

Local Protest and Resistance to the Rupert Diversion Project, Northern Quebec

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ABSTRACT. This article examines various political strategies employed by Nemaska Crees in northern Quebec to defend their land and way of life against the EM-1-A & Rupert Diversion Project. Notwithstanding the regional Cree leadership's endorsement of the project and the ambivalence of the majority of the local community toward the project, a local resistance group composed of committed individuals from the Nemaska Cree community demonstrated a remarkable capacity to engage in a range of political strategies to voice their opposition to the hydroelectric expansion project. Although construction of the project is now underway, our findings affirm the role and significance of individuals and organizations operating at the local level in articulating and framing efforts to enhance local empowerment and governance and respond to the ecological degradation imposed by large-scale industrial development on the "local."

Key words: local resistance movement, EM-1-A & Rupert Diversion Project, political strategies, large-scale industrial development, James Bay Cree, community, social and environmental impact

RÉSUMÉ. Le présent article examine diverses stratégies politiques employées par les Cris de Nemaska du nord du Québec dans le but de défendre leur territoire et leur mode de vie contre le Projet de l'Eastmain-1-A-Rupert. Nonobstant l'appui des chefs cris régionaux et l'ambivalence de la majorité de la communauté locale à l'égard de ce projet, un groupe de résistance local composé de particuliers dévoués de la communauté crie de Nemaska a démontré une capacité remarquable à adopter diverses stratégies politiques afin de communiquer son opposition au projet d'agrandissement hydroélectrique. Bien que les travaux de construction soient déjà en cours, nos observations ont pour effet d'affirmer le rôle et l'importance des particuliers et des organisations à l'échelle locale quand vient le temps d'articuler et d'encadrer des efforts pour renforcer l'autonomie et la gouvernance locales et réagir à la dégradation écologique découlant de la mise en valeur industrielle à grande échelle pour les gens de la région.

Mots clés : mouvement de résistance local, Projet de l'Eastmain-1-A-Rupert, stratégies politiques, mise en valeur industrielle à grande échelle, Cri de la baie James, communauté, incidences sociales et environnementales

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INTRODUCTION

Globalizing forces of economic development, specifically those involving the extraction of raw materials for capitalist development, have had direct and far-reaching impacts on indigenous peoples' rights to land and livelihood (Kunitz, 2000; Clark, 2002; Ishiyama, 2003; Coates, 2004; Gedicks, 2004; Stewart-Harawira, 2005). Coates (2004:216) asserts that the periods shaped by wartime and the post-war era represent the most dramatic and destructive transformations of indigenous populations around the world:

The imperatives of the industrial world, which needed energy, minerals, wood and pulp, regardless of political ideology or government structure, drove nations to move aggressively into remote regions. In very few instances...did the national governments take the concerns and needs of indigenous peoples very seriously.

Indigenous peoples around the world have continued to be discriminated against while the pace of intrusive large-scale resource development on their territories has accelerated (Stewart-Harawira, 2005). In many instances, states have been complicit in creating social structures that promote an unequal distribution of power and resources, and consequently, unequal life chances. The resulting forms of structural violence, including inequality, injustice, racism, poverty, marginalization, and exclusion, have all too often characterized the experience of indigenous peoples with industrial-scale development (see Galtung, 1996; Farmer et al., 2006).

Indigenous groups, however, have not been completely powerless against Western capitalist and industrialist forces. As Stahler-Sholk (2001:493) notes, globalization creates new and fertile ground upon which indigenous groups can challenge authoritative power: "Globalization can paradoxically open new political space for contestation as it ruptures existing patterns of relations between

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state and civil society.” In recent decades, the political struggle of indigenous groups to maintain their autonomy, defend their cultures and protect their ancestral lands has led to the emergence of a strong indigenous international network (Kunitz, 2000; Niezen, 2000; Coates, 2004; Stewart-Harawira, 2005). Recent literature points to the growing significance of indigenous peoples’ involvement in the development of international law and human rights procedures regarding indigenous rights (Jhappan, 1992; Havemann, 1999; Niezen, 2000; Coates, 2004; Stewart-Harawira, 2005). Niezen (2000:112), referring to the indigenous peoples’ movement as “indigenism,” states, “It represents a new use of international bodies of states to overcome the domestic abuses of states themselves, while pursuing development and recognition of international standards concerning the rights of indigenous peoples.” The capacity of grassroots Native resistance groups to connect to “transnational advocacy networks” (Keck and Sikkink, 1998) and enter the political processes of states and the global world order is what Stahler-Sholk (2001) and Gills (2000) call “globalization from below.”

Native grassroots activists make use of information and communication technologies to forge alliances with other indigenous minorities and non-state actors, share perspectives and resources, and increase their visibility in both international arenas (Kunitz, 2000; Niezen, 2000; Coates, 2004; Stewart-Harawira, 2005) and domestic ones (Clark, 2002; Hodgins et al., 2003; Ishiyama, 2003; Gedicks, 2004). As Coates (2004:259) states, “The more archaic world of email and the Internet allows groups to spread news of dangers and crises around the globe within minutes, thus mobilizing public protests in ways unimaginable a few years ago.” For example, the use of electronic media by indigenous activists during the Zapatista rebellion in Chiapas, Mexico, was effective in creating a connection between the “local and the global,” thereby making state abuses visible to the world (Stahler-Sholk, 2001:501). Thus, indigenous political struggles are “placed-based, yet transnationalised” (Escobar, 2004:222), where the “translocal” can be used strategically for local needs and aspirations (Castree, 2004:163). The formation of a global indigenous identity (Niezen, 2000) is also referred to as “glocalization...the (re)constitution of identities and organizations rooted in local places but simultaneously global in nature” (Perreault, 2003:83).

