this and subsequent events that followed this meeting:

Through my twelve years of experience in dealing with the White government and also in talking with my own people, it became clear that political representation in the outside world was necessary at a very early stage. I decided to make that my very own career . . . . But if you make a decision

- for one specific career, I think you should evolve and become a perfectionist the same way a hunter becomes a perfectionist and I decided to become a politician (Diamond 1981).
13. The programme, then headed by Eric Gourdeau, provided \$1,000 for the meeting on the understanding that it be permitted to use the occasion to present its research program to the assembled leaders (LaRusic 1972:34).
  14. Only brief minutes are available of this meeting. This and subsequent analyses are based mostly on unpublished documents recording statements by Cree leaders and by members of the Cree communities. I have distinguished between community members' views, leaders' views and the views of non-Cree participants.
  15. LaRusic taped five Waswanipi band meetings, two in May 1971, two in August 1971, and one in March 1972. A report based on translated transcripts of these meetings was written by LaRusic (1971), who kindly provided me with copies of the transcripts on which I based my account.
  16. A summary of informal community discussions and reactions at Fort George has been published by Yves Leger, a Quebec social administrator who lived in the community in the summer of 1971. The opinions of these two communities are most critical, for when the James Bay project was first announced, it was thought that the southern complex (Nottaway-Broadback-Rupert) would be the first one built and Waswanipi was likely to suffer the most extensive impact from it. In the spring of 1972, when the decision was made to proceed first with the northern complex (LaGrande), Fort George became the community to suffer the most extensive impact.
  17. At this time there was virtually no official data on the project, and in fact the location of the first phase of construction work had not yet been decided. However, considerable unofficial information was available.
  18. At Fort George, Leger noted that although everyone expressed concern about the impact of the project on the land and about Cree territorial claims, this concern was mixed with a widespread non-involvement. Furthermore, among those who were active a considerable variety of responses were expressed, from rational opposition, to prophetic pleas of doom, to sympathetic support for the project, all in the context of inadequate information about the project and about "politico-economic manoeuvres of Whites" (1971:43, 48-50).
  19. The Cree leaders had pressed for information on the project at the July 1971 meeting, but the IQA executive had not been willing to join the James Bay Development Corporation (JBDC) in a communica-

- tion project for fear that the corporation would try to "sell" the project to the Cree people (Leger 1971:44). The Cree chiefs and leaders supported this position, while pressing the IQA to set up its own information program. Action toward this goal was slow until the JBDC hired Cree liaison workers during the fall to prepare a Cree summary of a report on the potential impacts of the project and to take these to the communities. In January 1972 meetings were held to coordinate the JBDC visits with those of IQA representatives, but this failed and the JBDC workers made the tour themselves.
20. The derivation of authority from the band council was IQA policy at that time, and Chief Diamond told each band council that the assistance of the IQA had to be formally requested by a band-council resolution before the IQA could take any action to assist the communities.
  21. Anonymous notes of a meeting of Cree chiefs and representatives in Mistassini, 30 June - 2 July 1971. However, the notes at this point include a number of question marks and so may incompletely report his remarks.
  22. A dissenting opinion on the desirability of opposition to the project was publicly expressed by a Montagnais leader (Diamond 1977:5; citations of press headlines in National Indian Brotherhood 1973), but the general pattern was one of wide native support.
  23. The general meeting, attended by 75 Indian leaders from all of Quebec, including representatives from all James Bay Cree bands, provided an opportunity for information communication and discussions. The Montagnais leaders present provided the Cree with first-hand accounts of the environmental, subsistence and employment effects of the Manicouagan and Churchill Falls hydro-electric developments (Waswanipi 1971c). In addition, information on potential sources of political leverage was exchanged. The Cree chiefs were appraised of the legal status of their lands and of the potential effects of delays to, or disruptions of, the project that might worry potential investors. The IQA lawyers reaffirmed that if the project could not be stopped, then the Indian people should get monetary compensation (Waswanipi 1971c).
  24. Prior to the submission of the commission's report, the government had created a new negotiating committee on Indian Affairs in the provincial Department of Natural Resources, under the chairmanship of a former secretary of the commission. In March 1971 the premier recognized the IQA as the privileged spokesman on all questions regarding Quebec Indians (Savoie 1971:38).
  25. Draft versions of the report were circulated for comment (cf. Awashish 1972b).

26. One of the provisions of Bill 50 stated that "this Act shall in no way affect the rights of Indian communities living in the territory."
27. This wording probably originated with the lawyers, but it is significant that the resolution received support in the communities before it was incorporated into the leaders' decisions about goals.
28. For a recent account of Cree ideologies of whites, see Scott 1983.
29. This tension continued for several years, culminating in 1974 in the formation of a separate Cree political organization, the Grand Council of the Crees (of Quebec).

#### Unpublished Sources

The empirical data for the above analysis was based on the following unpublished sources, as well as published sources listed in the bibliography:

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- 1971 Anonymous notes of a meeting of Cree chiefs and representatives in Mistassini, June 30 - July 2, 1971.
- 1972 "Brief on Recent Developments in James Bay." Circa September 1972.
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- 1972d "Memorandum, From: Philip Awashish, Communications Worker, To: Executive Director, Subject: Communication Work. Date: May 24, 1972."
- 1972e "Philip Awashish, Communications Worker, Indians of Quebec Association, Meeting on James Bay Project, June 15, 1972, Montreal."
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