Some scholars take a closer look at the dynamics involved at the state level, where indigenous social movements tend to operate (see Clark, 2002; Ishiyama, 2003; Gedicks, 2004). They draw particular attention to the forces of colonialism and state capitalism that influence indigenous political struggles and underscore efforts taken by local grassroots activists to engage in community action and alliance building (both locally and state-wide). Hodgins et al. (2003:162) explore Anishinabe peoples’ use of peaceful blockades and resistance against exogenous pressures for resource extraction and development on their traditional lands. The authors discuss the use of “non-violent strategic action” and “surprising the enemy” as political tactics that

are effective in both discouraging a powerful opponent and generating public scrutiny of the routine violence that characterizes the status quo. The Oka Crisis in 1990 (Ciaccia, 2000) and the occupation of Ipperwash Provincial Park by the Stoney Point First Nation in 1995 (Edwards, 2001) illustrate indigenous groups’ use of more aggressive forms of direct action in their political struggles. However, the use of violent political action, particularly in a post-9/11 context, “generally generates surprise but little support [for the group], and indeed, may strengthen its enemies” (Hodgins et al., 2003:162).

In northern Quebec, large-scale hydroelectric development associated with the James Bay Project has had significant impacts on the natural environment, as well as on the lives and livelihoods of several Cree communities (Berkes, 1988; Niezen, 1993, 1998; Rosenberg et al., 1995, 1997; Ettenger, 1998; Hornig, 1999; Scott, 2001; Feit, 2004a; Whiteman, 2004). The inadequacy of the James Bay and Northern Quebec Agreement in addressing these impacts has been detailed elsewhere (Mulrennan and Scott, 2005). The signing of the Agreement Concerning a New Relationship between the Quebec Crees and Quebec Government (7 February 2002) was intended to establish a new “nation-to-nation” relationship “based on respect and mutual harmony” between the Cree and Quebec nations and provides for greater involvement of Crees in overseeing the management of natural resources and development projects in the region (Feit, 2004a; Scott, 2005). According to Scott (2005), the accommodations and provisions secured under the New Agreement emanate from the emergence of a strong regional political organization and greater access to various political resources at national and transnational levels, including international judicial and governing organizations (e.g., the United Nations), environmental and human rights groups, and the media. While the achievements of the regional Cree leadership in protecting and promoting Cree rights and interests are widely recognized, the contributions of individuals and organizations operating at the local community level have tended to go unacknowledged. This article therefore has a local focus: it explores the various political discourses and strategies used by members of the Nemaska Cree community in their efforts to articulate their concerns and effectively engage in political action to protest the EM-1-A & Rupert Diversion Project.

The case study presented is based on a literature review and field research centred on Nemaska over a two-year period (see Fig. 1), during which the senior author was an active participant in the local resistance movement (see Atkinson, 2008). Nemaska is the smallest Cree community in eastern James Bay, northern Quebec, with a population of 642 people (Statistics Canada, 2006a). Field research involved observation of participants and a series of semi-structured and unstructured interviews; the snowballing approach was used to select participants (Flowerdew and Martin, 2006). Interviews targeted employees in educational and administrative positions, elders, tallymen (tallymen or *amiskuchimaaw* are senior hunters and trappers who

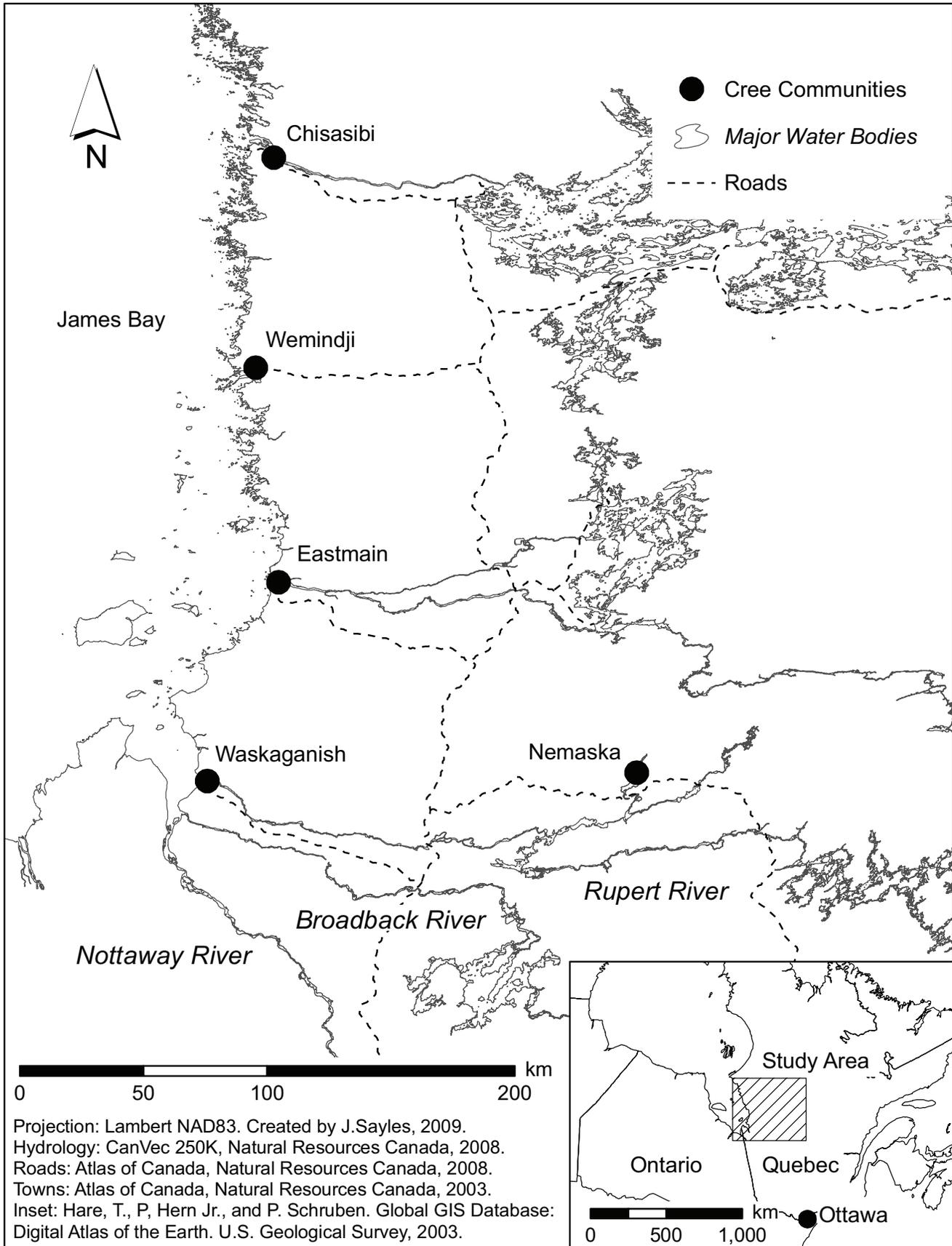


FIG. 1. Map of James Bay, showing the location of the study communities of Nemaska, Waskaganish, Eastmain, Wemindji, and Chisasibi, as well as the Rupert, Nottaway, and Broadback rivers. (Courtesy of Jesse Sayles, Indian Ocean World Center, McGill University, Montreal, Quebec.)

serve as stewards of a designated family hunting territory or trapline, Whiteman and Cooper, 2000), and youth. In addition, we maintained regular contact through phone conversations with some members of the Cree community after completion of the actual fieldwork in James Bay. Freddy Jolly, our key informant, and Roger Orr agreed to have their names used in this article. Others are quoted anonymously.

CREE MOBILIZATION FOR RESISTANCE TO HYDRO DEVELOPMENT: AN OVERVIEW

James Bay—Phases 1 (La Grande) and 2 (Great Whale)

In 1971, Quebec Premier Robert Bourassa officially announced plans to construct large hydroelectric power stations on several major rivers flowing into James Bay. Responsibility to administer hydroelectric development in the region was granted to the James Bay Energy Corporation and James Bay Development Corporation, both subsidiaries of Hydro-Quebec, a Quebec Crown corporation (Salisbury, 1986; Maxwell et al., 1997). Given that social and environmental impact assessments were not required at the time under Quebec or Canadian law (Peters, 1999; Feit, 2004a), the James Bay Crees had little recourse in addressing the detrimental social and environmental consequences of the project (see, for example, Rosenberg et al., 1995; Hornig, 1999). They went to court to oppose construction of the first phase (La Grande) of the James Bay hydroelectric development project and, along with the Inuit, sought an injunction in 1972 from the Superior Court of Quebec to halt construction (Niezen, 1998; Hornig, 1999; Peters, 1999). After a lengthy period of testimony by Cree hunters about their ongoing use and occupation of the lands and resources of their traditional territories, Superior Court Judge Albert Malouf declared in favour of the Crees and recommended that federal and provincial governments negotiate a settlement with the Crees before resuming construction work on the project. The Malouf decision was overturned on appeal one week later, forcing the Crees to negotiate an out-of-court settlement with the governments of Quebec and Canada, as well as with Hydro-Quebec and its subsidiaries (Salisbury, 1986; Niezen, 1998; Hornig, 1999). In 1975, the James Bay and Northern Quebec Agreement was signed by the Crees, the Inuit, and the governments of Quebec and Canada. This event marked the first modern comprehensive land claim settlement in Canada. Under the agreement, the Crees obtained different levels of access rights to resources and wildlife harvesting under a three-tiered land regime, substantial cash compensation, and local as well as regional self-government powers (Salisbury, 1986; Hornig, 1999). In return, Quebec gained the right to pursue development in the region.

In 1986, Hydro-Quebec unveiled its plans to construct an additional project on the Great Whale River, located north of the La Grande watershed and upstream of the Cree-Inuit village of Whapmagoostui (Cree for ‘great whale’),

also known as Kuujjuarapik (Inuktitut for ‘little great river’). The perceived threat to the rivers, the animals, and their traditional way of life prompted the Crees to launch a five-year international campaign that in combination with other factors, including the flawed economics of the project, led Quebec to cancel the hydroelectric project in 1994 (see Niezen, 1998; Jensen and Papillon, 2000; Feit, 2004a). With respect to resistance strategies applied, Jhappan (1992:85) underscores how New York State’s cancellation of a multi-billion dollar (CAD) power purchasing agreement with the Government of Quebec and Hydro-Quebec demonstrates the power of direct lobbying: “The case suggests that international politicking will be more effective when external actors can be enrolled as direct stakeholders in specific Aboriginal disputes with Canadian governments.” Furthermore, the Grand Council of the Crees (GCC) participated in a conference on indigenous peoples convened by a UN Working Group on Indigenous Populations to garner political support for their grievances regarding Canada’s failure to implement various provisions under the 1975 James Bay Agreement (Niezen, 2000). The GCC also went to the International Water Tribunal in Amsterdam and to Australia to contribute to a debate on public participation in environmental issues (Jenson and Papillon, 2000). As a result of their efforts, the James Bay Crees gained a reputation as a politically sophisticated indigenous group that contributed to setting international standards in environmental protection and human rights (Niezen, 2000).

James Bay—Phase 3: A New Relationship

When the Cree leaders signed the New Agreement in 2002, they gave their consent to an environmental assessment and review process to be applied to the proposed EM-1-A & Rupert Diversion Project (see maps in HQ, 2004), which includes the partial diversion of the Rupert River northward to the Eastmain-1 reservoir and from there to existing generating stations at the La Grande complex via the La Grande River (HQ, 2004). The Crees also agreed not to oppose the Eastmain-1 development project (Scott, 2005). In return, the New Agreement includes a cash component of \$3.5 billion (CAD) to be dispensed over a 50-year period as part of Quebec’s obligations to contribute to community and economic development as stipulated in the 1975 James Bay Agreement (Feit, 2004a; Scott, 2005). Furthermore, the agreement gives the Crees greater autonomy over the administration of Cree communities, as well as more meaningful participation in assessments of development projects. It also provides for a new forestry regime, the joint management of parks and protected areas with Quebec, and shared revenues from hydro, mining, and forestry (Feit, 2004a; Scott, 2005).

Another rationale for regional Cree leaders’ consent to the Rupert Project was Quebec’s promise to shelve the originally conceived Nottaway-Broadback-Rupert (NBR) complex—a much larger project that proposed the complete diversion of the Rupert and Nottaway rivers into the

Broadback River and would have flooded 20 times the area that the current Rupert Diversion Project will flood (Feit, 2004a). Thus, the trade-off for the smaller and hence less environmentally destructive EM-1-A & Rupert Project is an added benefit to the Crees (Grand Council of the Crees, 2002). Also, the terms of the New Agreement, outlined above, were considered more attractive than what had been on offer in the past (GCC, 2002), especially in the context of a young, rapidly growing Cree population in need of improved employment and other opportunities.

Some Crees, however, speculated that the Government of Quebec and Hydro-Quebec used the New Agreement as leverage to gain the support and cooperation of the Crees for the project. For example, Chief Josy Jimiken of Nemaska made the following statement to the Federal Review Panel:

I have even heard it from certain Cree officials who are in positions of authority, and basically, the message to some of our people has been that if there are any expressions of opposition to this proposed diversion project, that there will be repercussions, that there will be consequences. There will probably even be the possibility of benefits being denied from this New Relationship Agreement....

(Federal Review Panel and Review Committee (COMEX), Vol.7, 2006:39)

Scheduled for completion by 2012, the EM-1-A & Rupert Project represents a \$5-billion (CAD) dollar investment that will produce approximately 800 mW of energy. This energy signifies a substantial increase in gross electrical production in Quebec and is expected to create thousands of direct and indirect jobs over the next decade (HQ, 2004). Given that unemployment levels in Cree communities continue to rise, securing job opportunities has been a major motivation for the Cree leadership (HQ, 2004; Scott, 2005). The unemployment rate for the Cree population is roughly 25% (of a labour force of 7500), and it doubles in the 15–24 age group (Cree Regional Authority, 2006). This rate is well above the 6.6% federal and 7.0% provincial averages for Canada (Statistics Canada, 2006b).

Despite Quebec Premier Jean Charest's declaration that the EM-1-A & Rupert Project represents a step forward in efforts to produce clean and renewable forms of energy (see CBC, 2007), many Crees are concerned about the long-term effects on the land and on their traditional harvesting activities. However, unlike the Great Whale Project, to which regional and local levels of Cree organizations were united in their opposition, the EM-1-A & Rupert Project generated internal divisions that had the effect of immobilizing Cree communities. The defeat of the Grand Chief and chief negotiator for the New Agreement, Ted Moses, in a September 2005 election, and his replacement by Matthew Mukash, who fought against the Great Whale project in the 1980s, reflect some of the internal politics the project has generated within the Cree Nation. Along with several other Cree leaders, Mukash has been critical of the proposed project

and favours the construction of wind turbines for energy production as an alternative to diverting the Rupert River (Bonspiel, 2004). The proposed hydro expansion also provoked debate within Cree communities and fueled criticism directed against the local and regional leadership. In the community of Nemaska, a local resistance group was established in response.

NEMASKA CREE REACTION, MOBILIZATION AND RESISTANCE TO THE EM-1-A AND RUPERT DIVERSION PROJECT

Local Reaction

The field research that informs our analysis of the Nemaska resistance movement began in June 2002, only a few months after the signing of the New Agreement and amidst the controversy over the Rupert Diversion Project. Initial conversations and interviews conducted by the senior author with the Nemaska Crees indicated that many local people were dissatisfied with the new deal. Some communicated a sense of betrayal by the Cree leadership because the Agreement in Principle (AIP) made in October 2001, which subsequently led to the signing of the New Agreement in February 2002, was negotiated in secrecy between the GCC and Quebec officials. One former Nemaska Band employee expressed his dissatisfaction with the lack of transparency shown by the local Cree leadership throughout the negotiating process: "There is change in the community and the way we work as a community." An employee of the Cree Regional Authority expressed similar frustrations with the regional leadership:

When the news first came out, my friends and I couldn't believe it. I called my dad and then checked on the Internet. I felt betrayed right away, and I started questioning our leadership. It really hurt me inside, and I almost cried when I heard about it. My friends and I began reviewing it to find ways to oppose it: to find an opposition plan... We felt that we could do something better.... So I made the decision to come home from school in North Bay to fight the project. I began to work with the opposition here in Nemaska and other communities.

Other Nemaska Crees were critical of events leading up to the community referenda for the signing of the New Agreement for several reasons. First, public involvement in the community consultation hearings was limited because many Crees, especially the elders and tallymen, were in the bush hunting and trapping during the winter months when the hearings were being held. Second, a two-month time-frame to make a decision on the new deal was considered by many to be unreasonable and insufficient to fully understand the implications of diverting the Rupert River. Third, the GCC was criticized for its failure to acknowledge the

emergence of a local opposition group, when GCC acknowledgement might have legitimized the group's stance on the Rupert River issue. Oblin (2007:97) made the following observation about the community hearings on the AIP: "Responses from Cree leaders and administrators to expressions of anti-AIP sentiments, however, often seemed defensive and at times antagonistic... Those who opposed were at times dismissed as marginal, provocative, and unrepresentative of the majority of the Cree." Oblin (2007) also pointed out that even many supporters of the AIP were critical of the process by which the agreement was achieved.

Furthermore, some Crees felt that the low rate of participation in the public referenda for the New Agreement (which had a 56% turnout rate: 38% voted in favour of the New Agreement, 17% voted against, and 44% did not vote, see GCC, 2005), made the legitimacy of the new deal rather questionable. It is also noteworthy that the public referendum in each community was held three years before Hydro-Quebec tabled its impact study on the Rupert River Project, which made it difficult for Crees to make an informed decision on the issue (Cree Nations of Nemaska, Chisasibi and Waskaganish, 2006).

Local protest over the Rupert River Project and the New Agreement was documented in the film, "One More River: The Deal that Split the Cree," directed by Neil Diamond and Tracey Deer (Rezolution Pictures, 2004; Bonspiel, 2005). Criticism of the Cree leadership cited the secrecy of negotiations with Quebec for the AIP; the failure to acknowledge the lack of consensus within the communities prior to the signing of the New Agreement; the surrender of Cree sovereignty over resource development; and the fact that opening up the territory to hydro, forestry, and mining could contribute to encroachment issues and impose further restrictions upon Cree traditional subsistence activities. In defence of the Cree leadership, a spokesperson for the GCC pointed out that the New Agreement would make a strong contribution to the promotion of economic progress and quality of life for the Crees:

Where would the 125 Crees work who are presently working...at the Troilus Mine? What about the Crees working in forestry? What about the more than 500 Crees who work on the EM1 project? What about all of the non-Crees working in the territory? Would they and Quebec and Canada just acquiesce to Cree demands that they be allowed to close the door on the rest of the world? Not likely! It seems that a minority of people, such as the "Un-Official opposition" are willing to sacrifice the well-being of many others to further their own agenda, even when the people vote the other way.

(GCC, 2005)

This statement conveys the GCC's perspective on the project as a much needed, reliable source of income for the Cree Nation.

Not all Nemaska Crees are opposed to the new deal and the hydroelectric expansion project. Indeed many local

residents expressed ambivalence about the project, suggesting that they feel torn between losing the river—and with it, important ties to their culture and history—and the economic benefits of large-scale development. For example, many community members who supported the hydro project acknowledged the significance of the cultural loss but said that given the benefits and their urgency for the Cree population, they accepted the loss as an inevitable sacrifice. The EM-1 and EM-1-A projects involve significant economic gains for the Cree Nation; the former provided employment for approximately 400 Crees (CRA, 2006), and the construction phase for the latter is expected to generate about 1052 person-years of employment over a five-year period and inject the equivalent of roughly \$105 million (CAD) into the Cree communities (HQ, 2004).

Local ambivalence about the project was further compounded by the level of confusion and controversy within the affected communities concerning the environmental review process for the project. The following statements made during the community consultation hearings capture the sense of frustration and uncertainty experienced:

All of a sudden, everything is being accelerated... The same way that La Paix des Braves [New Agreement] was accelerated, the consultation process with the people was so fast the next thing you know it was signed... I also see the same thing for the environmental impact assessment process."

(Diane Ried, Waskaganish, COMEV, 2003:13)

Today, even with this environmental review process, I believe still, it's still not a fair process... Numerous deadlines imposed upon the Crees... make no sense... This month, we were expected to review a three thousand-page study, which is practically impossible.

(Jeremy Diamond, Nemaska, COMEX, Vol. 6, 2006:63)

There are many people here who don't understand what these experts are talking about because they don't know what it means, they don't know these parts per million or what is going to happen with this water contamination.

(Richard Tent, Nemaska, COMEX, Vol. 7, 2006:123)

And people, I guess, they have questions still today because they're not sure, like me, I'm not sure what is going on, I'm right in between. I'm not with yes, I'm not with no: I'm right in between....

(Greg Jolly, Nemaska, COMEX, Vol. 7, 2006:17)

The above quotations show the general impression among many Crees that the signing of the New Agreement rendered the project "a done deal" and reduced the environmental review process to a meaningless bureaucratic exercise, which in turn contributed to local uncertainty and ambivalence about the project.

Local Mobilization

The establishment of a local opposition group at Nemaska in 2001 coincided with the community consultation phase for the negotiation of the New Agreement (see *One More River*, Rezolution Pictures, 2004). The group consisted of nine members, most of them employed in government and administrative positions, including the chief of Nemaska. Given that a majority of local community residents and Band Council officials supported the project (in a public referendum for the New Agreement), and that the GCC advised local officials not to oppose the New Agreement publicly (*One More River*, Rezolution Pictures, 2004), the chief could not make the protest part of official Nemaska Council business. Another active member of the group was a senior tallyman named Freddy Jolly. As the tallyman whose trapline has been most severely affected by large-scale economic development, Jolly has been a charismatic leader of local efforts to protect the land from environmental destruction and maintain the Cree way of life. Jolly is well known for his outspoken and often contentious views about economic development and the depth of his own personal attachment to the land. He is admired by many for his unremitting energy and resolve and for taking up the cause against external intrusions on Cree people, as well as their land and resources. During the 1990s, for example, he fought against the planned construction of the Route du Nord (North Road) by filing an application to the Quebec Superior Court to launch a class action lawsuit against Quebec, Canada, the James Bay Development Corporation, and Cree Construction to request compensation for damages to his trapline and on behalf of roughly 250 trappers affected by the road (Nicholls, 1996). Jolly engaged in coalition building with other affected trappers in the region. Using the local media (print and radio) to publicize the struggle, he contributed to growing support in the communities for trappers' receiving compensation for damages to their traplines. Jolly's court case marked the first time a Cree had used the class action process for Native rights (Carpenter, 2008).

Another member of the local opposition group is Roger Orr, a dedicated activist and environmentalist committed to increasing local awareness about the potential impacts of the project and mobilizing fellow Crees to challenge it. Orr works for social services in Nemaska as a counselor on alcohol and drug prevention and also provides support through his job as counselor for the National Native Alcohol and Drug Addictions Program.

The group maintained an informal organizational structure, and decision-making responsibilities were shared among all group members. Only one official meeting was ever convened, in June 2004. Its purpose was to devise strategies for a public challenge to the EM-1-A & Rupert Diversion Project and draw community attention to the potential short- and long-term impacts of hydro development.

The senior author, a non-Native researcher from Montreal, Quebec, was invited to attend and participate in this

meeting because of her several years of professional and personal engagement with the Nemaska community, which included her employment as a local high school teacher. In this capacity, she helped organize a student field trip to the EM-1 hydro construction site in June 2004 to provide local youth with a more informed perspective on the nature and scale of hydroelectric development in the region. She also participated in many social and cultural events in the community, including a 100 km snowshoe walk with Nemaska Crees along the Rupert River in March 2005. Finally, she spent several weeks on the Jolly family trapline, during which time she participated in sturgeon fish studies on the Rupert River as part of the feasibility studies for the impact assessment process of the project. Through these experiences, she gained a highly textured perspective on local concerns related to the project and was identified by the opposition group as someone committed to environmental protection and cultural continuity.

Through their combined knowledge, skills, and experience, the group developed a capacity for political action. For instance, by having access to phones and computers at home and work, group members made use of various political tools associated with information and communication technologies (Internet, websites, coalition building and media tactics). They also forged alliances with other Native and non-Native individual activists and organizations, including the Rupert Reverence Coalition, which pledged its assistance with media relations and press releases, as well as protest-related costs such as satellite phone rental, food, and gas. The fact that some members, particularly Jolly and Orr, had previously been involved in acts of protest created a knowledge base that informed and legitimated the kinds of resistance strategies devised by the group.

Despite this knowledge base, time and resource limitations imposed significant constraints on the ability of the group to organize and carry out its activities. These constraints also prevented the establishment of a larger network of supporters at national and international levels. At the local community level, the regional political climate surrounding the Rupert River Project, combined with an overall lack of political solidarity among community members, limited the ability of the group opposing the project to mobilize local support.

Eight different strategies were used by the opposition group, in isolation or in combination:

1. Organize a protest walk: A protest walk led by Freddy Jolly was intended to mobilize the Cree communities against the Rupert River Project and attract media coverage that would capture public attention and support beyond the Cree territory.
2. Confront the regional Cree leadership at the Annual General Assembly (AGA): This strategy was intended to exert political pressure on the Cree leadership to promote alternative forms of development consistent with sustainable management and development objectives.

3. Initiate, build, and strengthen alliances with activists and environmental groups located outside the Cree territory: The objective behind this strategy was to raise national and international awareness of their concerns and thereby gain additional support and political leverage vis-à-vis project decision makers.
4. Engage, build, and strengthen alliances with the neighbouring Cree communities of Chisasibi and Waskaganish: Chisasibi has borne the heaviest impacts of Phase 1, but both communities will be affected by the proposed project. Collaboration with these communities was intended to provide meaningful firsthand accounts of the impacts of hydro projects, strengthen the voice of the opposition group to gain the support of neighbouring communities, and allow the group to scale up its protest actions from the local to a regional level.
5. Promote wind energy as an alternative to the Rupert River Project: This particular strategy served the dual role of bringing the controversy surrounding the Rupert River Project to the AGA and putting the issue of alternative energy sources on the Cree political agenda.
6. Use information and communication technologies (Internet/e-mail, websites, and media tactics) to support protest efforts: Technology is particularly helpful to coordinate actions and facilitate the exchange of resources and information with other groups and organizations and to make the protest and resistance more visible outside the Cree communities.
7. Use the public consultation process for the environmental impact assessment of the project: This strategy allowed the group to use the public hearings as a platform to voice their views and concerns about the project to an audience of Cree, government, and proponent officials, as well as to the rest of the community.
8. Identify weaknesses and gaps in the technical studies for the environmental impact study: The objective in this strategy was to publicly embarrass the project proponent and to delay, if not stop, the project.

Local Resistance: A Cree Tallyman Walks to Save the Rupert River

People ask me if I still believe that we can win. I tell them that nobody owns the river. That includes the chiefs that signed the agreement. It's by watching over the land that we can save the Rupert River and those who use it.

Freddy Jolly (2004)

In June 2004, five members of the local opposition group, including the senior author, convened at the home of a group member to devise strategies to publicly challenge

the EM-1-A & Rupert River Diversion Project. Freddy Jolly wanted to discuss a dream he had about leading a protest walk to the Parliament Building in Ottawa. He suggested that this public protest should involve Natives and non-Natives as well as the media and environmental and human rights organizations. Although most members supported Jolly's proposal, one member of the group argued that a protest walk is a "soft" approach that would have minimal impact on the GCC. This member suggested that a more powerful approach would be to confront the regional leadership directly and employ political tactics that would "surprise" the GCC and startle the Cree public.

After some discussion and consultation with others, including a Montreal-based lawyer, a decision was taken to combine these strategies by organizing a protest walk from Nemaska to Wemindji in August 2004. Wemindji is a coastal Cree community located at the mouth of the Maquatua River along the east coast of James Bay, which, as the host community for the AGA, provided an opportunity to confront the regional leadership. At the same time, some members of the group, including the chief of Nemaska, decided to investigate wind energy as an alternative to the Rupert River Project with the intention to present their findings to the GCC at the AGA. These members forged alliances with chiefs and local residents at Waskaganish and Chisasibi in support of this strategy. Unfortunately, they failed to inform those group members involved in the protest walk of the plan to develop an alternative wind energy strategy. Indeed, it was not until the others arrived in Wemindji in August for the AGA, armed with booklets of information about alternative energy sources, that the protest walk group became aware of this strategy.

On 2 August 2004, Freddy Jolly and Roger Orr left Nemaska for a 14-day, 456 km protest walk to Wemindji to publicize their objection to the EM-1-A & Rupert Diversion Project. They arrived in Wemindji on 17 August 2004, day three of the AGA. Jolly used the opportunity to speak freely to the panel of Cree leaders and Cree people present. He talked about the significance of the Rupert River for the well-being of the Crees and future generations and the potential for alternative modes of energy production in the region, particularly wind energy. His speech was aired on the regional Cree radio station. Afterwards a large number of participants at the assembly, including the then Deputy Grand Chief of the Grand Council of the Crees, Mr. Paul Gaul, and other members of the Cree leadership, lined up to shake hands with Jolly, respectful and appreciative of the opposition group's mission and achievements.

Calling for a delay of the feasibility studies of the EM-1-A & Rupert Project, former Chief Robert Weistche of Waskaganish, along with other members of the opposition group that had worked on the alternative wind energy strategy, tabled a proposal for an "Eeyou Istchee Commission on Energy" (see Nicholls, 2004). This plan included a resolution to explore alternative, environmentally sound sources of energy on James Bay territory. It is noteworthy that this resolution subsequently contributed to tangible

developments in this field; for example, the community of Chisasibi, along with a Toronto-based company, has since developed a framework to build a wind energy project that, if realized, would become Canada's largest wind farm (see Bonspiel, 2004). A Cree Nation of Nemaska "Working Group on Energy and Sustainable Development" (WGESD) has also been established. Jolly attributes some credit for these developments to the protest walk:

They passed a resolution about wind power. I remember at the end I was talking to them about wind power. Like I said to them, we should stop [the] joint venture with Hydro-Quebec building dams. We should think about wind energy. And sure enough they started and now they're out there having meetings. And they go to Toronto and they go anywhere. And if I didn't do that walk, nobody would start talking about wind power.

Despite these developments and the warm reception given to Jolly and other members of the opposition, the protest walk was not the success Jolly and others had hoped it would be. While the regional leaders applauded the protesters' efforts, they were unwilling to revise their position on the Rupert Project. Jolly spoke of his personal disappointment in the days following the walk: "They [the chiefs] didn't walk beside me when I reached Wemindji. I was waiting for them and I didn't see them."

Local involvement in the walk to save the river also fell short of the opposition group's expectations. While Orr's wife and a non-Native teacher at Nemaska accompanied them for short stretches on the Route du Nord, Jolly and Orr were the only Nemaska Crees to walk the long stretch on the James Bay highway. Other Crees and non-Natives driving on the highway stopped to greet Jolly and Orr and give them encouragement. The protesters also met with then Grand Chief Ted Moses, who was en route to the Cree community of Eastmain to attend the 30th anniversary of the GCC. Moses and his family also took time to talk with Jolly and Orr.

When asked for his reaction to the limited number of active supporters they had for the walk, Jolly gave the following response: "There are times I'm sad about my people because they're asleep, they're silent..." Orr expressed a similar reaction to the poor turnout: "I remember when we got to the turn-off [road] to Wemindji. It was just the two of us, and everything around us was still. I had a weird feeling, and I turned to Freddy and asked him, "Do you get the feeling that it's just you and me on this earth?" (pers. comm. 2007). The following morning, four more supporters from the communities of Wemindji and Chisasibi, as well as one American and the senior author, joined Jolly and Orr to walk the last stretch to Wemindji. A camera crew from *Maamuitaau*, the CBC North's weekly Cree-language magazine, also arrived that morning to document the protest. As we walked, a police cruiser escorted us to the building where the AGA was being held. Within Wemindji, a small crowd of local residents had gathered on the street,

demonstrating their support by cheerfully applauding the efforts of the protesters. The crowd joined us as we made our way to the assembly.

A strategy similar to the protest walk, also aimed at raising the profile of the Rupert political struggle, took the form of a public protest on the Rupert River near Waskaganish the following summer. This public demonstration was organized by the Rupert Reverence Coalition, an environmental group composed of Crees and Jamesians (non-Native residents of towns located within the James Bay Municipality), as well as environmentalists and concerned citizens from the south. The focus of the event was a group of paddlers traveling downriver to the Cree village of Waskaganish and into Rupert Bay. With the exception of the chief, no one from the community joined the protest group. Yet the symbolic significance of the demonstration did not go unacknowledged by local residents. For example, an elder reported to the senior author that despite the project being well under way at that stage and the futility of further protests to save the river, the chief's demonstration of his personal commitment to the river sent an important message to the community.

A central aspect of protest strategies such as the walk and the public demonstration is the media attention they attract. Committed efforts were made following the protest walk to draw media attention to "Jolly's fight to save the Rupert River." The senior author, with assistance from members of the Rupert Reverence Coalition, crafted catchy headlines for press releases: "Cree tallyman walks 456 km to save the Rupert River." "David meets Goliath: Grand Chief Ted Moses wishes Freddy luck on his quest to save the Rupert River." These efforts, as well as the involvement of a New Yorker who had previously opposed the Great Whale Project and joined the protest walk to Wemindji, harnessed the attention of 20 print and radio media outlets, including the Canadian Broadcasting Corporation (CBC); the *Montreal Gazette*; the Tataskweyak Cree Nation from Split Lake, Manitoba; and Cultural Survival, a non-profit indigenous rights organization based in Massachusetts, USA.

An important aspect of the media strategy was the focus given to Jolly's personal commitment to fight the Rupert Project. The editor of the *Nation* magazine expressed his appreciation of Jolly's dedication and determination in the following terms: "I have to admire Jolly. He keeps coming back year after year trying to stop the degradation of his trapline. You can see it pains him to see anything happen to it and that the pain is very real" (Nicholls, 2004). Despite the hopelessness of the protest and the low turnout of supporters on the walk, Jolly's resolve to continue the fight was unrelenting:

The media that called me, they said to me "Do you still have a chance to save the river, even if the chiefs signed [?]" I told them this way, "I'm not alone." When I started walking from Nemaska, everything...it's just like the river was following me. And I began to see [and] hear everything that I'm standing up for, everything on the

land, on the river, in the air, they were walking with me, and I wasn't alone. That's how blind they are. They only look at one person."

While the protest walk was the central strategy applied by the opposition group in their resistance of the Rupert River Project, it was not applied in isolation. The approach to applying other strategies, and their achievements and limitations, are discussed below.

DISCUSSION

The objective of the protest walk was to capture the hearts of the Cree people and to encourage them to challenge the Rupert River Diversion Project. The walk generated interest from several environmental groups and organizations beyond the region that subsequently threw their support and some resources behind local Cree initiatives to save the Rupert River. However, the walk was less effective in generating regional and local level resistance. Given the strong support the regional leadership had declared for the project, some Crees saw the protest walk to save the river as a divisive threat to regional solidarity. In retrospect, a more effective approach to rallying local support might have involved a greater focus by the local opposition group on increasing local awareness and education about the potential impacts of the project before initiating the protest walk. In this respect, the wind energy proposal would certainly have contributed to the discussion of feasible alternatives to the project if it had been incorporated into a more open and accessible public communication strategy. This public communication, in turn, might also have increased the visibility and credibility of the local opposition group.

The Nemaska opposition group demonstrated the capacity to forge a grassroots network of individuals and organizations within and outside the Cree communities that worked to organize and support each other. For example, some members of the Nemaska group joined forces with chiefs and residents at Waskaganish and Chisasibi to research wind energy as an alternative to the Rupert River Project. This initiative led to the establishment of the Working Group on Energy and Sustainable Development, with Nemaska chief Josy Jimiken as its president. Despite some success in raising the profile of the Rupert Project at the AGA, the strategy to promote wind energy had limited capacity to enlist local community support because poor communication limited the circulation of information about this strategy. In terms of knowledge-sharing and teamwork within the group, some members felt excluded from the decision-making loop. Thus, although the wind energy strategy was successful in building alliances with other Cree communities, it failed to connect with local residents at Nemaska and served to alienate some members of the opposition group.

The local resistance movement also established alliances with larger environmental groups outside Cree territory. For

example, collaboration with the Rupert Reverence Coalition was essential to their efforts to initiate the protest walk to Wemindji. A particularly valuable asset was the organization's extensive experience in media relations. However, a language barrier created a major challenge to creating and maintaining alliance networks between the coalition group and the Nemaska resistance group. The fact that most members of the Rupert Reverence Coalition are French-speaking hampered their efforts to communicate with the Cree public and enlist local support. Thus, the coalition group relied heavily on the collaboration of members of the local opposition to draw support from the local community. The presence or absence of liaison persons, such as the senior author, to facilitate exchanges between coalition members and local opposition groups became critical to maintain the alliance.

The Rupert Reverence Coalition was, however, effective in mobilizing other environmental groups to assist in the Rupert River struggle. For example, Quebec movie star and co-founder of the Rivers Foundation, Roy Dupuis, visited Jolly's trapline on various occasions and committed his support. Organizations such as the Sierra Club of Canada also got involved.

The use of information and communication technologies also contributed to this mobilization effort. For example, websites like the one launched by the Nemaska, Waskaganish, and Chisasibi communities brought together a host of groups and organizations from Canada, the United States, and overseas to raise awareness about environmental protection in the context of the Rupert River. An online petition and a list server then allowed these distant supporters to become more actively involved. Jolly acknowledges the significance of this support: "People are emailing from all over [the world]. Like I said, let the spirit of the Rupert River flow. That's how it is, you spread the word."

At the local level, public announcements of the protest walk were broadcast on regional radio and published in the *Nation* magazine. This served to inform the nine Cree communities and encourage the exchange of ideas on the Rupert Project, as well as to rally local support. The use of Internet and e-mail was useful in establishing a connection with other Native groups facing the negative impacts of external development on their lands. In particular, it served to inform other local communities of the various strategies of protest and resistance employed by Nemaska Crees. For example, the Nemaska opposition group received an e-mail from the Tataskweyak Cree Nation in Split Lake, Manitoba, a community that is currently debating its involvement in a hydro dam project. The community is seeking to join forces with the Nemaska Crees, as well as other Native and non-Native groups and organizations, to create a broader network of resistance against hydroelectric projects and other types of industrial development that pose substantial environmental risks and challenges.

With respect to the public consultation process, the public hearings for the environmental assessment of the EM-1-A & Rupert Diversion Project allowed members of the local

opposition at Nemaska to voice their concerns about the proposed development project to a wider audience. However, as mentioned earlier, this process was inadequate for a variety of reasons, as reflected in the Review Panel's recommendation to proceed with the proposed project (see Canadian Environmental Assessment Agency, 2006) despite the fact that many concerns raised during the hearings were not adequately addressed. This experience confirms the ongoing need for local communities to avail of alternative strategies for protest and resistance.

Another strategy used by the local opposition group was to hire technical advisors and independent consultants to conduct internal studies on the environmental impact study. For example, the communities of Nemaska, Waskaganish, and Chisasibi solicited the help of the Helios Centre, a non-profit research group that provides independent expertise on energy issues, to review and comment on Hydro-Quebec's justification for the Rupert Project. The motivation behind this approach was to find weaknesses and gaps in the proponent's technical studies. Indeed, the Helios report to the Federal Review Panel concluded that the project could not be justified on grounds of Quebec's future energy and security needs (Helios Centre, 2006). Although this strategy was effective in challenging the proponent's findings, as well as in giving credibility to local concerns about the project, it ultimately had no apparent impact on the substance of the Review Panel's final recommendations.

CONCLUSION

The control of and access to land and resources have long been and continue to be points of contention and often sources of conflict between indigenous peoples and the dominant society (Clark, 2002). As the pace of intrusive, large-scale resource development on Native territories accelerates (Scott, 2001; Stewart-Harawira, 2005), the need for a better understanding of the pressures facing indigenous peoples becomes more urgent, especially in relation to their resistance to ecological crises caused by such development.

While there is a growing literature on the emergence of indigenous resistance movements in response to externally imposed industrial development, little attention has been paid to the tensions that occur between local and regional levels of governance and within the indigenous communities themselves (Ishiyama, 2003 and Oblin, 2007 are exceptions). In general, competing ideologies and value systems contribute to conflicts (Ishiyama, 2003; Oblin, 2007). As Western capitalist modes and approaches become further entrenched in indigenous systems of governance and functioning, and in the everyday lives of Native people, the search for balance between traditional beliefs and values and those of mainstream society often generates conflict over identity and legitimacy (Oblin, 2007).

This study attempts to provide insight to indigenous political struggles by focusing on the local-regional dynamics at play in the conflict over the EM-1-A & Rupert Diversion Project in James Bay Cree territory. While the official position asserts that the Cree Nation, by signing the New Agreement, has lent its support to the Rupert River Project, our examination of Cree local dynamics reveals a more complex political struggle within and between local and regional sites of power and identity. Feit (2004b:107) suggests that the capacity of Cree political leaders to oppose development and, at the same time, invite relationships with governments and industry, although seemingly contradictory, is entirely consistent with Cree strategies for "living here and now." In this sense, the willingness of Crees to seek respectful relationships with developers should not be interpreted as a compromise or inconsistency but as "the means of re-creation of life projects and relationships for everyday living and survival in the midst of continuing destruction" (Feit, 2004b:108). Our findings do not exclude the possibility of the second interpretation. However, they also indicate that some Crees, at least at the local level, interpret Cree political decisions less favorably as compromise or inconsistency.

The need to understand indigenous peoples' struggles within the historical and socio-political context of economic and industrial development has been underscored by many researchers (Clark, 2002; Coates, 2004; Gedicks, 2004; Stewart-Harawira, 2005). With regard to our study, the impetus behind local resistance to the Rupert River Project was twofold. First, the sustained and ongoing impacts of the La Grande Project and related works (see for example Berkes, 1988) provided a powerful, firsthand appreciation of the likely implications and impacts of the Rupert River Project. Second, weaknesses in the negotiation and public consultation processes were thought to have compromised the legitimacy of the New Agreement, so that the consent granted in the New Agreement did not in reality constitute "free, prior and informed consent" (Cree Nations of Nemaska, Chisasibi and Waskaganish, 2006). This resistance and internal division on the EM-1-A & Rupert Diversion Project stands in marked contrast to the united front that characterized the successful Cree campaign against the Great Whale Project in the 1990s.

With construction of the EM-1-A & Rupert Project now well under way, the "battle to save the Rupert" is lost forever. The lessons from local protest efforts may have some lasting legacy, however, in informing local strategies of resistance to the ongoing ecological degradation and cultural loss imposed by large-scale industrial development in the region. Beyond this, unanimous consent by Crees on the New Relationship Agreement (INAC, 2008) signed with Canada illustrates the resilience of the Cree Nation and the capacity of the Cree leadership to resolve internal differences and move forward on a united front.

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